



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

December 09, 2022

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21485

EXPIRATION DATE: 2023-02-28

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Walmart Inc.
Bentonville, AR
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of hazardous materials to charity organizations. 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. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172 Subparts C, D, E, and F in that shipping papers, markings, labels, and placards are not required and Part 173 in that specification packaging is not required.
5. BASIS: This emergency special permit is based on the application of Walmart Inc. dated December 1, 2022, submitted in accordance with § 107.117 and the determination it was necessary to prevent significant economic loss.

Tracking Number: 2022124211

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Cartridges, signal	1.4G	UN0312	N/A
Flares, aerial	1.4G	UN0403	N/A
Signal devices, hand	1.4S	UN0373	N/A
Articles, explosive, n.o.s. (Toy Caps)	1.4S	UN0349	N/A
Toy Caps	1.4S	NA0337	N/A
Division 2.1 hazardous materials	2.1	As appropriate	N/A
Division 2.2 hazardous materials	2.2	As appropriate	N/A
Class 3 hazardous materials	3	As appropriate	II, III
Division 4.1 hazardous materials	4.1	As appropriate	II, III
Division 5.1 hazardous materials	5.1	As appropriate	II, III
Division 5.2 hazardous materials	5.2	As appropriate	N/A
Division 6.1 hazardous materials	6.1	As appropriate	II, III
Class 8 hazardous materials	8	As appropriate	II, III (*see below)
Class 9 hazardous materials	9	As appropriate	II, III (*see below)

*Class 8 and Class 9 hazardous materials not assigned a Packing Group in Column 5 of the Hazardous Materials Table are also authorized to be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) INNER PACKAGING: Each item must be in the original retail packaging provided by the manufacturer.

(2) OUTER PACKAGING: Retail packagings must be placed either in outer packagings of fiberboard or cardboard or in overpacks (palletized).

b. TESTING: All lithium cells and batteries, lithium cells or batteries contained in equipment, and lithium cells or batteries packed with equipment must have originally met the requirements for testing in accordance with the UN Manual of Tests and Criteria authorized at the time of testing.

c. OPERATIONAL CONTROLS:

(1) The original unopened packaging shall be used for shipment of merchandise from the Chesapeake Walmart located at 1521 Sam's Circle, Chesapeake, VA 23320 to local charity organizations within a 50-mile radius.

(2) Only lithium metal cells or batteries, including those contained in equipment or packed with equipment, with a lithium content of 5 g for a lithium metal cell or 25 g for a lithium metal battery and lithium ion cells or batteries, including those contained in equipment or packed with equipment, with a Watt-hour rating not exceeding 717 Wh, but excluding scooter, motorcycle, and car batteries, may be transported via motor vehicle under the terms of this special permit.

(3) Leaking or damaged merchandise are forbidden from transportation under this special permit.

(4) Cells or batteries that are leaking or liable to rapidly disassemble, dangerously react, produce a flame or a dangerous evolution of heat or a dangerous emission of toxic, corrosive or flammable gases or vapors under normal conditions of transport may not be transported under this special permit.

(5) Transportation via motor vehicle must be by private carriage or contract carriage under exclusive to designated charity organizations.

(6) A shipping document must indicate that the packages may contain hazardous materials transported in accordance with DOT-SP 21485, and a copy of DOT-SP 21485 must be attached to the shipping document. The shipping document and DOT-SP 21485 must be accessible in the same manner as a shipping paper in accordance with 49 CFR 177.817(e).

d. MARKING: Each outer package or overpack covered under the 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 21485”; and

(2) The words: “For Motor Vehicle Transportation ONLY”.

8. SPECIAL PROVISIONS:

a. 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.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: See paragraph 7.c.(6).

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 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-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: BILBRO/BenMOORE