COMPLIANCE TRAINING ONLINE

Cal/OSHA, DOT HAZMAT, EEOC, EPA, HAZWOPER, HIPAA, IATA, IMDG, TDG, MSHA, OSHA, and Canada OHS Regulations and Safety Online Training

Since 2008

This document is provided as a training aid and may not reflect current laws and regulations.

Be sure and consult with the appropriate governing agencies or publication providers listed in the "Resources" section of our website.

www.ComplianceTrainingOnline.com

Facebook LinkedIn Twitter Website

January 9, 2015

U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

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

DOT-SP 15860
(THIRD REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of certain damaged or defective lithium ion cells or batteries that do not meet the requirements of § 173.185(a), or of equipment containing such cells or batteries under the terms of this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR), International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI), 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. This special permit serves as an approval under § 173.185(f), as an "exemption" as defined in 1;3.1.1 of the ICAO TI and Chapter 7.9, Section 7.9.1 of the IMDG Code (see IMO MSC/Circ. 1075-Granting Exemptions from the Provisions of the IMDG Code), and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107, 171-180, the ICAO TI, and the IMDG Code.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(f) in that alternative packaging is authorized; Chapter 2.9, Section 2.9.4 of the IMDG Code; Special Provision A154 and Paragraph 2. (specifically, damaged or defective lithium batteries forbidden for transport) of Packing Instructions 965 and 967 of Part 4, Chapter 11 of the ICAO TI in that damaged or defective cells and batteries (that may also be contained in equipment) may be transported as provided herein.

5. BASIS: This special permit is based on the modification application of Apple Inc. dated March 5, 2014 submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated September 12, 2014.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Lithium ion batteries*	9	UN3480	II
Lithium ion batteries contained in equipment*	9	UN3481	II

*Only damaged or defective lithium ion cells or batteries or equipment containing such cells or batteries may be transported in packagings under the terms of this special permit. All cells and batteries must have met all requirements of § 173.185(a) prior to being damaged or defective.

7. SAFETY CONTROL MEASURES:

a. Each lithium ion cell and battery may not be rated to more than 20 Wh and 100 Wh, respectively.

b. Battery powered equipment containing damaged or defective lithium ion cells or batteries are limited to consumer devices including laptop computers, tablets, and cell phones.

c. Each cell and battery must be protected against short-circuits.

d. Each cell and battery contained in equipment must be protected against short-circuits.

e. Cells, batteries, or equipment containing such lithium ion cells or batteries specified in Paragraph 6. may only be shipped from distribution centers and retail facilities to designated Apple facilities that conduct failure analysis.

f. Lithium metal cells, batteries, or equipment containing such cells or batteries are not authorized under the terms of this special permit.

g. PACKAGING:

1. A damaged or defective lithium ion cell, battery, or equipment containing such cells or batteries must be individually placed in a leak-proof inner packaging.

2. The cell, battery, or equipment containing such cells or batteries inside the inner packaging must be surrounded with inert absorbent material sufficient to absorb any release of electrolyte.

3. Each inner packaging must be surrounded by sufficient non-combustible and non-conductive thermal insulation to protect against a dangerous evolution of heat.

4. The inner packaging containing the damaged, defective lithium ion cell, battery, or equipment containing such cells or batteries must be placed in a thermally insulated UN 4G fiberboard box or a thermally insulated UN 4B aluminum box tested for the thermal runaway containment (#2013-07-11), thermal resistance (#ENG-8110.01), and flammability resistance (#ENG-8110.02) which are on file with the Approvals and Permits Office. The boxes must be certified to the Packing Group I performance level.

5. A single outer packaging may not contain more damaged or defective lithium ion cells, batteries, or equipment containing such lithium ion cells or batteries or different types of lithium ion cells, batteries, or equipment containing such lithium ion cells or batteries than have been tested within the package for thermal runaway containment, thermal resistance, and flammability resistance.

6. Non-combustible and non-conductive cushioning material must fill the void spaces within the 4G or 4B box to protect from the effects of shock and vibration and to prevent movement of the cells, batteries, or equipment containing such lithium ion cells or batteries.

7. Cells and batteries must incorporate a venting device if necessary.

8. OPERATIONAL CONTROLS:

a. MARKING - Each package shipped under the terms of this special permit must be marked "Damaged/Defective Lithium-ion Batteries" on a contrasting background in proximity to the markings and labels required by the HMR, the ICAO TI, and the IMDG Code.

b. 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 and it is reoffered for transportation in conformance with this special permit, the HMR, the ICAO TI, and the IMDG Code.

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

d. For purposes of transportation by cargo aircraft only and cargo vessel, this special permit also constitutes an exemption to the ICAO TI in accordance with 1;1.1.3. and as an exemption to the IMDG Code in accordance with Chapter 7.9, Section 7.9.1.

e. Any package that is damaged is not authorized to be loaded and transported.

f. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of the States of origin, transit, and destination of the consignment, as well as the State of the air operator.

g. The damaged/defective lithium ion cells, batteries, or equipment containing such lithium ion cells or batteries authorized under this special permit may only be transported by a cargo aircraft that is authorized as a "will-carry" operator in accordance with 14 CFR.

h. Aircraft operators must have an approved operations manual that permits the carriage of damaged or defective lithium ion cells, batteries, or equipment containing such lithium ion cells or batteries in accordance with this special permit. See 14 CFR 121.135 or 135.23.

i. Authorized U.S. Air Carriers - The following U.S. air carriers are the only authorized air carriers to accept any shipment under the terms of this special permit:

1. FedEx, Inc.; and

2. United Parcel Service Co.

j. A foreign aircraft operator may only carry damaged or defective lithium ion cells, batteries, or equipment containing such lithium ion cells or batteries in accordance this special permit with the approval of the competent authority of the foreign State responsible for certification of the aircraft.

k. DAMAGED OR DEFECTIVE LITHIUM ION CELLS, BATTERIES, OR EQUIPMENT CONTAINING SUCH LITHIUM ION CELLS OR BATTERIES AUTHORIZED UNDER THE TERMS OF THIS SPECIAL PERMIT MAY NOT BE TRANSPORTED INTERNATIONALLY BY AIR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Cargo Vessel, Cargo Aircraft Only with restrictions (see Paragraph 8.i. and 8.k.).

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, motor vehicle, and cargo aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

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:

    - All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - 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.

    - 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 Dr. Magdy El-Sibaie
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 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: SW/mn