



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**June 14, 2023**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21442  
(FIRST REVISION)

**EXPIRATION DATE: 2025-03-31**

(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 alternative packaging for the transportation in commerce of damaged, defective, and recalled lithium ion cells and batteries, using alternative hazard communication. 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 special 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.
  
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, placarding, emergency response information, and training are required for batteries and cells already excepted by § 173.185(f) in that inner packaging is required, and more than one lithium cell or battery per package is not authorized, except as specified herein.

Tracking Number: 2022094316

5. BASIS: This special permit is based on the application of CellBlock FCS, LLC dated September 7, 2022, submitted in accordance with § 107.105, the public proceeding thereon, and additional information submitted May 1, 2023.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Lithium ion batteries including lithium ion polymer batteries	9	UN3480	N/A
Lithium ion batteries contained in equipment including lithium ion polymer batteries	9	UN3481	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) Outer packaging:

(i) 5 to 8 gallon steel box or drum:

(A) Within each box or drum, no single battery may exceed 1800 Wh and the total energy density of cells and batteries may not exceed 1800 Wh;

(B) Each box or drum must be filled with 2 inches of CellBlockEX media and top off with the CellBlockEX media; and

(C) Each box or drum must be sealed with a pressure vented lid.

(D) Each box or drum may be placed into a corrugated fireboard overpack box.

(ii) 15 to 55 gallon steel box or drum:

- (A) A layer of CellBlockEX media must be placed between the outer steel box or drum and inner metal liner of each drum;
- (B) Within each box or drum drum, no single batter may exceed 1,800 Wh and the total energy density of cells and batteries may not exceed 1,800 Wh;
- (C) Each box or drum must be filled with four inches of CellBlockEX; and
- (D) Each drum must be sealed with a pressure vented lid.
- (E) Each box or drum may be placed into a corrugated fiberboard overpack box.

(iii) Each cell or battery must be packaged in a manner to prevent shifting, accidental activation, and short circuiting

b. TESTING:

- (1) Each lithium ion cell and battery must be of a type that has successfully passed the required tests in accordance with the 38.3 of the UN Manual of Tests and Criteria.
- (2) Damaged, defective, or recalled lithium cells and batteries 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.

c. OPERATIONAL CONTROLS:

- (1) Cells and batteries must be protected against short-circuiting and be equipped with means of venting and preventing dangerous reverse current flow.
- (2) Damaged, defective, and recalled cells and batteries must have their SOC reduced as much as possible.
- (3) Batteries must be packed to prevent accidental activation of the battery and equipment.
- (4) Cells or batteries that are leaking or liable to rapidly disassemble, dangerously react produce a flame or a dangerous evolution of heat or a dangerous emission of toxic, corrosive, or flammable gases, or vapors under normal conditions of transport may not be transported under this special permit.

(5) The shipper of batteries or cells must undergo training from CellBlock FCS, LLC for product-specific training.

(6) Detailed closure, packing and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit. Persons offering packages for transportation must comply with the closure instructions accompanying the packaging.

d. MARKINGS: Each package must be marked with a QR code, which when scanned provides a direct link to a specific URL where the most recent version of this special permit can be viewed and downloaded. The package must also be marked with the following:

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

(2) For damaged, defective, or recalled cells or batteries, the outer packaging must be marked “Damaged/defective lithium ion battery” in letters at least 6 mm in height.

(3) “LITHIUM BATTERIES - FORBIDDEN FOR TRANSPORT ABOARD AIRCRAFT AND VESSEL”.

(4) The lithium battery mark conforming to § 173.185(c)(3)(i).

(5) “DOT-SP 21088” in accordance with § 172.301(c).

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.

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 on CellBlock’s website or 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 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.
- f. When utilized as specified in this special permit, the completed package is not subject to 49 CFR Subparts C through H of Part 172 (i.e., shipping papers, marking labeling, placarding, emergency response information, and training), except as specified herein.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS: None.
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.

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.

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-13, 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: MK/TG