1. **GRANTEE:** Jaco, Inc.  
   Franklin, MA

2. **PURPOSE AND LIMITATION:**
   a. This special permit authorizes the manufacture, mark, sale, and use of DOT specification packaging for the transportation of lithium batteries which are not damaged or defective, including those contained in or packed with equipment for recycling, reuse, refurbishment, repurposing or evaluation. 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 Subparts C, G and H of Part 172 in that shipping papers, emergency response information, and training are required, except as provided herein.

5. **BASIS:** This special permit is based on the updated application of Jaco, Inc. dated March 8, 2022, submitted in accordance with § 107.105, and the public proceeding thereon.

Tracking Number: 2022015344
6. **HAZARDOUS MATERIALS (49 CFR 172.101):**

<table>
<thead>
<tr>
<th>Hazardous Materials Description</th>
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<tbody>
<tr>
<td><strong>Proper Shipping Name</strong></td>
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<tr>
<td>Lithium ion batteries <em>including lithium ion polymer batteries</em></td>
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7. **SAFETY CONTROL MEASURES:** The authorized lithium ion cells or batteries (including those installed in a cart equipped with inverter/charger) are those that must be returned by the customer (hospital) to the manufacturer (Jaco Inc.), intact, for purpose of recycling at the end of battery life in the packaging which is described in ¶7.c. of this special permit.

   a. **OPERATIONAL CONTROLS:**

      (1) Shipments are limited to lithium ion batteries which had an original Wh rating not exceeding 600 Wh.

      (2) Completed packages must be stored away from heat.

      (3) Jaco Inc. must provide detailed closure, and packing and shipping instructions to customers preparing shipments under the terms of the special permit.

   b. **TESTING:** The cells and batteries and the products containing those being returned must have been of a type initially tested to meet the requirements in the UN Manual of Tests and Criteria before distribution to customers.

   c. **PACKAGING:** The return shipments must be in the packaging as follows:

      (1) Lithium ion cells or batteries with no signs of tampering or outer casing damage in the original packing intact, or at the end of life for purpose of recycling:

         (i) Inner Packaging: Each cell or battery must be individually placed in non-combustible, non-conductive foam padding completely enclosing each cell or battery.
(ii) Outer packaging: The completed inner packaging must be placed in a 4G box that meets Packing Group II performance criteria.

(2) The outer packaging must be sealed using packaging tape.

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

d. MARKING: Each packaging manufactured 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 21331”;

(2) “Used Batteries for Recycling: May Contain Lithium Batteries. FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT AND VESSEL” at least 6 mm (0.25 inch) in height;

(3) With the Class 9 label with reference to UN3840;

(4) Instructions for complying with the requirements of this special permit; and

(5) An emergency response telephone number accessible 24 hours per day in case of damage to the packaging or contents.

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 offer or 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. 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 for a specific manufacturing facility.
d. 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, and rail freight.

10. **MODAL REQUIREMENTS**: A current copy of this special permit must accompany packages covered by this special permit during transportation.

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 related to packages containing damaged or defective lithium ion cells or batteries, including those packed with or contained in equipment must receive adequate instruction 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 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: SH/TG