1. **GRANTEE:** Actia Corporation
   Elkhart, IN

2. **PURPOSE AND LIMITATIONS:**

   a. This emergency special permit authorizes the transportation in commerce of low production lithium ion 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 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 173.185(e) in that the low-production run of batteries exceeds the 100 battery annual limit in the HMR over a specified timeframe, as specified herein.

5. **BASIS:** This emergency special permit is based on the application of Actia Corporation dated April 29, 2020,
submitted in accordance with § 107.117 and a determination that it is necessary to prevent severe economic loss.

6. **HAZARDOUS MATERIALS (49 CFR 172.101):**

<table>
<thead>
<tr>
<th>Hazardous Material Description</th>
<th>Hazard Class/Division</th>
<th>Identification Number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lithium ion batteries including lithium ion polymer batteries</td>
<td>9</td>
<td>UN3480</td>
<td>N/A</td>
</tr>
</tbody>
</table>

7. **SAFETY CONTROL MEASURES:**

   a. **SAFETY CONTROLS:**

      (1) Only low production (annual production not more than 100 batteries of any given type) lithium ion batteries may be offered for transportation under the terms of the requested special permit.

      (2) This special permit is valid only for the transportation of lithium ion batteries (comprised of Toshiba 2.9 Ah cells) each with the maximum energy rating of 0.8 kWh with a 90S1P configuration.

      (3) A maximum of six hundred 600 total batteries, may be transported under the terms of this special permit. The additional batteries are authorized to enable the grantee’s testing laboratory to be repaired and to have the required testing completed.

      (4) Batteries must be protected against short circuit during transport.

   b. **TESTING:** Each low production battery must be comprised of cells of a type that has passed all required tests in accordance with the UN Manual of Tests and Criteria, 5th Revised Edition.
c. **PACKAGING:**

(1) Batteries must have a nominal net weight of 50 kg (110 pounds) and a strong, impact-resistant outer casing.

(2) Batteries may be packed in 4G strong outer packagings meeting the PG II performance level.

(3) An outer package may contain not more than one battery.

(4) Up to six outer packagings may be placed on a pallet.

(5) The maximum gross weight of a single package must not exceed 60 kg (132 pounds).

d. **MARKING REQUIREMENTS:** Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked “DOT-SP 21004”.

8. **SPECIAL PROVISIONS:**

a. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered 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.

10. **MODAL REQUIREMENTS:** A current copy of this special permit must be carried aboard each 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:
All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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.

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 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.:

[Signature]

for William Schoonover
Associate Administrator for Hazardous Materials Safety


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: SH/TG