

January 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 16625

**EXPIRATION DATE: June 30, 2016**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Pelican Products, Inc.  
Torrance, CA
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the transportation in commerce of damaged, defective, or recalled lithium ion batteries and equipment containing these batteries that originally met the requirements under 49 CFR §§ 173.185(a)(1) and 173.185(c). 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 the development of this special permit only considered the hazards and risks associated with the 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 provided herein.
5. BASIS: This special permit is based on the application of Pelican Products, Inc. dated December 21, 2015 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or

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property and economic impact.

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                        | 9                             | UN3480                       | N/A                  |
| Lithium ion batteries contained in equipment | 9                             | UN3481                       | N/A                  |

7. SAFETY CONTROL MEASURES:a. OPERATIONAL CONTROLS -

- (1) Each lithium ion battery and battery contained in equipment (as described in the application dated December 21, 2015 which is on file with the Approvals and Permits Division) may not be rated to more than 48.8 Wh.
- (2) Batteries and batteries contained in equipment must have 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 Pelican Products Inc.'s recall of the batteries and batteries contained in equipment.
- (4) Shipments of damaged, defective, and recalled lithium ion batteries and batteries contained in equipment are limited to consumer devices from customer residences and retail stores to designated 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 each package contains a lithium ion battery;
  - (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.
- (7) Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.

b. PACKAGING -

- (1) INNER PACKAGING - Leakproof anti-static plastic bag containing not more than one (1) piece of equipment containing a battery or one (1) battery 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 with:

- (1) The special permit number in accordance with § 172.301(c);
- (2) The lithium battery handling marking conforming to § 173.185(c)(4)(i) on the outer package; and
- (3) The words "FORBIDDEN FOR TRANSPORT BY AIRCRAFT - GROUND AND VESSEL SHIPMENT ONLY".

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 modification or change is made to the package or its contents 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Rail Freight, Cargo Vessel. Cargo vessel is only authorized when transportation via motor vehicle or rail freight is not possible.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle 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

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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.

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). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: HERZOGK/Hwang