



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

FEB 20 2002

Mr. Jeffrey S. Koller  
EnerSys Inc.  
P.O. Box 14145  
Reading, PA 19605

Ref. No. 01-0320

Dear Mr. Koller:

This responds to your December 12, 2001 letter requesting clarification on testing requirements for nonspillable batteries under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if testing is required if you change the post seal design of this battery type.

According to your letter and enclosed drawing, the existing design for your lead acid battery posts was certified as nonspillable by a third party testing facility. In the drawing, you show a lead acid battery post seal design that your company is planning on using. You are requesting clarification on whether testing is required if the post seal design for the lead acid nonspillable battery is changed.

A nonspillable electric storage battery must be capable of passing the vibration and pressure differential tests without leakage of battery fluid from the battery as provided in § 173.159(d)(3). Leakage of any fluid, oozing, dripping, or seeping, etc. is considered as failure of the tests. Based on information provided, it is the opinion of this Office that the new post seal design is sufficiently different that testing is required to ensure that the batteries meet requirements in § 173.159(d)(3).

I hope this answers your inquiry.

Sincerely,

Delmer Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards



010320

173.159



Boothe  
§173.159  
Battery  
01-0320

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Reading, PA  
19605

December 12, 2001

Attn: Edward Mazzullo  
Director of Office of Hazard Material standards  
Department of Transportation

I am faxing you a drawing of EnerSys Inc's existing design for our lead-acid battery posts that were certified as Nonspillable in May 1999 by a third party testing facility. The picture to the left is the current design for the post seal. The picture to the right is the new post seal design. The question I am posing to the DOT is, if we change to the new post design does EnerSys Inc. have to re-test this battery type or can the DOT issue a relief from re-testing.

Please contact me if there are any questions.

Regards,

Jeffrey S. Koller  
EnerSys Inc.  
Engineer, Supplier Quality & Packaging