



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**November 01, 2024**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21690

**EXPIRATION DATE: 2026-10-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Berlin Packaging L.L.C.  
Chicago, IL
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, mark, sale, and use of specially designed packaging for the transportation in commerce of single and multiple lithium batteries, prototype and low production lithium batteries, and damaged, defective, or recalled lithium batteries. 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 special 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 §§ 173.185(b)(3)(i), 173.185(b)(3)(iii)(A) and (B), 173.185(e)(1), and 173.185(f)(1) through (3) in that inner packaging is not required, as provided herein; and §§ 173.185(b)(6), 173.185(e)(4), and 173.185(f)(3)(iii) in that more than one battery may be packaged within a Large Packaging, as provided herein.

Tracking Number: 2023125109

5. BASIS: This special permit is based on the application of Berlin Packaging L.L.C. dated December 20, 2023, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material 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 ion batteries packed with 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
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

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

- (1) Prescribed outer packagings are 50A Large Packagings tested and certified as meeting the Packing Group I performance level. The Large Packagings are leak-proof with a bell-jar design as described in the application on file with the Office of Hazardous Materials Safety that completely enclose all batteries or equipment containing the batteries.
- (2) The base of the system is a steel pallet with a non-conductive undamaged 3 mm butadiene mat to place the battery.

b. TESTING: All cells, modules, and batteries must have originally been of a type tested in accordance with Section 38.3 of the United Nations Manual of Tests and Criteria with the exception of prototype and low production lithium cells and batteries, including those packed with or contained in equipment ("Low production" is defined as a production run of no more than 100 cells or batteries annually of a particular type.). Each different cell and battery type must comply with all the conditions of this special permit prior to being offered for transportation.

c. OPERATIONAL CONTROLS:

- (1) Each battery including those contained in or packed with equipment must be secured and protected against short circuits and accidental activation during transport.
- (2) Detailed closure instructions, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit. Persons offering packages for transportation must comply with the closure instructions accompanying the packaging. In addition the following apply:
  - (i) When packaged as a single layer, the batteries must be arranged flat and in a uniform layer so that the strap corners are secured, and the straps lie flat across the batteries.
  - (ii) Multiple battery layers are only authorized when the batteries and/or terminals can support the weight of the stack without deformation.
  - (iii) A mixture of single and stacked batteries is only allowed if the height is uniform across the payload space.
- (3) Damaged, defective, or recalled batteries are not permitted in the same outer packaging as non-damaged, recycled, prototype, or low production batteries.
- (4) Cells or batteries 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 the provisions of this special permit.
- (5) Packages must be stowed away from sources of heat.

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

d. 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 Special Permits and Approvals for a specific manufacturing facility.

e. 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 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.:



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: TG