



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUN 20 2013

Mr. Todd A. Strobel  
Regulatory Compliance Specialist  
Manufacturing and Supply Chain Services  
3M Center, 225-4S-18  
St. Paul, MN 55144-1000

Ref. No.: 13-0096

Dear Mr. Strobel:

This is in response to your May 7, 2013 email requesting clarification of the requirements for shipping lithium batteries in accordance with Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI). Both the HMR and the ICAO TI require certain shipments of lithium batteries be accompanied by a document indicating that the package(s) in that shipment contain lithium batteries, a flammability hazard exists if the package is damaged, that special procedures must be followed in the event a package is damaged and a telephone number for additional information. Specifically, you ask if this document must follow a particular format.

Both the HMR and the ICAO TI require a document to accompany certain shipments of lithium batteries but do not require a specific format. Any document that contains all of the required information is acceptable. This approach provides shippers and carriers with the flexibility to design documents consistent with their own needs.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Delmer Billings  
Senior Regulatory Advisor  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Leary  
§172.102 SP 188  
§ 173.185

**From:** Kelley, Shane (PHMSA)  
**Sent:** Friday, May 10, 2013 12:41 PM  
**To:** 'tastrob@mmm.com'  
**Cc:** rtduzynski@mmm.com; Pfund, Duane (PHMSA); Leary, Kevin (PHMSA); Drakeford, Carolyn (PHMSA)  
**Subject:** RE: Lithium Battery Documents

Lithium Batteries  
13-0096

Todd,  
Thank you we will process this as a request for an interpretation and answer your question as to whether there is a specified format.

We'll look forward to working at the UN and with interested stakeholders on the broader issues raised by PRBA.

-Shane

Shane C. Kelley  
Assistant International Standards Coordinator  
Office of Hazardous Materials Safety  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
Voice: 202-366-4359  
FAX: 202-366-5713

**From:** [tastrob@mmm.com](mailto:tastrob@mmm.com) [<mailto:tastrob@mmm.com>]  
**Sent:** Tuesday, May 07, 2013 5:17 PM  
**To:** Kelley, Shane (PHMSA)  
**Cc:** [rtduzynski@mmm.com](mailto:rtduzynski@mmm.com)  
**Subject:** Lithium Battery Documents

Shane,

I wanted to follow up with you regarding our round table discussion at the DGAC meeting in Washington, DC last week regarding the Lithium Battery documents that are being used to meet the ICAO/IATA lithium battery packing instruction document requirements in Section II.

IATA has created a document template (shown below) that is found in the IATA Lithium Battery Guidance Document and the other document is being used for air shipments within Europe (however I believe that the Europe document was originally developed and required for shipments from Hong Kong).

<http://www.iata.org/whatwedo/cargo/dgr/Documents/Lithium-Battery-Guidance-2013-V1.1.pdf>.

My concern is that if we don't provide one of these documents as required by a particular carrier (freight forwarder or airline) we face rejections of our shipments. These are the only two forms that I am currently aware of, but there could be more in existence or additional ones being developed by the airlines and forwarders.

Note: PRBA has submitted a proposal for eliminating the document requirements in Special Provision 188 of the UN Model Regulations applicable to small lithium cells and batteries. The PRBA proposal will be addressed at the June 2013 UN Sub-Committee of Experts meeting in Geneva.

If adopted by the UN Sub-Committee, PRBA's goal is to have the same documentation requirement removed from the ICAO Technical Instructions.

As we discussed, it would be helpful to receive a DOT interpretation that states that a document may be any form as long as it meets the requirements as found in Special Provision 188 and in the ICAO Technical Instructions.

Appendix B - Template for Accompanying Lithium Battery Document

Document Template

1. Title of the document (e.g. Shipper Declaration)  
 2. Date of issue  
 3. Name of the shipper  
 4. Name of the consignee  
 5. Description of the goods  
 6. Description of the hazard  
 7. Description of the hazard  
 8. Description of the hazard

