



Inspection Bulletin

North American Standard Inspection Program

2022-02 – Identifying Undeclared Shipments of Lithium Batteries

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Summary

The Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA) have become aware of a pattern of large shipments of undeclared used lithium batteries. Several recent fires during highway transportation and storage at port areas have been associated with these materials. Undeclared lithium batteries present a safety issue for roadside inspectors, emergency responders and the general traveling public in the event of an incident or accident. This inspection bulletin is intended to raise awareness of this safety issue and provide guidance to enforcement on what should be done when undeclared lithium battery shipments are discovered during daily roadside inspection duties.

Background

FMCSA and the Commercial Vehicle Safety Alliance (CVSA) are partnering with PHMSA on this effort and are focused on the identification and reduction of undeclared hazardous materials in highway transportation. FMCSA is committed to providing PHMSA with information on highway shipments of undeclared hazardous materials detected during roadside inspections. In turn, PHMSA will use this information to identify and educate persons who introduce undeclared hazardous materials into the supply chain. This information may also be used to build an enforcement case on significant violators.

To facilitate this information gathering, FMCSA created an email address where enforcement, industry and the general public may report the discovery of undeclared hazardous materials, including lithium batteries, during transit. That email address is FMCSA.UndeclaredHM@dot.gov.

Undeclared Lithium Battery Shipments

In recent months, FMCSA and PHMSA have become aware of fires and other safety issues associated with undeclared shipments of used lithium batteries, often being transported for disposal, recycling or refurbishment. Lithium batteries – including those found in electric vehicles, micro-mobility devices and consumer electronics – are a hazardous material, as defined in Title 49 Code of Federal Regulations (CFR) § 171.8, and must be properly packaged and described in accordance with federal hazardous materials safety regulations. PHMSA and FMCSA have observed undeclared and improperly prepared lithium battery shipments described as “recycled materials,” “consumer electronics,” “laptop batteries” or “synthetic resins,” as shown below.

ORDER INFORMATION				
CUSTOMER ORDER NUMBER	#PKGS	WEIGHT	PALLET/SLIP	ADDITIONAL SHIPPER INFO
		44,000		RECYCLED MATERIALS

Example of bill of lading for an undeclared lithium battery shipment

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Some of these shipments have been involved in serious fires, as shown below, and the lack of accurate information about the contents of the shipment presents a significant danger to emergency responders, inspectors, drivers and the general public.



Aftermath of a fire in an undeclared lithium battery shipment

Inspection Guidance

Roadside inspectors are an important part of this effort. During daily roadside inspection duties, if undeclared lithium battery shipments are discovered, an email should be sent to FMCSA.UndeclaredHM@dot.gov with the following information:

1. Subject line: Undeclared Lithium Batteries
2. Motor carrier name
3. USDOT number
4. Shipper/Offeror name
5. Shipper/Offeror address, phone, email, or other identifying and contact information
6. Date of discovery
7. Location of discovery
8. Type and quantity of lithium batteries discovered
9. If possible, a copy of the roadside inspection report and any pictures or other documentation collected

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Information collected will be used by FMCSA and PHMSA to develop the unified outreach strategy for lithium battery shippers.

Additionally, at FMCSA’s and PHMSA’s discretion, the information may be used to track reports of other undeclared hazardous materials shipments discovered through roadside inspections where the motor carrier is required to submit a hazardous materials incident report (DOT Form F5800.1), pursuant to 49 CFR § 171.16(a)(4).



U.S. Department of Transportation
**Federal Motor Carrier Safety
Administration**



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**