



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

October 22, 2025

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 22105

EXPIRATION DATE: 2026-03-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Veolia ES Technical Solutions, LLC
Boston, MA
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of damaged, defective, or recalled (DDR) lithium ion batteries 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.
 - 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 § 173.22(a)(4) in that the grantee may modify the manufacturer's closure instructions by removing a 2" bung in order to prevent the accumulation of flammable gases; and § 173.185(f)(1) in that more than one DDR lithium battery is authorized per outer package, as specified herein.
5. BASIS: This emergency special permit is based on the application of Veolia ES Technical Solutions, LLC dated September 22, 2025, submitted in accordance with § 107.117 and the determination it was necessary to protect life and property.

Tracking Number: 2025095068

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

7. SAFETY CONTROL MEASURES:a. PACKAGING:

- (1) Inner packaging: Each lithium ion cell or battery must be individually placed in a polyethylene (plastic) bag that is sized to completely enclose the cell or battery.
- (2) Outer packaging: Inner packagings must be further placed in a UN specification 1A2 steel drums that was previously certified to the Packing Group I performance criteria prior to being modified by removing a 2" bung and the subsequent opening fitted with goose-necked PVC pipe to prevent the accumulation of flammable gas and mitigate against the introduction of moisture to the inside of the package.
- (3) Inner packagings must be surrounded by cushioning material that is non-combustible, electrically non-conductive, absorbent, and acts as a fire suppressant.

b. TESTING: Prior to modifying the packaging, the prescribed packaging must have been designed, tested, and certified in accordance with 49 CFR Subparts L and M as a UN 1A2 steel drum meeting the Packing Group I performance criteria.

c. OPERATIONAL CONTROLS:

- (1) The cells and batteries must have been pretreated through a brining submersion process using a minimum of 7% sodium sulfate solution for a minimum of three days to reduce residual electrical charge.
- (2) Post-brined lithium ion cells and batteries must be properly dried over a period of not less than 60 days prior to being offered for transportation.

(3) The completed package must be monitored for hydrogen gas (H₂) levels at the open bung within 2 hours of loading for shipment off-site. If the monitoring of the package indicate the hydrogen gas levels exceed 4,000 ppm (10% of the Hydrogen LEL), the package must be vented for an additional 24 hours and re-monitored prior to shipment. The package must only be offered for transportation when hydrogen gas levels are below 4,000 ppm.

(4) Packages must be transported in a van trailer specially fitted with multiple air vents to improve air flow and exchanges to reduce the potential for the accumulation of flammable or toxic vapor. Van trailers must be equipped with gas monitoring devices inside the cargo box that provide real-time readings to alert the driver of an increased level of flammable or toxic vapors.

(5) Transportation is only authorized for shipments related to clean up of the Gateway Energy Storage site in San Diego, CA.

(6) Carriers transporting packages offered for transportation under the terms of this special permit must hold an active Hazardous Materials Safety Permit issued by the Federal Motor Carrier Safety Administration.

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: 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 Quade
Acting 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: ae