



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

May 19, 2026

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21866
(THIRD REVISION)

EXPIRATION DATE: 2027-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Electronic Recyclers International Inc.
Fresno, CA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale, and use of UN Standard packagings for the transportation in commerce of multiple battery chemistries, including damaged, defective, or recalled lithium ion cells and batteries and lithium metal cells and batteries and those contained in or packed with equipment. 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: Except when a shipment has an aggregate gross weight exceeding 500 pounds, 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, placarding, emergency response information, and training are not required for batteries and cells already excepted by § 173.185(c) and § 172.102(c)(1) Special Provision 130; Subparts C and H of Part 172 in that shipping

Tracking Number: 2026054523

papers and training are not required for lithium ion batteries with an aggregate watt-hour rating not exceeding 1,000 Wh; § 172.102(c)(1) Special Provision 130(d) in that batteries utilizing different chemistries (i.e., those battery and cell chemistries specifically covered by another entry in the § 172.101 Hazardous Materials Table) as well as dry batteries may be combined with used or spent batteries and cells in the same package; § 173.159a(c)(2) in that marking the non-spillable battery and outer packaging is waived; § 173.185(c)(1)(iii), (c)(1)(iv), (c)(1)(v), and (c)(3) in that alternative marking and documentation are authorized and alternative means of identifying any special procedures to be followed in the event a package is damaged are authorized; and § 173.185(f) in that more than one lithium cell or battery per package, alternative packaging, and alternative marking are authorized.

5. BASIS: This special permit is based on the responses to the Pipeline and Hazardous Materials Safety Administration's (PHMSA) show cause letter dated June 13, 2025, and issued in accordance with § 107.121.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries	9	UN3480	N/A
Lithium ion batteries contained in equipment	9	UN3481	N/A
Lithium ion batteries packed with equipment	9	UN3481	N/A
Lithium metal batteries	9	UN3090	N/A
Lithium metal batteries contained in equipment	9	UN3091	N/A
Lithium metal batteries packed with equipment	9	UN3091	N/A
Batteries, wet, nonspillable	8	UN2800	N/A
Batteries, dry, sealed, n.o.s.	See Special Provision 130		

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are the following single packagings: five (5), thirty (30), and fifty-five (55) gallon UN Standard 1A2 steel drums tested and certified as meeting the Packing Group I performance criteria, and as described in Electronic Recyclers International Inc.'s application dated September 30, 2024, and the additional test data submitted on December 22, 2025, and on file with the Office of Hazardous Materials Safety (OHMS).

(1) The proprietary extinguishing agent and batteries must be placed in the drum in accordance with the closure instructions provided in Electronic Recyclers International Inc.'s application dated September 30, 2024, and the additional test data submitted on December 22, 2025, and on file with the OHMS.

(2) Each outer packaging must be filled with thermally insulating fire suppressant, as described in Electronic Recyclers International Inc.'s application dated September 30, 2024, and the additional test data submitted on December 22, 2025, and on file with the OHMS, in a sufficient quantity and manner that will suppress lithium battery fires, heat, smoke and absorbs the smoke, gases and flammable vapors and electrolytes during a thermal runaway incident. The thermally insulating fire suppressant, when utilized without an inner package, must be in a sufficient quantity to:

- (i) Absorb all of the potential release of electrolyte.
- (ii) Suppress lithium cell/battery fires, heat, and smoke.
- (iii) Absorb the smoke, gases, flammable vapors, and electrolytes during a thermal runaway incident.
- (iv) Protect from the effects of shock and vibration and prevent movement of the cells, batteries, and/or the equipment.

(3) The gross weight of damaged, defective, or recalled cells or batteries in a 55-gallon, 30-gallon, or 5-gallon steel drum may not exceed 89 kg (198 pounds), 76 kg (169 pounds), or 18 kg (40 pounds), respectively.

b. OPERATIONAL CONTROLS:

(1) Damaged, defective, recalled lithium cells and batteries, and lithium cells or batteries, contained in or, packed with equipment must have originally met the requirements for testing in accordance with the edition of the UN Manual of Tests and Criteria authorized at the time of testing, prior to becoming damaged, defective, or recalled.

