

December 3, 2014



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 15866
(SECOND REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185 in that damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries may not be transported, except as provided herein.
5. BASIS: This special permit is based on the application of Saft America, Inc. dated March 25, 2014 submitted in accordance with § 107.105 and the public proceeding thereon.

December 3, 20146. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium metal batteries*	9	UN3090	II
Lithium metal batteries contained in equipment*	9	UN3091	II
Lithium ion batteries*	9	UN3480	II
Lithium ion batteries contained in equipment*	9	UN3481	II

*Only damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries may be transported in special packagings under the terms of this special permit. Cells or batteries liable to rapidly disassemble, dangerously react, produce a flame or a dangerous evolution of heat or a dangerous emission of toxic, corrosive or flammable gases or vapors under normal conditions of transport may not be transported except under paragraph 7.b.4) of this special permit.

7. SAFETY CONTROL MEASURES:a. PACKAGING -

- 1) Damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries must be individually placed in inner packaging.
- 2) The cell, battery, or equipment inside the inner packaging must be surrounded with inert absorbent material sufficient to absorb any release of electrolyte.
- 3) Each inner packaging must be surrounded by sufficient non-combustible and non-conductive thermal insulation to protect against a dangerous evolution of heat.
- 4) The inner packaging containing the damaged or defective lithium cells, batteries, or equipment

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containing damaged or defective lithium cells or batteries must be placed in a thermally insulated UN outer packaging.

5) The inner packaging may be packed in a metal, plastic or plywood drum or metal, plastic or wooden box that conforms to the general packaging requirements of subpart B of part 173 and to the requirements of part 178 at the Packing Group II performance level. Large packages of metal plastic or wooden construction are authorized for a single damaged or defective lithium battery or equipment.

6) The inner packaging or outer packaging shall be leak-proof to prevent the potential release of electrolyte.

7) Non-combustible and non-conductive cushioning material (such as vermiculite) must fill the void spaces within the outer packaging to protect from the effects of shock and vibration and to prevent movement of the cells and batteries.

8) A venting device must be used, if needed.

b. OPERATIONAL CONTROLS -

1) Each damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries must be protected against short-circuiting.

2) A cell or battery with a mass of more than 30 kg must be limited to once cell or one battery per outer packaging.

3) The state of charge must be reduced to 50% when practical before offering for transportation.

4) The damaged or defective lithium cells, batteries, or equipment containing damaged or defective lithium cells or batteries may be transported if for a period of at least seven (7) days prior to transport there is no evidence of venting, leakage, heat, smoke, fire or other adverse reaction.

5) This special permit allows transportation of no more than 400 damaged or defective lithium cells, batteries, or equipment containing damaged or defective

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lithium cells or batteries over a five year period since the issuance of this permit.

6) MARKING - Each package shipped under the terms of this special permit must be marked "Damaged/Defective Lithium Ion Batteries" or "Damaged/Defective Lithium Metal Batteries," as appropriate on a contrasting background in proximity to the markings and labels required by the HMR.

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 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, Cargo Vessel, and Rail Freight.

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

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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.

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: STH/TG