1. **GRANTEE:** RML Group Limited  
   Wellingborough  
   United Kingdom  

   **US AGENT:** Divergent  
   Torrance, CA  

2. **PURPOSE AND LIMITATIONS:**

   a. This special permit authorizes the transportation in commerce aboard cargo-only aircraft of prototype and low production lithium ion batteries that have not completed all U.N. tests and exceed 35 kg net weight by cargo-only aircraft. 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 the development of this special permit only considered the hazards and risks associated with the transportation in commerce.

   c. No party status will be granted to this special permit.

   d. This special permit serves as an approval under Special Provision A88 and State Variation US 3 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 the batteries have not passed the criteria in Part III, subsection 38.3 of the UN Manual of Tests and Criteria.

5. **BASIS**: This emergency special permit is based on the application of RML Group Limited dated April 16, 2021, submitted in accordance with § 107.117 and the determination that it is necessary to prevent significant 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. **OPERATIONAL CONTROLS**:

      (1) Only prototype and low production lithium ion batteries as described in RML Group Limited’s application dated April 16, 2021 and on file with the Office of Hazardous Materials Safety (OHMS) may be offered for transportation under the terms of this special permit. (“Low production” is defined as a production run of no more than 100 cells or batteries annually of a particular type.)

      (2) The authorized battery has a nominal rated energy capacity of 1.45 kWh and is composed of cells identified as A123AHR18700M1 in a 99S5P configuration.

      (3) All batteries must be offered for transportation at a state of charge not exceeding 30 percent.

      (4) The batteries must be equipped with an effective means of preventing dangerous reverse current flow for the batteries that contain cells connected in parallel.
(5) Cells and batteries must be protected against short circuiting.

(6) Each battery must be equipped with a system that protects the battery from short circuiting and overcharging.

(7) Schenker Ltd. must package the batteries and prepare the shipment.

b. **TESTING:** Cells must be of a type proven to have passed all required tests as specified in the “UN Manual of Tests and Criteria” 6th Revised Edition.

c. **PACKAGING REQUIREMENTS:**

(1) Each battery must be packed in a plywood crate with all underside faces lined with plastic foam insulation.

(2) The plywood crate must meet the 1.8 m drop test and the stacking test equivalent to the Packing Group I performance level as described in Smithers’ test report dated March 17, 2021 and on file with the OHMS.

(3) The net weight of a battery in a single package must exceed 12 kg but not exceed 63 kg (139 pounds).

(4) Only one battery is allowed per package.

(5) Each package must meet the additional requirements in Packing Instruction 910 of the Supplement of the ICAO TI applicable to lithium batteries with a mass of 12 kg or greater (i.e., the battery must have a strong, impact-resistant casing).

d. **MARKING REQUIREMENTS:** Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked with the special permit number: DOT-SP 21226.

8. **SPECIAL PROVISIONS:**

a. Under the terms of this special permit, the grantee is not authorized as a carrier.
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, the HMR, and the ICAO TI.

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

d. 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 countries of origin, transit, destination, and the State of operator.

e. For each cell and battery type, the grantee must maintain the following record and upon request and 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: Cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft 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.
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: Steve H