



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

February 26, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21673

EXPIRATION DATE: 2026-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Asset Recycling and Recovery LLC
Chattanooga, TN
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the one-way transportation in commerce of previously burnt, de-energized lithium cells and batteries in roll-off containers for the purpose of 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 the development of this special permit only considered the hazards and risks associated with the transportation in commerce. The safety analyses did not consider the hazards and risks associated with disposal, or other uses not associated with 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 § 173.185(f)(1), (2), and (3) in that alternative packaging is authorized as provided herein.
5. BASIS: This special permit is based on the application of Asset Recycling and Recovery LLC dated November 13, 2023, submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2023114580

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials 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 metal batteries <i>including lithium alloy batteries</i>	9	UN3090	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(1) Prescribed packaging is a 20 yd³ covered roll-off container made of carbon steel with a heavy duty 100 mil (0.1 inch) thick HDPE liner material. The packaging must comply with §§ 173.24 and 173.24b.

(2) Transportation to the disposal facility authorized under the terms of this special permit is for the purpose of disposal of previously burnt and de-energized lithium cells and batteries, including those contained in equipment, and alkaline, NiCad, nickel metal hydride, and lead-acid batteries intermixed with burnt e-waste and building debris.

(3) Energy from the cells and batteries must have been discharged to de-energize the cells and batteries by soaking the cells and batteries in a brine solution in the facility surface impoundment and the cells and batteries must have been stored in a container after drying as described in the Asset Recycling and Recovery LLC's application dated November 7, 2023, and on file with the Office of Hazardous Materials Safety.

(4) Any burnt, de-energized cells or batteries exceeding 0.8 volt may not be transported under this special permit.

(5) Any shipment that has the potential of producing a dangerous evolution of heat, fire, or short circuit is not permitted under this special permit.

b. OPERATIONAL CONTROLS:

- (1) Each shipment may not exceed 32,400 pounds (14,700 kg, or 16.2 tons). The shipper must create a record of satisfactory completion for each shipment and the approximate net weight of each shipment.
- (2) The total aggregate net weight for all shipments under this special permit may not exceed 194,400 pounds (88,200 kg or 97.2 tons).
- (3) The carrier of the hazardous materials must be Marion Environmental, Inc.
- (4) Transportation is only authorized one-way from 396 Cross Plains Blvd., Dalton, GA to the Waste Management - Emelle Hazardous Waste Facility located at 36964 AL-17 North, Emelle, AL.
- (5) Subparts C through H of Part 172 apply.

c. MARKING AND PLACARDING: Each package covered under the terms of this special permit must be durably and legibly marked/placarded and displayed on a background of contrasting color with the following:

- (1) "DOT-SP 21673".
- (2) The words: "Damaged/defective lithium ion battery," and/or "Damaged/defective lithium metal battery," as appropriate, in letters at least 12 mm (0.5 inch) in height.
- (3) The markings specified in Subpart D of Part 172.
- (4) The CLASS 9 placard.

8. SPECIAL PROVISIONS:

- a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).
- 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: A current copy of this special permit must be carried aboard each motor vehicle 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 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.:

A handwritten signature in blue ink, appearing to read "D. Schoonover", is written over a faint circular stamp.

for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material 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