



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

JUN 30 2005

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

Ms. Karen L. Bonnin
Hazard Classification
Naval Ordnance Safety and Security Activity (NOSSA)
Farragut Hall Bldg. D-323
23 Strauss Avenue
Indian Head, MD 20640-5555

Ref. No. 05-0083

Dear Ms. Bonnin:

This is in response to your letter requesting clarification on the revisions to § 173.185 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding primary (non-rechargeable) lithium batteries.

The requirements for primary (non-rechargeable) lithium batteries and cells aboard passenger aircraft were amended by Docket HM-224E interim final rule (published on December 15, 2004). This interim final rule imposes a limited prohibition on the offering for transportation and transportation of primary (non-rechargeable) lithium batteries and cells and equipment containing or packed with large primary lithium batteries as cargo aboard passenger-carrying aircraft. The interim final rule applies to both foreign and domestic passenger-carrying aircraft entering, leaving, or operating in the United States and to persons offering primary lithium batteries and cells for transportation as cargo on any passenger-carrying aircraft. Equipment containing a primary (non-rechargeable) lithium battery must be transported in accordance with Special Provisions A100, A101 and A102, regardless of the classification of the item.

In accordance with Special Provision A102(d), the net weight of the package may not exceed 5kg. Further, § 173.185 of the HMR, as amended by the HM-224E interim final rule, states that the outside of each package that contains an excepted primary (non-rechargeable) lithium battery or cell that is forbidden for transport aboard passenger carrying aircraft must be marked "PRIMARY LITHIUM BATTERIES-FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT". For non-excepted Class 9 primary lithium batteries and shipments of equipment that contains or is packed with Class 9 primary lithium batteries offered for transport by air the words "Cargo Aircraft Only" must be entered after the basic description on



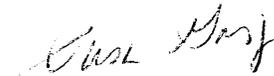
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173.185

shipping papers, and the package must bear a Class 9 and a Cargo Aircraft Only label, and the package must be otherwise marked as required by the HMR.

I hope this information is helpful. Please contact us if you require additional assistance

Sincerely,



6^ John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards

*Referford
& 173.185
Lithium Batteries
05-0083*

Gale, John <PHMSA>

From: Bonnin, Karen CIV NOSSA [karen.bonnin@navy.mil]
Sent: Tuesday, March 15, 2005 11:20 AM
To: Gale, John <PHMSA>
Subject: FW: Changes in Lithium Battery Requirements-Lithium Batteries in Equipment

-----Original Message-----

From: Bonnin, Karen CIV NOSSA
Sent: Friday, March 11, 2005 14:05
To: 'john.gale@pmhsa.dot.gov'
Subject: Changes in Lithium Battery Requirements-Lithium Batteries in Equipment

Hi John,

Thanks for all the help you provided in our phoncon of 2 Mar 05. We have reviewed the Navy's database and have numerous items that could possibly be affected by the new special provisions for lithium batteries contained within equipment. These items have 1.4S or non-class 1 classifications based on the predominant hazard of the item. Before I go back to the technical personnel and request information on any lithium batteries contained within, I'd like to clarify a few points. I would like to confirm that the Special Provisions apply to all equipment containing primary lithium batteries regardless of the classification of the item. I would also like to confirm that it is the net weight of the batteries in equipment within the package that must not exceed 5 kg. This point is confusing since the Special Provision A102 verbiage differs from that in the interim rule discussion. Lastly, I'd like to confirm that the label in 173.11 must be applied to all equipment, if the 5 kg is exceeded and the classification allows for passenger air. Thanks again for all your help.

→ 173.11
Karen L. Bonnin
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