

November 09, 2020



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 21131

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of low production lithium ion batteries that have not passed the required tests in the UN Manual of Tests and Criteria. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) 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.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
 - d. This special permit serves as an "exemption" as defined in 1; 3.1.1 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.185(a)(1) in that the low production battery is not of a type proven to meet the requirements of the UN Manual of Tests and Criteria, 7th Revised Edition.

November 09, 2020

5. BASIS: This emergency special permit is based on the application of Department of Defense US Army Military Surface Deployment & Distribution Command dated October 16, 2020, submitted in accordance with § 107.117 and the determination it is necessary for the purpose of immediate national security.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Material Description | | | |
|---|---------------------------|-------------------------------|------------------|
| Proper Shipping Name | Hazard Class/ Division | Identi- fication Number | Packing Group |
| Lithium ion batteries <i>including lithium ion polymer batteries*</i> | 9 | UN3480 | N/A |

*Only low production lithium ion batteries ("Low production" is defined as a production run of not more than 100 cells or batteries annually of a particular type) may be offered for transportation and transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. SAFETY CONTROLS:

- (1) The authorized battery is 24-volt lithium ion battery consisting of seven (7) 50 Ah cells connected in series. The battery may be offered for transportation in the configurations identified in drawing numbers LP30794 and LP31768 submitted April 14, 2014 and March 25, 2014 and on file with Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD).
- (2) Batteries must be fitted with an effective means to protect against external short circuits.
- (3) All batteries must be equipped with a system capable of monitoring the batteries to prevent external short-circuit, overheating and overcharging of the batteries.

November 09, 2020

(4) Batteries must be offered for transportation at a state of charge not more than 30 percent.

b. TESTING REQUIREMENTS: All cells and batteries must have passed required tests as specified in the document titled "Yardney Technical Products, Inc. L1407-08 Test Comparison for B2 Battery to DOT Required Tests," simulating T.1, T.2, T.3, T.4, and T.5 as described in this report and on file with the OHMSAPD.

c. PACKAGING: Prescribed packaging is as follows:

(1) Each battery must be sealed in an anti-static bag and wrapped in anti-static bubble wrap to prevent short circuiting and movement within the packaging during transportation. When batteries are offered for transportation in the configuration identified in drawing number LP32525, the battery terminals must be fully insulated with shrink tubing or insulating tape before being placed in the bag.

(2) Each battery must be packaged individually in a fiberboard box, surrounded by anti-static foam, and further packaged in a UN 1A2/X220/S steel drum that meets Packing Group I performance criteria.

(3) Only one battery is authorized to be packaged in an outer steel drum.

(4) The net weight of the battery within a drum may not exceed 35 kg.

d. MARKING: The outer packaging must be marked on two sides in letters at least 2 inches high on a contrasting background with "DOT-SP 21131".

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, the HMR, and the ICAO TI.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

November 09, 2020

c. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of the States of origin, transit, over flight, and destination of the consignment, as well as the State of the air operator.

d. For each cell and battery type, the grantee must maintain the following record and upon request make this record available to DOT representatives or enforcement officials. The record to be maintained is as follows:

(1) A description of each cell and battery type and types of tests conducted and test results prior to offering for transportation.

(2) Dates and description of each shipment, to include number of cells and batteries.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo-only aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
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.

November 09, 2020

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

Continuation of DOT-SP 21131

Page 6

November 09, 2020

this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SH/TG