<p><b>Lithium Ion - Maximum of</b></p> <ul style="list-style-type: none"> <li>20 Watt-hours per cell, and</li> <li>100 Watt-hours per battery</li> </ul> <p>Cells or batteries only (ICAO/IATA Packing Instruction 966, Section II) - Cells or batteries in a package without equipment installed</p> <p>Package Limit:        100 kg net weight        1000 Wh per battery        1000 Wh per package</p>	<p><b>Lithium Metal - Maximum of</b></p> <ul style="list-style-type: none"> <li>1 gram of lithium metal per cell, and</li> <li>2 grams of lithium per battery</li> </ul> <p>Cells or batteries only (ICAO/IATA Packing Instruction 968, Section II) - Cells or batteries in a package without equipment installed</p> <p>Package Limit:        10 kg net weight        100 Wh per battery        100 Wh per package</p>
<p>Cells or batteries only (ICAO/IATA Packing Instruction 966, Section II) - Cells or batteries in a package without equipment installed</p>	<p>Cells or batteries only (ICAO/IATA Packing Instruction 968, Section II) - Cells or batteries in a package without equipment installed</p>
<p>Packed with equipment (ICAO/IATA Packing Instruction 966, Section II) - Cells or batteries in a package with equipment installed</p>	<p>Packed with equipment (ICAO/IATA Packing Instruction 968, Section II) - Cells or batteries in a package with equipment installed</p>
<p>Contained in equipment (ICAO/IATA Packing Instruction 967, Section II) - Cells or batteries installed in equipment</p>	<p>Contained in equipment (ICAO/IATA Packing Instruction 970, Section II) - Cells or batteries installed in equipment</p>

1. This document must be printed on a separate sheet of paper and must be attached to the package.  
 2. This document must be printed in English.  
 3. This document must be printed in the language of the country of origin of the goods.  
 4. This document must be printed in the language of the country of destination of the goods.

Name of Shipper: \_\_\_\_\_  
 Name of Consignee: \_\_\_\_\_  
 Description of Goods: \_\_\_\_\_  
 Description of Hazard: \_\_\_\_\_  
 Description of Hazard: \_\_\_\_\_  
 Description of Hazard: \_\_\_\_\_

Shipper Declaration

Shipper:	Receiver:
Consignee:	Carrier:
<p>To whom it may concern,</p> <p><b>Declaration for Lithium-ion (or lithium-metal) batteries shipped as "Not Restricted" cargo</b></p> <p>We hereby certify that the above captioned equipment can be shipped as "Not Restricted" in accordance with the current edition of IATA / ADR / IMDG.</p>	
<p><b>Description of Goods</b></p> <p><input type="checkbox"/> Li-ion battery / <input type="checkbox"/> Li-ion battery packed with equipment / <input type="checkbox"/> Li-ion battery in equipment</p> <p><input type="checkbox"/> Li-metal battery / <input type="checkbox"/> Li-metal battery packed with equipment / <input type="checkbox"/> Li-metal battery in equipment</p> <p><input type="checkbox"/> cells or batteries in equipment (max 4 cells or 2 batteries installed in equipment) PI 967 / 970</p>	
<p><input type="checkbox"/> This consignment does not contain any defects suffered for safety reasons. This consignment has been packed in comply with Section 2 of</p> <p><input type="checkbox"/> PI 965 / <input type="checkbox"/> PI 966 / <input type="checkbox"/> PI 967 / <input type="checkbox"/> PI 968 / <input type="checkbox"/> PI 969 / <input type="checkbox"/> PI 970</p>	
<p><input type="checkbox"/> Fitnessability hazard exists if the package is damaged. In any event of the package damaged, please follow the special procedure:</p> <p>(a) Take pictures of the damage and limit impact by control and seal the damage</p> <p>(b) Inform Shipper immediately and avoid distraction</p>	
<p><input type="checkbox"/> This consignment is in compliance with Special Provisions 188 (ADR / IMDG)</p> <p><input type="checkbox"/> This consignment is in accordance with the provisions of Chapter 1, 1.4.2 of the ADR agreement and RID regulations for contained sea and road-to transport. Handle with care</p>	
<p>Every package is marked in accordance with regulation if needed:</p> 	<p>Company:</p> <p>More information Call:</p> <p>Location: _____</p> <p>Place and date:</p> <p>Name:</p> <p>Signature:</p>

If you have any questions, please let me know.

Thanks!

**3M**

**Todd A. Strobel, DGSA | Regulatory Compliance Specialist**  
 Manufacturing & Supply Chain Services  
 3M Center, 225-4S-18 | St. Paul, MN 55144-1000 US  
 Office: 651 733 6937 | Fax: 651 733 2446  
[tastrobel@mmm.com](mailto:tastrobel@mmm.com) | [www.3M.com](http://www.3M.com)