

October 16, 2020



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 20709  
(FIFTH REVISION)

**EXPIRATION DATE: 2024-09-30**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Mercedes-Benz AG  
Sindelfingen, Germany

US AGENT: Mercedes Benz USA, LLC  
Atlanta, GA

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of lithium ion batteries each with a net weight exceeding 35 kg by cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) 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.

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- d. This special permit serves as an approval under Special Provision A99 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107, 171-180, and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.101 Hazardous Materials Table Column (9B) in that a lithium ion battery may not exceed 35 kg when transported by cargo aircraft, except as provided herein.
5. BASIS: This special permit is based on the modification application of Mercedes-Benz AG received September 25, 2020, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A

7. SAFETY CONTROL MEASURES:
- a. Operational Controls:

(1) Only production lithium ion batteries, as described in Mercedes-Benz AG's application dated August 21, 2019 and on file with the Office of Hazardous Materials Safety Approvals and Permits Division may be offered for transportation under the terms of this special permit. Each different battery type must comply with all the conditions of this special permit prior to being offered for transportation.

(2) All batteries must be offered for transportation at a state of charge not exceeding 30 percent.

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(3) The batteries must be equipped with an effective means of preventing dangerous reverse current flow if a battery contains cells or modules that are connected in parallel.

(4) Cells and batteries must be protected against short circuiting.

b. Testing Requirements:

(1) Each battery must be comprised of lithium ion cells that are of a type that have passed the required tests as specified in the "UN Manual of Tests and Criteria, 6<sup>th</sup> Revised Edition".

(2) The production lithium ion modules and batteries must be of a type that have passed the required tests as specified in the "UN Manual of Tests and Criteria, 6<sup>th</sup> Revised Edition".

c. Packaging Requirements:

(1) Inner Packaging: Each battery must be individually packaged in a fully enclosed non-metallic inner packaging and surrounded by cushioning material that is non-combustible and non-conductive;

(2) Outer packaging: The inner packaging must be further packaged in a UN 4G fiberboard outer packaging that meets Packing Group II performance criteria;

(3) Not more than one battery is allowed per package;

(4) The gross weight of the package may not exceed 450 kg; and

(5) The net weight of the battery within the package may not exceed 290 kg.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

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b. 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 and it is reoffered for transportation in conformance with this special permit, the HMR, and ICAO TI.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.

e. The grantee must maintain a record of all activity conducted under the authority granted in this special permit and upon request make this information available to DOT representatives or enforcement officials. The record must contain a listing and number of shipments made to include:

(1) Dates of shipment; and

(2) Description of each type of shipment.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
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 William Schoonover  
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: SH/TG