



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 31, 2023

Mr. Joe Williamson
Senior Staff Engineer
Honda Development and Manufacturing of America
Purchasing and Supply Chain Planning – Strategic Planning Dept.
/ Business Management Unit
24000 Honda Pkwy
Marysville, OH 43040

Reference No. 23-0091

Dear Mr. Williamson:

This letter is in response to your August 4, 2023, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to packaging lithium ion batteries. In your email, you describe a lithium ion battery assembly with a strong, impact-resistant outer aluminum casing enclosing the assembly, and you state that the battery and casing weigh several hundred kilograms. You further note that the battery assemblies are secured to a steel handling rack to prevent inadvertent shifting, and that the terminals do not support the weight of other superimposed elements. Specifically, you ask whether these lithium ion battery assemblies may be packaged in a steel handling rack for highway transportation—rather than in United Nations performance-oriented packaging—in accordance with § 173.185(b)(5).

Provided that the aluminum casing is strong and impact-resistant, the lithium ion batteries are secured to prevent inadvertent shifting, and the terminals do not support the weight of other superimposed elements, it is the opinion of this Office that the packing and handling arrangement you describe in your email is acceptable for highway transportation in accordance with § 173.185(b)(5).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Patrick

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Request for Letter of Interpretation under 49 C.F.R. § 173.185(b)(5)
Date: Friday, August 4, 2023 4:20:00 PM
Attachments: [Request for Interpretation Letter Battery Assy HDMA.pdf](#)
[Appendix A Confidential.pdf](#)

23-0091

Hi Alice,

Please see the below and attached interpretation request.

Let us know if you need anything.

Regards,

-Breanna

From: Joseph Williamson <Joseph_Williamson@na.honda.com>
Sent: Friday, August 4, 2023 2:07 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Letter of Interpretation under 49 C.F.R. § 173.185(b)(5)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Kelley:

On behalf of Honda Development & Manufacturing of America, LLC, I am requesting a formal letter of interpretation regarding transportation of the Company's new lithium battery assembly. These battery assemblies will be used in the production of new electric vehicles.

The battery assembly details are provided in Appendix A. Please note that we are requesting confidential treatment of Appendix A in its entirety under 49 C.F.R. § 105.30. Appendix A constitutes a trade secret, and its disclosure could cause competitive harm to HDMA. Disclosure of these materials would reveal the proprietary design specifications of the battery assemblies to HDMA's competitors, and allow them to reverse-engineer competing battery assemblies.

Can you please confirm the following:

1. Do the lithium battery assemblies described above constitute "lithium batteries that weigh 12 kg (26.5 pounds) or more and have a strong, impact-resistant outer casing" under 49 C.F.R. § 173.185(b)(5)?
2. Can the battery assemblies be transported by truck using the steel racks shown "instead of packages meeting the UN performance packaging requirements in paragraphs (b)(3)(ii) and (iii)" of 49 C.F.R. § 173.185?

Should you need any additional information, please let us know. Thank you for your attention to this request.

Very truly yours,

Joe Williamson
Senior Staff Engineer

Purchasing & Supply Chain Center: Strategic Planning/New Model
Honda Development and Manufacturing of America
Email: Joseph_Williamson@na.honda.com
tel: 937-731-8457

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August 4, 2023

VIA EMAIL

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590
infocntr@dot.gov

Re: Request for Letter of Interpretation under 49 C.F.R. § 173.185(b)(5)

Dear Mr. Kelley:

On behalf of Honda Development & Manufacturing of America, LLC, I am requesting a formal letter of interpretation regarding transportation of the Company's new lithium battery assembly. These battery assemblies will be used in the production of new electric vehicles.

The battery assembly details are provided in Appendix A. Please note that we are requesting confidential treatment of Appendix A in its entirety under 49 C.F.R. § 105.30. Appendix A constitutes a trade secret, and its disclosure could cause competitive harm to HDMA. Disclosure of these materials would reveal the proprietary design specifications of the battery assemblies to HDMA's competitors, and allow them to reverse-engineer competing battery assemblies.

Can you please confirm the following:

1. Do the lithium battery assemblies described above constitute "lithium batteries that weigh 12 kg (26.5 pounds) or more and have a strong, impact-resistant outer casing" under 49 C.F.R. § 173.185(b)(5)?
2. Can the battery assemblies be transported by truck using the steel racks shown "instead of packages meeting the UN performance packaging requirements in paragraphs (b)(3)(ii) and (iii)" of 49 C.F.R. § 173.185?

Should you need any additional information, please let us know. Thank you for your attention to this request.

Very truly yours,

Joe Williamson

Enclosure