

May 26, 2015



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 15765
(FIRST REVISION)

EXPIRATION DATE: April 30, 2019

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Delphi Automotive Systems, LLC
Warren, OH
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of a UN4B aluminum box used for the transportation in commerce of damaged or defective lithium ion batteries (originally approved under CA2011050032) that were not of a type proven to meet the requirements of each test in the UN Manual of Tests and Criteria. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(f) in that damaged or defective lithium ion batteries that were not of a type proven to meet the requirements of each test in the UN Manual of Tests and Criteria are not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of Delphi Automotive Systems, LLC dated August 26, 2014, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries*	9	UN3480	N/A

*Only damaged or defective lithium ion batteries approved under CA2011050032 may be transported in packagings manufactured, marked, sold, and used under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The damaged or defective lithium ion batteries identified in paragraph 6 may be transported by motor vehicle or cargo vessel provided they meet the following:

(1) Each damaged or defective lithium ion battery must be placed in a Fortune Plastics 4 mil thick LLDPE bag with three New Pig HR7015 Haz-Mat Chemical Absorbent Pillows placed into the bottom. The LLDPE bag must be sealed with a plastic tie;

(2) Each LLDPE bag containing a damaged or defective lithium ion battery must be placed in a UN4B aluminum box tested and certified to the Packing Group I performance level;

(3) Spacers must be used to prevent movement of the LLDPE bag containing the damaged or defective lithium ion battery in the UN4B aluminum box;

(4) ProPlank 2.2 PCF non-combustible and non-conductive cushioning must line the UN4B aluminum box;

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(5) All void spaces within the UN 4B aluminum box must be filled with non-combustible and non-conductive cushioning that is absorbent;

(6) Only one damaged or defective lithium ion battery may be packaged within the UN4B aluminum box;

(7) The completed package joints must be gasketed; and

(8) The completed package must not exceed a gross mass of 125 kg.

b. TESTING - None required for the lithium ion cells or batteries.

c. OPERATIONAL CONTROLS - The damaged or defective lithium ion batteries identified in paragraph 6 must conform to the following:

(1) Cell contacts must not be exposed during transportation;

(2) Damaged or defective lithium ion battery contacts must not be exposed during transportation; and

(3) Damaged or defective lithium ion batteries must be secured and fully enclosed by a casing to protect against short circuiting.

d. MARKING - Each package shipped under the terms of this special permit must be marked with orientation arrows and the wording "Damaged/defective lithium ion battery" on a contrasting background in proximity to the markings and labels required by the HMR.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

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- b. A person who is not a holder of this special permit, but 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 offered for transportation in conformance with this special permit and the HMR.
 - c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
 - d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.
 - e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.
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 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.

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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

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

PO: NICKS