



Council on Safe Transportation of Hazardous Articles

President

Dan Hankinson
Program Manager
Stellantis

First Vice President

Janet Kolodziej-Nykolyn
Dir. Global Dangerous Goods Compliance
Pfizer, Inc.

Second Vice President

Carolyn Naumann
Dir. Regulatory & Government Affairs US
Reckitt

Treasurer

Veronica Wilson
Director, HM Transportation
Wal-Mart, Inc

Secretary

Dave Madsen
Reg. Compliance Specialist - Americas
Autoliv ASP, Inc.

Executive Committee

Samuel Moyers
Director of Transportation Safety
ARCADIS

Board of Directors

Carla Andrews
DG Safety Manager
FedEx Logistics

Adrienne Mesick
DG Process Lead, Lithium Batteries
Deere & Company

Jon Pelis, DGS, CDGP
EH&S Superintendent
The Boeing Company

John Redman
Sr. Manager, Global Dangerous Goods
Compliance
General Motors

Tim Rogers
Director of Air Dangerous Goods
UPS

Wim Verkuringen
Director DG & Transportation Safety
Johnson & Johnson

Mike Wentz
Sr. Specialist Hazmat/DG Compliance
American Airlines

August 24, 2026

Mr. Matthew Nickels
Director, Standards and Rulemaking Division
Pipeline and Hazardous Materials Safety Administration
Attn: PHH-10
U.S. Department of Transportation
East Building, 1200 New Jersey Ave., SE
Washington, D.C. 20590-0001
Submitted: Matthew.Nickels@dot.gov
cc: infocntr@dot.gov

Dear Mr. Kelley,

COSTHA requests a formal letter of interpretation regarding shipping documentation and its description requirements specified in §172.202(a)(5) as it applies to lithium batteries exceeding 12 kg that are prepared in accordance with §173.185(b)(5). Specifically, COSTHA requests confirmation on how the quantity on shipping papers must be expressed when a shipment consists of one or more batteries secured to pallets or other handling devices in accordance with §173.185(b)(5).

COSTHA is a not-for-profit organization representing manufacturers, shippers, distributors, carriers, freight forwarders, trainers, packaging manufacturers and other associated with the hazardous materials transportation industry. In addition to promoting regulatory compliance and safety in hazardous materials transportation, COSTHA assists its members and the public in evaluating the practicality and efficacy of laws, rules and regulations for the safe transportation and distribution of hazardous materials.

According to §173.185(b)(5), lithium cells and batteries exceeding 12 kg, with a strong impact-resistant outer case, are authorized to be transported in strong outer packagings, protective enclosures, or on pallets or other handling devices instead of packagings meeting the UN performance packaging requirements. Despite this provision, it appears that neither §173.185(b)(5) nor §172.202 specifically addresses how the quantity on shipping documentation must be expressed when a shipment consists of one or more batteries secured to pallets or other handling devices consistent with §173.185(b)(5).

Council on Safe Transportation of Hazardous Articles

PO Box 2165, Peachtree City, GA 30269 • 160 Greencastle Road, Suite A, Tyrone, GA 30290 • Phone: (518)761-0389 •
Fax: (518)792-7781 • www.costha.com

COSTHA members identified differing interpretations amongst the industry, as some shippers describe the quantity by the number of batteries transported, while others indicate the quantity by pallet or other handling device. Consequently, carriers have rejected shipments where descriptions on documentation indicates the quantity of the batteries by pallet or handling device, leading to inquiries as to whether such descriptions satisfy the requirements of §172.202(a)(5).

As a result of the uncertainties, COSTHA respectfully requests PHMSA's response to the following questions:

1. For lithium cells or batteries exceeding 12 kg that are prepared for transportation in accordance with §173.185(b)(5), how must the total quantity required by §172.202(a)(5) be expressed on shipping documentation?
2. Does §172.202(a)(5) require the quantity to identify the number of batteries being offered for transportation, or may the quantity be expressed using the pallet or other handling device, as authorized under §173.185(b)(5)?

COSTHA recognizes that §172.202(a)(5)(iii) already provides flexibility for certain shipments by allowing quantity descriptions such as "1 cargo tank" or "2 IBCs" for bulk packages. Clarification as to whether similar flexibility exists for lithium batteries exceeding 12 kg transported on pallets or other handling devices, or whether the quantity must instead be expressed in another manner, is respectfully requested.

The requested letter of interpretation is intended to promote consistency in the industry, clarify the HMR, and reduce differing interpretations among shippers and carriers. COSTHA appreciates your review of this interpretation request and we look forward to your response.

Sincerely,



Ana Diaz
Regulatory Compliance Specialist
COSTHA