

February 03, 2025



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21873

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce by motor vehicle and rail freight of lithium ion cells packaged within a rigid plastic 50H Large Packaging. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(b) in that lithium ion cells may be packaged within a rigid plastic 50H Large Packaging is authorized, as provided herein.
5. BASIS: This special permit is based on the application of Tesla, Inc. dated October 8, 2024, submitted in accordance with § 107.105 and the public proceeding thereon and additional information submitted on October 16, 2024.

Tracking Number: 2024104289

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

7. SAFETY CONTROL MEASURES:a. SAFETY CONTROLS:

- (1) The lithium ion cells authorized under this special permit are limited to those specified in the additional information submitted on October 16, 2024, and on file with the Office of Hazardous Materials Safety (OHMS).
- (2) All cells within the packaging must be protected against short-circuiting and movement during transportation.
- (3) Only the number of cells specified in the additional information submitted on October 16, 2024, and on file with the OHMS are permitted to be packed within each rigid plastic 50H Large Packaging.

b. TESTING:

- (1) All lithium ion cells must be of a type that have passed all required tests as specified in the revision of the "UN Manual of Tests and Criteria" specified in the additional information submitted on October 16, 2024, and on file with the OHMS.
- (2) The rigid plastic 50H Large Packaging must have been tested and passed the tests in Subpart Q in Part 178 at the Packing Group II performance level for a plastic Large Packaging as specified in the additional information submitted on October 16, 2024, and on file with the OHMS. Additionally, the rigid plastic 50H Large Packaging must conform to and be certified as meeting the specification for a rigid plastic 50H Large Packaging in Subpart P of Part 178 at the Packing Group II performance level.

(3) A cell or packaging type that has not passed these tests is not authorized to be offered for or transported under the terms of this special permit.

c. PACKAGING:

(1) Inner packaging: Cells must be placed in non-metallic inner packagings that completely enclose and separate the cells by use of the packaging design, as specified in the information submitted on October 16, 2024, per the requirements in § 173.185(b)(3)(i).

(2) Outer packaging: Prescribed packagings are rigid plastic 50H Large Packagings, as specified in the additional information submitted on October 16, 2024, and on file with the OHMS.

(3) The completed packages may be stacked when transported by rail not to exceed the superimposed weight that was tested to withstand the gross weight that was directly superimposed for the stack test.

(4) The net and gross weights of a completed package may not exceed those specified in the additional information submitted on October 16, 2024, and on file with the OHMS.

d. MARKING: Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked with the special permit number: DOT-SP 21873.

8. SPECIAL PROVISIONS:

a. 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 reoffered 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 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.:

A handwritten signature in blue ink, appearing to read "W. 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