



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 16, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 16563
(FOURTH REVISION)

EXPIRATION DATE: 2025-08-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Call2Recycle, Inc.
Atlanta, GA

2. PURPOSE AND LIMITATIONS:

a. This emergency special permit authorizes the manufacture, mark, sale and use of UN specification packagings for the transportation in commerce of damaged, defective, or recalled lithium ion cells and batteries and lithium metal cells and batteries (including those contained in equipment) without shipping papers and certain marking and labeling. 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.

c. This special permit serves as an “exemption” under Chapter 7.9, Section 7.9.1 of the IMDG Code (see IMO MSC/Circ. 1075-Granting Exemptions from the Provisions of the IMDG Code) and as a “Competent Authority Approval” as defined under 49 CFR § 107.1.

d. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.

Tracking Number: 2024044481

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 and Chapters 1.3, 5.2, 5.3 and 5.4 of the IMDG Code in that shipping papers, marking, labeling, placarding, emergency response information, and training are not required and § 173.185(f)(3) in that more than one lithium cell or battery per package is authorized as specified herein.
5. BASIS: This emergency special permit is based on the application of Call2Recycle, Inc. dated April 12, 2024, submitted in accordance with § 107.117 and the determination that it is necessary to protect life and property.
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
Lithium ion batteries contained in equipment*	9	UN3481	N/A
Lithium metal batteries*	9	UN3090	N/A
Lithium metal batteries contained in equipment*	9	UN3091	N/A

*Only damaged, defective, or recalled lithium ion or lithium metal cells or batteries, equipment containing these cells or batteries, and end-of-life waste lithium cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i), (ii) or (iv) may be transported under the terms of this special permit. For transportation by cargo vessel, only lithium ion or lithium metal cells or batteries and equipment containing these cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i) or (ii) may be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS:

- (1) Cells, batteries, and these cells or batteries contained in equipment must have originally met the requirements for testing in accordance with the most recent edition of the UN Manual of Tests and Criteria prior to becoming damaged, defective, or recalled.

- (2) Transportation by cargo vessel is only permitted when motor vehicle or rail shipments are not possible.

b. PACKAGING:

(1) INNER PACKAGING:

- (i) Each cell or battery or each piece of equipment containing these cells or batteries must be individually packed in a non-metallic packaging that completely encloses the cell or battery or the piece of equipment containing the cells or batteries; or
- (ii) Inner packaging is not required if the outer packaging is prepared in accordance with the packing instructions in paragraph 7.b.(2)(iii) below.

(2) OUTER PACKAGING:

- (i) The completed inner package must be surrounded by cushioning material that is:
 - (A) Non-combustible, non-conductive, and absorbent;
 - (B) Granular thermally insulating fire suppressant referred to in the application dated March 29, 2019; or
 - (C) Pillowed granular thermally insulating fire suppressant referred to in the application dated March 29, 2019.
- (ii) The completed inner packaging must be placed in a UN specification metal, wooden, plastic box, or drum that meets the Packing Group I performance level.
- (iii) If inner packaging is not used for each damaged, defective, recalled, or end-of-life waste cell or battery including the cell or battery contained in equipment, the outer packaging must be a UN specification metal, wooden or plastic box or drum that meets the Packing Group I performance level. Additionally, the outer packaging must be filled with the thermally insulating fire suppressant where the suppressant completely surrounds each cell or battery including end-of-life waste cells or batteries, or those contained in equipment by at least 2 inches of suppressant. Alternatively, the cells, batteries, or equipment may be placed within a thermally insulating fire suppression pillow affording a sufficient quantity of fire suppressant material. The thermally insulating fire suppressant,

when utilized without an inner package, must be in sufficient quantity to absorb all of the potential release of electrolyte; suppress lithium cell/battery fires, heat and smoke; absorb the smoke, gases and flammable vapors and electrolytes during a thermal runaway incident; and will protect from the effects of shock and vibration and prevent movement of the cells, batteries and/or the equipment.

(iv) 4G fiberboard boxes may be used as the outer packaging only when thermally insulating fire suppressant is used and the packaging is in accordance with:

- (A) Paragraphs 7.b.(1)(i) and 7.b.(2)(i)(B) when using granular thermally insulating fire suppressant;
- (B) Paragraphs 7.b.(1)(i) and 7.b.(2)(i)(C) when using pillowed granular thermally insulating fire suppressant; or
- (C) Paragraph 7.b.(2)(iii) when using granular or pillowed granular thermally insulating fire suppressant without an inner packaging.

(3) Not more than 5 kg of lithium cells and batteries may be contained in a single package.

(4) When utilizing the thermally insulating fire suppressant and packaged in accordance with paragraphs 7.b.(2)(iii) or 7.b.(2)(iv), up to 5 kg of lithium cells and batteries including those comingled with the end-of-life waste lithium cells or batteries may be contained in a single package.

(5) The package must conform to 49 CFR 173.185(c)(1)(vi).

c. **MARKING:** Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with the following:

- (1) Marked "DOT-SP 16563" in accordance with § 172.304.
- (2) The words "Damaged/defective lithium ion battery" or "Damaged/defective lithium metal battery", as appropriate.
- (3) The handling marking in § 173.185(c)(3)(i).
- (4) For packages conforming to the requirements in § 173.185(c)(1)(i) or (ii), the words: "Batteries for Recycling: May Contain Damaged Lithium Batteries -

FOR GROUND OR CARGO VESSEL TRANSPORT ONLY - FORBIDDEN
FOR TRANSPORTATION BY AIRCRAFT”.

(5) For packages conforming to the requirements in § 173.185(c)(1)(iv), the words: “Batteries for Recycling: May Contain Damaged Lithium Batteries - FOR GROUND TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT AND CARGO VESSEL”.

(6) Additionally, each package may be marked with a QR code which when scanned provides a direct link to a specific URL where the most recent revision of the special permit can be viewed or downloaded. If the QR code is marked on the packaging, the URL must also be marked on the packaging.

d. Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit. Persons offering packages for transportation must comply with the closure, packing, and shipping instructions accompanying the packaging.

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.

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 Safety 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, rail freight, and cargo vessel (see paragraph 7.a.(2) for restrictions).

10. MODAL REQUIREMENTS:

- a. A current copy of this special permit must be carried aboard each cargo vessel used to transport packages covered by this special permit.
- b. For motor vehicle or rail shipments, a current copy of this special permit must be carried aboard each motor vehicle or locomotive unless the package is marked in accordance with paragraph 7.c.(6).

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 adequate instruction on the requirements and conditions of this special permit.

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.:

A handwritten signature in blue ink, appearing to read "W. Schoonover", is written over a faint, light blue circular stamp.

for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Andrew Eckenrode