



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

AUG 19 2015

Mr. Mike Revis
742 Industry Drive
Building 16
Tukwila, WA 98188

Ref. No. 15-0009

Dear Mr. Revis:

This responds to your January 15, 2015 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification on the size limits under the exception in § 173.185(c)(1)(i) for lithium ion batteries.

You state the lithium ion battery in question has a rating of 81.4 Watt-hour (Wh). The two cells that make up the battery each have a rating of 40.7 Wh. You have asked if this battery qualifies for the exceptions in § 173.185(c)(1)(i).

The answer is yes. Section 173.185(c)(1)(i) states that the Wh rating may not exceed 20 Wh for a lithium cell or 100 Wh for a lithium ion battery. The United Nations (UN) Manual of Tests and Criteria defines a battery as "one or more cells which are electrically connected together by permanent means." The 100 Wh size limit applies to your battery irrespective of whether the component cells exceed the 20 Wh rating for a cell. Therefore, the exceptions in § 173.185(c)(1)(i) apply to your lithium ion battery configuration since the battery does not exceed 100 Wh.

I hope this answers your inquiry. If you need additional assistance, please contact this Office at 202-366-8553.

Sincerely,

Dirk Der Kinderen
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Beelhe
§173.185(c)(1)(i)
Lithium Batteries
15-0009

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Thursday, January 15, 2015 9:44 AM
To: Hazmat Interps
Subject: FW: Lithium ion batteries 173.185(c)(1)(i)

Mr. Revis' address is:

742 Industry Drive
Building 16
Tukwila, WA 98188

From: Ciccarone, Michael CTR (PHMSA)
Sent: Thursday, January 15, 2015 9:42 AM
To: Hazmat Interps
Subject: FW: Lithium ion batteries 173.185(c)(1)(i)

Shante/Alice,

Please submit this for a formal letter of interpretation. Mr. Revis spoke with Jordan in the HMIC.

Thanks,

Mike

From: Mike Revis [<mailto:mike@hazmatexpress.com>]
Sent: Wednesday, January 14, 2015 6:49 PM
To: PHMSA HM InfoCenter
Subject: Lithium ion batteries 173.185(c)(1)(i)

Good day,

I am writing to explore the possibility of getting an official letter of interpretation regarding the size limit for lithium ion batteries in 173.185(c)(1)(i).

I received a telephone response from PHMSA when I originally made this request.

Another person states that he made the same request and received a different response from PHMSA.

The request has to do with the size limitation of a cell in a multiple cell lithium ion battery.

Specifically.

The lithium ion battery in question has a rating of 81.4 Wh.

The two cells that make up the battery each have a Wh rating of 40.7.

Does this battery qualify for the exceptions in 49CFR 173.185(c)(1)(i)?

Thank you for your consideration.

Mike Revis
206.575.0458