- (2) For transportation by highway or rail, only lithium cells or batteries (including those contained in or packed with equipment) with a lithium content not exceeding 5 g for a lithium metal cell or 25 g for a lithium metal battery and with Watt-hour rating not exceeding 60 Wh for a lithium ion cell or 300 Wh for a lithium ion battery are not subject to 49 CFR Part 172 Subparts C through H.
- (3) For transportation by highway only, lithium ion batteries, including damaged or defective lithium ion batteries contained in or packed with equipment, with an aggregate watt-hour rating not exceeding 1,000 Wh are not subject to 49 CFR Part 172, Subparts C and H provided, the total weight of lithium ion batteries does not exceed the specified maximum allowable weights listed in paragraph 7.a.(3), and adequate fire-suppression material within approved packaging is used as described in Electronic Recyclers International Inc.'s application dated September 30, 2024, and the additional test data submitted on December 22, 2025, and on file with the OHMS.
- (4) Cells or batteries contained in or packed with equipment must be protected against short circuits (unless the equipment affords that protection) and unintentional activation.
- (5) Non-spillable batteries are limited to 11 kg (25 pounds) or less gross weight each.
- (6) Each package must meet the requirements in §§ 173.24 and 173.24a.
- (7) Packages must be stored or stowed away from sources of heat.
- (8) Shipments containing a single packaging, pallet or aggregate quantity of packages with a gross weight exceeding 500 pounds are not excepted from the requirements of Subparts C through H of Part 172.

c. MARKING AND LABELING:

- (1) Each package 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:
 - (i) "DOT-SP 21866"; and
 - (ii) An emergency response telephone number in case of damage to the packaging or contents.

(2) For packages containing lithium cells or lithium batteries conforming to the size limitations in paragraph 7.b.(2):

(i) Each package must be marked with the words: “Batteries for Recycling: May Contain Damaged Lithium Batteries - FOR GROUND TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY VESSEL OR AIRCRAFT” in letters at least 12 mm (0.5 inch) in height except that packages with a maximum gross mass of 30 kg (66 pounds) or less may be marked with characters at least 6 mm (0.25 inches) high, and packages with a maximum net mass of 5 kg (11 pounds) or less may be marked in a size appropriate for the size of the package.

(ii) Each package must be marked with the lithium battery mark in § 173.185(c)(3).

(iii) If the packaging is intended to contain both lithium ion and lithium metal cells or batteries (including those contained in or packed with equipment), then the lithium battery mark required in § 173.185(c)(3) may include all four applicable UN Numbers (UN3090, UN3091, UN3480, and UN3481) even if not all UN Numbers are contained in the packaging.

(iv) A package containing a lithium ion battery conforming to the size limitation in paragraph 7.b.(3) is not authorized to be marked under this paragraph 7.c.(2) and must comply with paragraph 7.b.(3) and comply with paragraph 7.c.(3).

(3) For packages containing lithium batteries conforming to the size limitation in paragraph 7.b.(3):

(i) Each package must be marked with the words: “Batteries for Recycling: May Contain Damaged Lithium Batteries - FOR GROUND TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY VESSEL OR AIRCRAFT” in letters at least 12 mm (0.5 inch) in height except that packages with a maximum gross mass of 30 kg (66 pounds) or less may be marked with characters at least 6 mm (0.25 inches) high, and packages with a maximum net mass of 5 kg (11 pounds) or less may be marked in a size appropriate for the size of the package.

(ii) Each package must be marked and labeled in accordance with Subparts D and E of Part 172. Additionally, Subparts F and G of Part 172 apply.

(4) Additionally, each package may be marked with a QR code that when scanned, provides a direct link to a specific URL where the most recent revision

of the special permit can be viewed or downloaded. If the QR code is marked on the packaging, the URL must also be marked on the packaging.

(5) If the packaging is used to transport non-spillable batteries, the batteries and package are excepted from the marking requirements for non-spillable batteries in § 173.159a(c)(2). All other applicable requirements in § 173.159a apply.

d. Detailed closure, 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, packing, and shipping instructions accompanying the packaging.

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. 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: For motor vehicle shipments, a current copy of this special permit must be carried aboard each motor vehicle unless the package is marked in accordance with paragraph 7.c.(4).

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 that conform to the requirements of this special permit 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.:



for William Quade
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: CB/Casey Chambers