

September 19, 2018



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20640

EXPIRATION DATE: 2020-08-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Insitu Inc
Hood River, OR
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of "Vehicle, flammable liquid powered," with a prototype lithium ion battery secured in the vehicle via cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit serves as an "exemption" under 1;1.1.3 of the International Civil Aviation Organization's (ICAO) Technical Instructions (TI) and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.185(e) in that the UN packaging meeting the Packing Group I performance

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level must be used, and ICAO TI Packing Instruction 950 in that the battery must be of the type proven to meet the criteria in the UN Manual of Tests and Criteria, except as provided herein.

5. BASIS: This special permit is based on the application of Insitu Inc dated March 27, 2018 and supplemental information dated July 11, 2018 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Vehicle, flammable liquid powered	9	UN3166	N/A

7. SAFETY CONTROL MEASURES:

- a. OPERATIONAL CONTROLS:

(1) The approved prototype batteries are Insitu Part Number AY01-INU-SE2-BAT-LRU comprised of the number of cells (Model: 1850HE4) and having a nominal voltage as described in the July 11, 2018 correspondence and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD).

(2) For "Vehicles, flammable liquid powered" (referred to as Vehicles):

(i) Each vehicle contains not more than one battery;

(ii) The vehicle engine must be drained of liquid fuel as far as practicable when offered for transportation aboard cargo aircraft;

(iii) The battery must be securely fastened to the battery holder in the vehicle;

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(iv) The securely fastened battery may be either connected to (installed) or disconnected from the vehicle's all electrical connections;

(v) The battery, whether connected or disconnected from the vehicle's electrical system, must be protected to prevent damage, short circuits, and accidental activation during transport;

(vi) The state of charge of the battery may not exceed 30 %; and

(vii) The vehicle must be packed and secured against movement to prevent accidental operation during transportation.

b. TESTING:

(1) All cells must be of a type that has successfully passed the testing requirements in accordance with the UN Manual of Tests and Criteria, 5th Revised Edition.

(2) The prototype batteries may not be of a type that have successfully passed the testing requirements in accordance with the UN Manual of Tests and Criteria, 5th Revised Edition.

c. PACKAGING: Authorized vehicles must be prepared for transportation as follows:

(1) Inner Packaging: Each vehicle must be packed in a strong inner packaging constructed of suitable fireproof material of adequate strength as described in the March 27 application and the July 11, 2018 update, and on file with OHMSAPD;

(2) Outer Packaging: Each inner packaging must be placed in a standard Conex box (8'x8'6"x20');

(3) Each package must meet additional requirements in ICAO TI Packing Instruction 950; and

(4) The net weight of the battery within a package may not exceed 35 kg.

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d. MARKING: Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with "DOT-SP 20640".

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – “The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SH/TG