

September 17, 2018



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20549
(SECOND REVISION)

EXPIRATION DATE: 2020-11-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Cellblock FCS, LLC
Standish, ME
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of UN specification packagings for the transportation in commerce of batteries including damaged, defective, or recalled lithium ion cells and batteries and lithium metal cells and batteries and these cells or batteries contained in equipment. 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. In accordance with 49 CFR 107.107(a) party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, emergency response information, and training are not required for batteries and cells already excepted by § 173.185(c) and § 172.102(c) Special Provision 130; § 172.102(c) Special Provisions 130(d) in that batteries utilizing different chemistries (i.e., those battery and cell chemistries specifically covered by another entry in the § 172.101 Table) as well as dry batteries may be combined with used or spent batteries and cells in the same package; § 173.159a(c)(2) in that marking the battery and outer packaging is waived; § 173.185(c)(1)(iii), (c)(1)(iv), (c)(1)(v) and (c)(3) in that alternative marking and documentation are authorized and alternative means of identifying any special procedures to be followed in the event a package is damaged is authorized; and § 173.185(f) in that more than one lithium cell or battery per package is authorized as specified herein.
5. BASIS: This special permit is based on the application of Cellblock FCS, LLC dated March 3, 2018, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated May 15 and August 8, 2018.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries*	9	UN3480	N/A
Lithium ion batteries contained in equipment or Lithium ion batteries packed with equipment*	9	UN3481	N/A
Lithium metal batteries*	9	UN3090	N/A
Lithium metal batteries contained in or packed with equipment*	9	UN3091	N/A
Batteries, wet, nonspillable	8	UN2800	N/A
Batteries, dry, sealed, n.o.s.	See Special Provision 130		

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*Only lithium ion or lithium metal cells or batteries and equipment containing these cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i), (ii) or (iv) may be transported under the terms of this special permit. For transportation by cargo vessel, only lithium ion or lithium metal cells or batteries and equipment containing these cells or batteries with a Watt-hour rating or a lithium content, as applicable, conforming to § 173.185(c)(1)(i) or (ii) may be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS:

(1) Damaged, defective, recalled lithium cells and batteries, and lithium cells or batteries contained in equipment must have originally met the requirements for testing in accordance with the edition of the UN Manual of Tests and Criteria authorized at the time of testing, prior to becoming damaged, defective, or recalled.

(2) Transportation by cargo vessel is only permitted when motor vehicle shipments are not possible.

(3) Dry cells and batteries, and nonspillable cells and batteries with a marked rating over nine (9) volts must be protected against short circuiting by bagging them individually, completely covering the terminals, or other equivalent means.

b. PACKAGING:

(1) INNER PACKAGING: Each damaged cell or battery or each piece of equipment containing damaged cells or batteries must be individually packed in a non-metallic packaging that completely encloses the cell or battery or the piece of equipment containing the cells or batteries.

(2) OUTER PACKAGING:

(i) The completed inner package must be surrounded by cushioning material that is noncombustible, non-conductive, and absorbent and placed in a UN specification steel, aluminum, or other metal box or drum that is capable of meeting

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a 1.2 meter drop test and the requirements in §173.24 and §173.24a.

(ii) Each outer packaging must be completely clad with CellBlockEx, as described in Cellblock FCS, LLC's application dated September 20, 2017 and on file with the Office of Hazmat Safety Approvals and Permits Division, in a sufficient quantity and manner that will suppress lithium battery fires, heat and smoke and absorbs the smoke, gases and flammable vapors and electrolytes during a thermal runaway incident.

(iii) The package must be filled with CellBlockEx, wherever possible, as dunnage to protect the cells and batteries and retard rapid heat transfer.

(iv) Not more than 5 kg of damaged lithium cells and batteries may be contained in a single package.

c. MARKING: Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with the following:

(1) "DOT-SP 20549";

(2) The words "Batteries for Disposal, Recycling or Analysis: May Contain Damaged Lithium Batteries - FOR HIGHWAY OR VESSEL TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT" in letters at least 12mm in height;

(3) An emergency response telephone number in case of damage to the packaging or contents

d. Detailed closure, packing, and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

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- b. 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.
- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Safety Approvals and Permits Division for a specific manufacturing facility.
- e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or 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.

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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 Schoonover
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-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Steve H/Andrew Eckenrode/kah