



Cajar, J.
26-0117

Fwd: REQUEST FOR TECHNICAL INTREPRETATION

1 message

INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>
To: Hazmat Interps <hazmatinterps@dot.gov>

Thu, Sep 3, 2026 at 3:48 PM

Please see below request for official interpretation.

Thanks,
Jonathon, HMIC

----- Forwarded message -----

From: **Saliga, Francis** <FrancisSaliga@eaton.com>
Date: Thu, Sep 3, 2026 at 12:55 PM
Subject: REQUEST FOR TECHNICAL INTREPRETATION
To: infocntr@dot.gov <infocntr@dot.gov>
Cc: Saliga, Francis <FrancisSaliga@eaton.com>

Dear DOT

I am looking for a significant interpretation and application of shipping UPS (Uninterruptable Power Supply) containing a Lithium Ion battery.

All of our UPSs with Lithium Ion batteries are shipped with the battery disconnected. This fulfills the accidental energizing of a UPS during shipment. During shipment a UPS cannot supply power from physically disconnected battery. It is impossible. This is a physical disconnection, to be differentiated from an electronic disconnection.

While our current procedure is to test UPS containing Lithium battery to UN 38.3 and mark packages as a battery in accordance with UN 3480, I do not feel this is technically correct based on the following regulations.

[eCFR :: 49 CFR 173.185 -- Lithium cells and batteries.](#)

Excerpt from 49 CFR § 173.185 Lithium cells and batteries shows:

(3) Lithium battery mark. Each package must display the lithium battery mark except when a package contains only button cell batteries contained in equipment (including circuit boards), or when a consignment contains two packages or fewer where each package contains not more than four lithium cells or two lithium batteries contained in equipment.

(i) The mark must indicate the UN number: "UN3090" for lithium metal cells or batteries, or "**UN3480**" for lithium ion cells or batteries. Where the lithium cells or batteries are contained in, or packed with, equipment, the UN number "UN3091" or "**UN3481**," as appropriate, must be indicated. Where a package contains lithium cells or batteries assigned to different UN numbers, all applicable UN numbers must be indicated on one or more marks. The package must be of such size that there is adequate space to affix the mark on one side without the mark being folded.

The official UN entries from the Dangerous Goods List within the UN Model Regulations:

ST_SG_AC10_1_Rev24e_Vol I_1, Chapter 2.9 Lists

3480 LITHIUM ION BATTERIES (including lithium ion polymer batteries)
3481 LITHIUM ION BATTERIES CONTAINED IN EQUIPMENT (including lithium ion polymer batteries) or
3481 LITHIUM ION BATTERIES PACKED WITH EQUIPMENT (including lithium ion polymer batteries)

By definition are

- **UN 3480** – *Lithium ion batteries*
- **UN 3481** – *Lithium ion batteries contained in equipment*
- **UN 3481** – *Lithium ion batteries packed with equipment*

Therefore, my conclusion is that a UPS containing a disconnected lithium battery should be shipped and marked **UN 3481**

We have requested quotes from two NRTL for testing our UPS with Lithium battery and mark it with UN3480, but both have stated that it is not necessary and UN 3481 applies, not UN3480.

The NRTLs (Nationally Recognized Testing Laboratories) that have advised this are UL(Underwriters Laboratories) and ETL (Intertek), both approved on OSHA website as NRTLs.

Please advise your concurrence that a UPS containing a physically disconnected Lithium Ion battery should be shipped **UN 3481** as Batteries in equipment.

Best Regards,

Francis Saliga

Senior Compliance Engineer

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