U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street S.W.
Washington D.C. 20590

DOT-E 9348 (EXTENSION)
FOURTH REVISION April 5, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9348 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to May 31, 1996. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

J. Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAY 20 1994
(DATE)

Dist: FHWA FRA FAA

EXEMPTION HOLDER	APPLICATION DATE
DURACELL, Inc. Bethel, CT	February 23, 1994

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

EXPIRED - NO RENWAL
NOT ACTIVE

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APR 5 1991

DOT-E 9348
(FOURTH REVISION)

1. Duracell Inc., Bethel, Connecticut, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer and transport packages prescribed herein of a flammable solid for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of a limited number of certain lithium batteries under certain conditions in all modes of transportation, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This exemption is based on Duracell Inc.'s application dated February 20, 1990, and February 22, 1991, submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Lithium batteries, classed as flammable solid.

4. PROPER SHIPPING NAME (49 CFR 172.101). None.

5. REGULATIONS AFFECTED. 49 CFR Part 107 Appendix B, 173.206, 175.3, 175.85.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, passenger carrying aircraft and cargo aircraft only.

7. SAFETY CONTROL MEASURES.

a. Batteries must be of the lithium-manganese dioxide type described in the application dated November 7, 1984 and November 3, 1989, and may not contain more than 3 grams of lithium. No component cell of any battery may contain more than 0.5 gram of lithium. Batteries must be manufactured by Duracell or agents thereof and are restricted to battery model numbers DL323ABPP, DL423ABPO, DL523ABP, DL623ABP, DL323AO, DL423A, DL523A, and DL623A.

b. Batteries of the above identified model numbers are not subject to the requirements of 49 CFR Parts 170-179 when shipped under the conditions described below.

1. When sealed in the original manufacturer's packaging or in a device designed to be powered by the battery.

2. The original manufacturer's packaging and each battery must be marked as designated in paragraphs 3 and 4 below.

3. The following marking applies to battery model numbers DL523ABP, DL623ABP, DL523A and DL623A.

"U.S. DOT authority (DOT E-9348) to carry this type of battery specifies a limit of no more than four (4) batteries per bag (luggage)."

4. The following marking applies to battery model number DL323ABPP, DL423ABPO, DL323AO and DL423A.

"U.S. DOT authority (DOT-E 9348) to carry this type of battery specifies a limit of no more than six (6) batteries per bag (luggage)."

5. For shipment by motor vehicle, labeling requirements do not apply to package(s) containing lithium/manganese dioxide batteries provided:

1. The batteries contain no more than 6 cells with each cell containing not more than 0.5 grams of lithium, and

2. The gross weight of a package(s) in one motor vehicle does not exceed 65 pounds.

8. SPECIAL PROVISIONS. NONE.

9. REPORTING REQUIREMENTS. Any incident involving a hazardous malfunctioning of a battery of the type authorized in this exemption must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable, including any incident occurring outside of transportation.

10. EXPIRATION DATE. March 1, 1993.

Issued at Washington, D.C.

APR 5 1991

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FAA.