

March 29, 2016



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 16531  
(FOURTH REVISION)

**EXPIRATION DATE: January 31, 2018**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: NVIDIA Corporation  
Santa Clara, CA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of damaged, defective, or recalled lithium ion batteries contained in equipment that originally met the requirements under 49 CFR 173.185(c) by highway and cargo vessel. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, emergency response information, and training are required and § 173.185(f) in that alternative packaging is not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of NVIDIA Corporation dated December 1, 2015, submitted in accordance with § 107.105.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper shipping name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Lithium ion batteries, contained in equipment	9	UN3481	N/A

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS -

(1) Each lithium ion single cell battery contained in equipment (as described in the application dated July 10, 2015 which is on file with the Office of Hazardous Materials Safety Approvals and Permits Division) may be rated to not more than 20 Wh.

(2) Batteries contained in equipment originally met the requirements of 49 CFR 173.185(c) including successfully passing the tests in accordance with the UN Manual of Tests and Criteria, Fifth Revised Edition.

(3) Shipments are only authorized in support of NVIDIA Corporation's recall of the battery contained in equipment.

(4) Shipments of recalled lithium ion batteries contained in equipment are limited to consumer devices from customer residences, retail stores, distribution centers, and manufacturing facilities to designated NVIDIA Corporation collection facilities.

(5) Packages must be stored away from heat.

(6) Each shipment offered under the terms of this special permit must be accompanied by a document that includes the following:

(i) An indication that the package contains a lithium ion battery contained in equipment;

(ii) An indication that each package is to be handled with care and that a flammable hazard exists if a package is damaged;

(iii) An indication that special procedures must be followed in the event a package is damaged; and

(iv) A telephone number for additional information.

b. PACKAGING -

(1) INNER PACKAGING - Leakproof anti-static plastic bag containing not more than one (1) piece of equipment and sealed with a zip lock closure.

(2) INTERMEDIATE PACKAGING - Corrugated fiberboard box containing not more than one (1) inner packaging with foam cushioning surrounding both ends to prevent movement during transport and taped closed.

(3) OUTER PACKAGING - UN4G fiberboard box meeting PG I performance criteria with ceramic laminated liner on all interior surfaces containing not more than one (1) intermediate packaging.

c. MARKING: Each package must be marked:

(1) "DOT-SP 16531" in accordance with § 172.304;

(2) "Damaged/defective lithium ion battery" in accordance with § 172.304 and the lithium battery handling marking conforming to § 173.185(c)(4)(i); and

(3) With the words: "FORBIDDEN FOR TRANSPORT BY AIRCRAFT - GROUND AND VESSEL SHIPMENT ONLY".

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8. SPECIAL PROVISIONS:
- a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.
  - b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
  - c. Motor vehicle transportation is limited to contract carrier.
  - d. Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle and Cargo Vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)

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PO: Hwang/SG