



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

July 05, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21181
(FIRST REVISION)

EXPIRATION DATE: 2028-06-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: TerraCycle Regulated Waste LLC
North Aurora, IL
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale, and use of specifically designed packagings for the transportation in commerce of cells and batteries of various chemistries without shipping papers, marking of the proper shipping name and identification number on the packaging, or labeling of the packaging when transported for recycling or disposal. 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. 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 § 171.2(k) in that the package may display the lithium battery mark in § 173.185(c)(1) and be marked with UN 3480 and/or UN 3090 on the battery mark when the package does not contain those hazardous materials; § 172.102(c)(1), Special Provision 130(d) in that cells or batteries utilizing

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different chemistries (i.e., those cells or battery chemistries specifically covered by another entry in the § 172.101 Hazardous Materials Table) as well as dry cells or batteries (including those that exceed 9-volts) may be combined with used or spent cells or batteries in the same package; § 173.159a(c)(2) in that marking the battery and outer packaging as “NON-SPILLABLE” or “NON-SPILLABLE BATTERY” is not required; § 173.185(c)(1)(iii), (c)(1)(iv), (c)(1)(v), and (c)(3) in that alternative marking and documentation are authorized and alternative means of identifying any special procedures to be followed in the event a package is damaged is authorized; and § 173.185(d) in that transportation by rail is authorized, as provided herein.

5. BASIS: This special permit is based on the application of TerraCycle Regulated Waste LLC dated April 5, 2024, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name*	Hazard Class/ Division	Identification Number	Packing Group
Lithium metal batteries <i>including lithium alloy batteries</i>	9	UN3090	N/A
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 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
Batteries, wet, non-spillable	8	UN2800	N/A
Batteries, dry, sealed, n.o.s.	See Special Provision 130		

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: The packagings must be in accordance with 7.a.(1) or 7.a.(2) as prescribed below:

(1) Inner packaging - Cells and batteries, and equipment containing lithium cells or batteries, must be placed in a poly bag which must be closed using a tie. Except when the cells and batteries are contained in equipment, the terminal of each cell or battery must be taped to prior to placing them in a poly bag.

(2) Outer packaging - Outer packagings are 1H2 UN specification plastic pails which meet the Packing Group II performance criteria with a trade mark as described in the TerraCycle Regulated Waste LLC's January 20, 2021, application, which is on file with the Office of Hazardous Materials Safety (OHMS). The maximum gross weight of each type of pail is as follows:

- (i) 3.5 Gallon pail (designation - 330-140): 25 kg (55 LBS).
- (ii) 1 Gallon pail (designation - 330-141): 11 kg (25 LBS).
- (iii) 0.6 Gallon pail (designation - 330-142): 4.5 kg (10 LBS).

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

- (1) "DOT-SP 21181".
- (2) "Used Batteries for Recycling or Disposal: May Contain Lithium Batteries and Non-spillable Batteries. FOR GROUND TRANSPORT ONLY – FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT AND VESSEL" at least 6 mm (0.25 inch) in height.
- (3) The lithium battery mark in § 173.185(c)(3)(i).
- (4) An emergency response telephone number accessible 24 hours per day in case of damage to the packaging or contents.

8. OPERATIONAL CONTROLS:

- a. The grantee must provide detailed instructions on the requirements of this special permit and packaging of the batteries for transport to each person who packages and ships hazardous materials subject to this special permit. The instructions must be displayed

where the packages are closed for transportation and must at a minimum communicate each requirement of paragraphs 8.b. through 8.j. and 9.c. of this special permit.

- b. This packaging is only authorized for battery disposal or recycling purposes.
- c. The lithium content of each lithium metal battery transported in a packaging is limited to 25 g, and the energy content of each lithium ion battery based on the original Wh rating in a packaging is limited to 300 Wh.
- d. Lithium ion, lithium metal, non-spillable batteries and dry cell batteries (dry cell batteries with a marked rating over 9 volts (V) and alkaline batteries with a marked rating over 12 V) must be protected against short circuits. Some suitable methods of protecting the batteries against short circuits include, but are not limited to, placing the batteries in individual plastic bags or taping and covering the exposed terminals. The means of protection used to prevent short circuits must remain in place while the packages are in transportation.
- e. Electrical devices must be protected against short circuits and unintentional activation.
- f. Packages must be stored away from heat.
- g. Each package must be securely closed prior to being offered for transportation.
- h. Non-spillable batteries are limited to 11 kg (25 pounds) or less gross weight each.
- i. Training on the requirements of this special permit and the preparation of the package for transport must be provided to users of the packagings.
- j. If the packaging is used to transport non-spillable batteries, the batteries and package are excepted from the marking requirements for non-spillable batteries in § 173.159a(c)(2).

9. **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 to a motor vehicle or rail must notify the operator of the motor vehicle or rail car of the presence of hazardous materials and that in the event of damage, the emergency response number, and emergency procedures applicable to the motor vehicle or rail appear on the package.
 - d. A current copy of this special permit must be accessible from each facility where the package is offered for transportation (computer generated is acceptable). In addition, a copy of the special permit must be available on the grantee's website.
 - 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 OHMS for a specific manufacturing facility.
 - f. The grantee must keep on file and make available upon request annual reports from pile inspections conducted at locations where batteries are consolidated and/or processed. These reports must include all noted non-compliance with the HMR and/or this special permit and actions taken to prevent recurring of such non-compliance.
 - g. A list of companies that have been provided these packagings must be maintained and made available upon request.
10. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
11. MODAL REQUIREMENTS: None as a requirement of this special permit.
12. 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 provided by the grantee.

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.

13. **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-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/Casey Chambers