



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

April 27, 2022

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21028
(FIRST REVISION)

EXPIRATION DATE: 2026-02-28

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Neutron Holdings, Inc.
Hayward, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, mark, sale and use of specially designed packagings for the transport of damaged, defective, or recalled lithium ion cells and batteries including those contained in or packed with equipment. 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. 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.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.185(f)(3) in that more than one lithium cell or battery per package is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Neutron Holdings, Inc. dated March 23, 2022, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials 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 ion batteries packed with equipment*	9	UN3481	N/A
Lithium metal batteries*	9	UN3090	N/A
Lithium metal batteries contained in equipment*	9	UN3091	N/A
Lithium metal batteries packed with equipment*	9	UN3091	N/A

*Only damaged, defective, or recalled lithium cells and batteries are authorized under the terms of this special permit.

7. SAFETY CONTROL MEASURES:a. PACKAGING:

- (1) Each damaged, defective, or recalled lithium cell or battery, including those packed with equipment, or each piece of equipment containing such cells or batteries must be individually packed in individual, non-metallic inner packaging that completely encloses the cell, battery, or equipment, as applicable.
- (2) The inner packaging containing the damaged, defective, or recalled lithium cell or battery or those contained in or packed with equipment must be placed in a UN specification 1A2 metal or 1H2 plastic drum meeting the Packing Group I performance level.
- (3) The inner packaging or outer packaging must be leak-proof to prevent the potential release of electrolyte.
- (4) 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 inner packagings containing cells, batteries and equipment, as applicable.

(5) If cells or batteries are 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 (as described in paragraph 7.b.(3)), a venting device must be used for leaking cells or batteries.

(6) The maximum net weight and energy capacity within each package must not exceed 30 kg (66 pounds) or 5,220 Whs of summed original nominal Whs of all cells and batteries before becoming damaged, defective, or recalled, whichever is less. The maximum gross weight of each package must not exceed 140 kg (310 pounds).

(7) A cell or battery with a net mass of more than 30 kg (66 pounds) shall be limited to one cell or battery per outer packaging.

b. OPERATIONAL CONTROLS:

(1) Each person responsible for packaging under this special permit must be a company employee or contractor trained in the use of this special permit. Vehicles carrying damaged cells, batteries or equipment must be driven by trained company employees or contractors from various locations including from battery collection centers, repair centers, and distribution centers.

(2) Each cell and battery must be protected against short-circuiting.

(3) 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 after meeting the conditions specified in this paragraph of this special permit. The damaged or defective cell or battery 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.

(4) MARKING: Each package shipped under the terms of this special permit must be durably and legibly marked and displayed on a contrasting background in proximity to the markings and labels required by the HMR with the following:

(i) “DOT-SP 21028”; and

(ii) “DO NOT TRANSPORT BY AIR – DAMAGED/DEFECTIVE LITHIUM ION (OR METAL) BATTERY”.

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 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.

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.

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:

- 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.

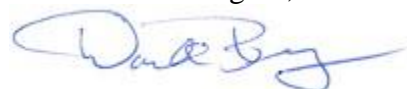
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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 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 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-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 <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: Steve H/ae/kah