



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

October 31, 2025

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 22120

EXPIRATION DATE: 2027-04-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Tesla, Inc.
Austin, Tx
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes transportation of damaged, defective or recalled (DDR) lithium ion batteries contained in Powewall 2 units in packaging that do not meet the requirements of 49 CFR 173.185(f). 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. 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) in that the batteries are not individually placed in a non-metallic inner packaging that completely encloses the battery, § 173.185(f)(2) in that the inner packaging is not surrounded by cushioning material that is non-combustible, electrically non-conductive, and § 173.185(f)(3) in that the battery is transported in a non-specification fiberboard outer packaging.

Tracking Number: 2025104667

5. BASIS: This emergency special permit is based on the application of Tesla, Inc. dated October 23, 2025, submitted in accordance with § 107.117 and the determination it was necessary to prevent significant injury to persons or property.
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) Authorized packagings are non-specification fiberboard packagings as described in Tesla's October 23, 2025, application on file with the Office of Hazardous Materials Safety (OHMS). These packagings must be the same as those used to transport non-DDR Powerwall 2 units.
- (2) Packagings have been successfully tested in accordance with the drop, stack, and handling testing of ASTM D4169 and ISTA 3E as described in the test reports on file with the OHMS.
- (3) Powerwall 2 units must be packaged in accordance with the Powerwall 2 AC Transportation & Storage Guidelines Revision 1.8 on file with the OHMS.

b. OPERATIONAL CONTROLS:

- (1) This special permit is only valid for return shipments of Powerwall 2 units, voluntarily recalled by Tesla.
- (2) All Powerwall 2 units must be discharged to less than 10% state of charge prior to being offered for transportation.
- (3) All Powerwall 2 units transported under the provisions of this special permit must be marked "Damaged/defective lithium ion batteries" on the outside of the package in characters that are a minimum of 12mm high.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.

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.:



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: