U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9355 (PTE)
THIRD REVISION July 17, 1991

In accordance with 49 CFR 107.111 of the Department of Transportation (DOT) Hazardous Materials Regulations the party(ies) listed below is granted the status of party to DOT-E 9355. The expiration date of the exemption for the party(ies) is April 30, 1996.

This party status applies to the party(ies) listed below based on the application(s) submitted in accordance with 49 CFR 107.111 and the public proceeding thereon. All terms of the exemption remain unchanged. This authorization forms part of the exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

3 1 MAY 1994
(DATE)

Dist: FHWA FRA USCG FAA

EXEMPTION HOLDER	APPLICATION DATE
Eveready Battery Company, Inc. Westlake, OH	April 18, 1994

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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DOT-E 9355
(SECOND REVISION)

1. Eastman Kodak Company, Rochester, New York, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of a flammable solid for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of certain lithium batteries excepted from the provisions of Title 49, Code of Federal Regulations (49 CFR), except as provided in this exemption, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from Eastman Kodak Company dated November 21, 1984, and additional information dated July 23, 1985, and December 16, 1985, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Lithium batteries classed as flammable solid.

4. PROPER SHIPPING NAME (49 CFR 172.101). None.

5. REGULATION AFFECTED. 49 CFR Parts 100 to 177.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, cargo aircraft only.

7. SAFETY CONTROL MEASURES.

a. Packagings prescribed are fiberboard, wood or plastic boxes complying with the applicable paragraphs of 49 CFR 173.24, except that batteries in electronic devices need not be packaged. Batteries must be separated so as to prevent short circuits.

b. Batteries must be of the lithium-carbon monofluoride, or lithium-maganese dioxide type described in the application and may not contain more than 2 grams of lithium. No component cell of any battery may contain more than 1.5 grams of lithium.

8. SPECIAL PROVISIONS.

a. Batteries in electronic devices and packages of batteries prepared as described in this exemption are exempt from 49 CFR Parts 100-199 except as provided herein.

b. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

c. A copy of this exemption must be carried aboard each vessel and aircraft used to transport packages covered by this exemption.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. August 30, 1987.

Issued at Washington, D.C.

JAN 28 1986

Alan I. Roberts
Director
Office of Hazardous Materials Transportation

(DATE)

Address all inquires to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FAA