



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

DEC 23 2014

Mr. Scott Walters
Global Satellite Engineering
1901 S. Andrews Ave
Fort Lauderdale, FL 33316

Ref. No. 14-0162

Dear Mr. Walters:

This is a response to your August 18, 2014 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) with regard to the shipment of equipment containing lithium ion batteries. In your incoming letter, you provide an example of a marking you intend to place on the outside of the packages containing your equipment. Specifically, you request verification and certification that this marking meets the requirements of § 173.185(c)(4).

It is not the role of this Office to certify hazardous materials shipping labels and package markings for use. It is the shipper's responsibility to ensure compliance. Nonetheless, based on the example you provide, it is the opinion of this Office that the marking would satisfy the requirements of § 173.185(c)(4) and contains the required information to be shipped by air domestically and internationally under the International Civil Aviation Organization (ICAO) Technical Instructions (TI) provided the marking, when applied to the package, meets the dimensional (120 x 110mm) and color requirements (black symbols and text, red border) of § 173.185(c)(4). We do note that while it is not specifically required, if shipped internationally, a mark which includes the international access code [or "+" (plus) sign] and country calling code may eliminate any frustration of shipment and ease the accessibility to information about the battery shipment.

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

Sincerely,

Dirk Der Kinderen
Acting Chief, Standards Development
Standards and Rulemaking Division

Suchak
§173.185
Batteries
14-0162

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Thursday, August 21, 2014 2:08 PM
To: Hazmat Interps
Subject: FW: Formal Letter of Intent
Attachments: GL200 Lithium Battery Label.pdf

Shante and Alice,

Please submit this for a formal letter of interpretation. Mr. Walters spoke to Mike Pagel in the HMIC.

Thanks,

Mike

From: Scott [<mailto:scott@gsat.us>]
Sent: Monday, August 18, 2014 4:14 PM
To: INFOCNTR (PHMSA)
Cc: Jeff Palmer; gus@gsat.us
Subject: Formal Letter of Intent

Good Afternoon,

We are trying to send an electrical device which contains rechargeable lithium batteries via air. I have already spoken to a representative from the Hazmat office of the DOT who certified that under federal regulations, specifically (§ 173.102, Special Provision 185,) our attached label met national requirements for shipping batteries within a device. Our client will be using this device internationally as well and requires something formal. Can you please reply back with a formal letter of intent verifying this as well as certifying the label for international usage as well. I appreciate your willingness to work with us.

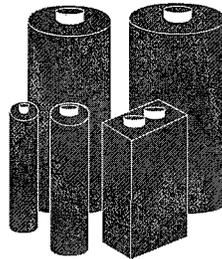
Kind Regards,

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CAUTION!



IF DAMAGED

Lithium ion battery

**DO NOT LOAD OR TRANSPORT
PACKAGE IF DAMAGED**

For more information, call 954.459.4000

Total lithium content 5.67 grams in 9 cells

Cells are contained in equipment per UN3481, P.I. 967. Cells are packaged to prevent short circuits, protected by rubber buffers, and packaged in a sealed enclosure.

Battery #1

8 x 2200mah Lithium Polymer cells

8 x .66g lithium = 5.28g lithium

Battery #2

1 x 1300mah Lithium Polymer

1 x .39g lithium

Suchak, Neal (PHMSA)

From: Richard.Bornhorst@faa.gov
Sent: Wednesday, October 22, 2014 11:06 AM
To: Suchak, Neal (PHMSA)
Subject: RE: REVIEW REQUESTED: Letter of Interpretation
Attachments: 14-0162 (FAA edits).docx

Neal,

Attached are some edits. If the edits are accepted you have our concurrence. Let me know if you have any questions.

Richard Bornhorst
Division Manager, International and Domestic Standards (ADG-200)
Federal Aviation Administration
Office: (202) 267-9443
Cell: (202) 731-9985

From: Suchak, Neal (PHMSA)
Sent: Tuesday, October 21, 2014 11:45 AM
To: Richard Bornhorst
Subject: FW: REVIEW REQUESTED: Letter of Interpretation

Rick, just wondering if you or someone else at FAA has had a chance to provide feedback on this letter. Thanks,

Neal

From: Suchak, Neal (PHMSA)
Sent: Tuesday, October 14, 2014 10:17 AM
To: Bornhorst, Richard <FAA>
Subject: REVIEW REQUESTED: Letter of Interpretation

Good morning Rick,

Hope you enjoyed your long weekend. I was hoping you might be able to take a look at the attached Letter of Interpretation we are drafting regarding the shipping marking for Lithium Batteries and provide concurrence. It's a fairly simple letter, but we want to make sure FAA has the opportunity to see it and provide edits if necessary. Thanks, and please let me know if you have any questions.

Neal Suchak