

June 01, 2021



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 21169

EXPIRATION DATE: 2023-04-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Americase, LLC
Waxahachie, TX
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of specially designed packagings for the transportation in commerce of end-of-life and/or used lithium cells and batteries and those contained in equipment without shipping papers and with limited training, when transported for recycling, disposal, refurbishment or repurposing. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Maritime Dangerous Goods (IMDG) Code 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. 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.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C and H of Part 172 in that shipping papers and training are not required for lithium ion batteries exceeding 300 Wh or lithium metal batteries exceeding 25 grams of lithium content; and § 173.185(b) and in that alternative packaging is authorized.
5. BASIS: This special permit is based on the application of Americase, LLC dated December 29, 2020, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A
Lithium ion batteries contained in equipment <i>including lithium ion polymer batteries</i>	9	UN3481	N/A
Lithium ion batteries packed with equipment <i>including lithium ion polymer batteries</i>	9	UN3481	N/A
Lithium metal batteries <i>including lithium alloy batteries</i>	9	UN3090	N/A
Lithium metal batteries contained in equipment <i>including lithium alloy batteries</i>	9	UN3091	N/A
Lithium metal batteries packed with equipment <i>including lithium alloy batteries</i>	9	UN3091	N/A

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS:

(1) End-of-life and/or used lithium ion and metal cells and batteries and those contained in equipment shipped for recycling, disposal, refurbishment or repurposing must have originally met the requirements for testing in accordance with the edition of the UN Manual of Tests and Criteria authorized at the time of manufacture.

(2) The packagings under this special permit are not authorized for lithium ion and metal cells and batteries and those contained in equipment identified as damaged, defective, or recalled.

(3) This packaging is only authorized for battery recycling, disposal, refurbishment or repurposing.

(4) Packages must be stored away from heat.

(5) Lithium cells and batteries must be secured and protected against short circuiting.

(6) Equipment containing lithium cells or batteries must be protected from inadvertent activation.

(7) The grantee must make available upon request a list of names and addresses of each person who has ordered and used the packaging authorized by this special permit. The grantee must be notified when the packaging has reached its destination.

b. PACKAGING:

(1) INNER PACKAGING: Each cell or battery or each piece of equipment containing these cells or batteries must be individually packed in a specially designed inner packaging, a bag that consists of a polymer enclosure with a carbon fiber core containing a cooling liquid (or "thermal runaway shield") as described in Americase, LLC's December 29, 2020 application on file with the Office of Hazardous Materials Safety (OHMS). The inner bag must be placed in an intermediate synthetic composite temperature resistant bag that completely encloses the cell, battery, or the piece of

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equipment containing the cells or batteries. The aggregate energy content of a single inner package may not exceed 2.1 kWh or the equivalent lithium content

(2) OUTER PACKAGING: A strong outer packaging conforming to the requirements of §§ 173.24 and 173.24a is required.

(3) The aggregate gross weight of a single package may not exceed 30 kg (66 pounds).

(4) Lithium ion cells or batteries that do not exceed 60 Wh or 300 Wh, respectively, including equipment containing these lithium ion cells or batteries, may be packaged in the same packaging with lithium ion batteries exceeding 300 Wh, including equipment containing lithium ion batteries exceeding 300 Wh, provided all terms of this special permit are met.

c. MARKING AND LABELING: Each package covered under the terms of this special permit must be durably and legibly marked (and labeled) on a background of contrasting color with the following:

(1) "DOT-SP 21169" in accordance with 49 CFR 172.301(c); and

(2) The LITHIUM BATTERY label specified in and conforming to 49 CFR 172.447.

d. Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit including, but not limited to the following:

(1) Grantee must provide the applicable employees with kits with appropriate instructions and guidance.

(2) The kits must include all markings, labels, documentation and packaging required by the HMR and the IMDG, as applicable.

(3) The instructions and guidance must be adequate to ensure the shipments are compliant with the applicable requirements of the HMR and the IMDG, as applicable.

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e. A bill of lading must be prepared including the description "Lithium batteries intended for recycling in accordance with DOT-SP 21169."

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 person offering a package covered by this special permit must notify the vehicle operator of the presence of hazardous materials and that in the event of damage, the emergency response number, and emergency procedures applicable to the vehicle carrier appear on the package.

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

e. 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 Approvals and Permits for a specific manufacturing facility.

f. 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. Cargo vessel is authorized only when the shipment cannot be made by the other mode.

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10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel 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.

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

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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-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: Steve H/Andrew Eckenrode