

May 14, 2021



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 21088

**EXPIRATION DATE: 2022-07-31**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: LogBATT GmbH  
Aichwald, Germany  
  
US Agent: Julie Prescott, DGSA  
Currie Associates, Inc.  
Queensbury, NY 12804
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the manufacture, mark, sale, and use of packagings that have the ability to vent to reduce the internal pressure which may develop by the evolution of gas from the contents within the packagings for the purpose of transporting damaged, defective, and recalled lithium cells or batteries as specified herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Maritime Dangerous Goods (IMDG) Code other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
  - d. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

Tracking Number: 2020084088

**May 14, 2021**

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.24(g) in that package venting is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of LogBATT GmbH, dated August 3, 2020 and supplemental information dated March 3, 2021 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Lithium metal batteries <i>including lithium alloy batteries</i>	9	UN3090	N/A
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) Prescribed packagings are multiple sizes and designs of trade-named packagings identified as XL-1.2, L-1, M-1, and S-1 designed for the transportation of damaged, defective, or recalled lithium cells or batteries as described in the LogBATT GmbH's application dated August 3, 2020 and on file with the Office of Hazardous Materials Safety (OHMS).

(2) The authorized packagings with the vent systems are UN specification packagings meeting Packing Group I performance criteria with the following designations:

<b>Model</b>	<b>XL-1.2</b>	<b>L-1</b>	<b>M-1</b>	<b>S-1</b>
<b>UN designation</b>	<b>5A</b>	<b>4A</b>	<b>4A</b>	<b>4H</b>
Max. allowed net weight for damaged, defective, or recalled cells or batteries (kg)	732	290	30	20

b. OPERATIONAL CONTROL:

(1) Each model of packagings with a vent system must have been subjected to thermal runaway and packaging tests to ensure that the packagings are designed to be used in compliance with the requirements of §§ 173.185(b) and 173.24 (g) that the vent filter system performs following functions as described in the LogBATT GmbH's application dated August 3, 2020 and on file with the OHMS:

(i) Heat insulation not to exceed the specified upper limit temperature (100 °C) in the outer casing during emergencies;

(ii) Filtration of smoke to prevent exiting of flammable gas or smoke at the vent exit;

(iii) Gas management to reduce the emission of poisonous gases such as HF gas to less than the AEGL-2 value (i.e.; 24 ppm for 1 hour exposure for HF gas); and

(iv) No production of flames or no ejection of projectiles during emergencies.

(2) The confined spaces in the transportation vehicles or the cargo transport units (CTUs) must have adequate ventilation not to have accumulation of gases vented from the packaging by having an air exchange rate of at least six times per hour.

(3) Packagings must be in compliance with all other regulatory requirements including packaging performance tests, hazard communication (i.e., marking), and special permits for the packagings sufficiently filled

**May 14, 2021**

with thermally insulating, fire-suppressing, non-conductive, absorbent and cushioning granules or pillows.

(4) Each package must be marked "DOT-SP 21088" in accordance with § 172.301(c).

(5) Closed vehicles or the CTUs may be equipped with a cooling unit.

(6) The CTU with this package must be securely locked and ventilated during carriage.

(7) The CTU must not be stacked with another CTU.

8. SPECIAL PROVISIONS:

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

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel (see paragraph 7.b.(3) for possible restrictions).

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, rail freight, motor vehicle used to transport packages covered by this special permit.

When transported by cargo vessel, the package is to be stowed on deck under stowage category D, following segregation codes SG7, SG14, SG29, SG50, SG57, and SG63, and following stowage codes: SW1, SW2, and SW3.

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:

**May 14, 2021**

- 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.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 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: Steve H/Kenny Herzog