

Transportation/Hazardous Materials: U.S. Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Lithium Batteries



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The United States Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a July 2nd Interpretive Letter clarification of the Hazardous Materials Regulations (“HMR”) applicable to the transportation of damaged and defective lithium batteries. See Reference No. 24-0050.

PHMSA was responding to a request for interpretation from Scopelitis, Garvin, Light, Hanson & Feary (“Scopelitis”).

Scopelitis first asked whether all damaged or defective lithium batteries must be transported in accordance with the requirements of § 173.185(f). PHMSA responded in the affirmative, stating that such batteries have the potential of producing a dangerous evolution of heat, fire, or short circuit and must be transported in accordance with the cited regulation.

Scopelitis next asked whether such batteries transported for disposal, recycling, or permanent storage may be packaged in accordance with the limited exceptions offered in § 173.185(d). In other words, can they be transported without UN performance packaging? PHMSA responded in the negative, referencing their previous answer.

Finally, Scopelitis asked whether low production run and prototype lithium batteries that have been identified as damaged or defective may be transported in accordance with requirements in § 173.185(e). PHMSA again responded in the negative, citing its answer to the first question.

A copy of the Interpretive Letter can be downloaded [here](#).