

November 29, 2007



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 14504

EXPIRATION DATE: October 31, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Medis Technologies Ltd.
New York, NY
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes up to three reserve micro fuel cell devices containing small amounts of Class 8 liquids for personal use to be carried by aircraft passengers and crewmembers aboard aircraft on one's person or in carry-on baggage without being subject to the Hazardous Materials Regulations (HMR), except as provided herein. This special permit provides no relief from the HMR other than as specifically stated herein.
 - 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 Parts 100-180, except as provided herein.
5. BASIS: This special permit is based on the application of Medis Technologies Ltd. dated April 1, 2007 and supplemental information provided June 1, 11 and July 12, 2007, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Corrosive liquids, basic, inorganic, n.o.s.* (potassium hydroxide, borohydride salts)]	8	UN3266	II

*Exceptions are referenced in Column (8A) of the § 172.101(c) Table and are provided in § 173.154 and is not a material forbidden for transportation by passenger or cargo aircraft.

7. SAFETY CONTROL MEASURES:

- a. The Medis 24/7 Powerpack micro fuel cell must be as described in the application on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and must be of the same design as was tested and passed the UL2265C certification requirements and the IEC PAS 62282-6-1 Safety Criteria for Micro Fuel Cell Power Systems.
- b. The Medis 24/7 Powerpack micro fuel cell may not be refillable or rechargeable.
- c. The micro fuel cells must be protected against short circuits.

8. SPECIAL PROVISIONS:

- a. A current copy of this special permit must be maintained at each facility where the Medis 24/7 PowerPack micro fuel cell is manufactured.
- b. The outer casing of each Medis 24/7 PowerPack micro fuel cell device must be legibly and durably marked with the following: "DOT SP-14504 APPROVED FOR CARRIAGE IN AIRCRAFT."
- c. Up to three micro fuel cell devices may be carried on one's person or in carry-on baggage.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft.

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10. MODAL REQUIREMENTS: None.
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

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "Theodore L. Willke".

for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.
PO: scw:dl