



Transportation of Dangerous Goods Directorate
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Equivalency Certificate (Approval issued by the competent authority of Canada)

Certificate Number: SU 14355

Template Number: 46

Certificate Holder: Council on Safe Transportation of Hazardous Articles (COSTHA)

Mode of Transport: Road, Rail, Marine

Effective Date: March 8, 2024

Expiry Date: March 31, 2029

LEGEND

For the purposes of this equivalency certificate, documents referred to by an abbreviation have the following meaning:

TDG Act: *Transportation of Dangerous Goods Act, 1992*

TDG Regulations: *Transportation of Dangerous Goods Regulations*

49 CFR: *Parts 171 to 180 of Title 49 of the "Code of Federal Regulations" of the United States, as amended from time to time*

ICAO Technical Instructions: *"Technical Instructions for the Safe Transport of Dangerous Goods by Air"*, published by the International Civil Aviation Organization (ICAO), as amended from time to time

IMDG Code: Volumes 1 and 2 of the *"International Maritime Dangerous Goods Code"*, published by the International Maritime Organization (IMO), as amended from time to time

UN Recommendations: *"Recommendations on the Transport of Dangerous Goods"*, published by the United Nations (UN), as amended from time to time

Manual of Tests and Criteria: *"Recommendations on the Transport of Dangerous Goods: Manual of Tests and Criteria"*, published by the United Nations (UN), as amended from time to time

NOTES

Note 1: Subsection 31(4) of the *TDG Act* stipulates that any non-compliance with the conditions of this equivalency certificate will result in the provisions of the *TDG Act* and *TDG Regulations* to apply as though this equivalency certificate did not exist.

Note 2: This equivalency certificate provides no regulatory relief other than specifically stated herein. Therefore, all other requirements of the *TDG Act* and the *TDG Regulations* apply.

Note 3: No person shall use or apply this equivalency certificate, including the display of its number, when the equivalency certificate has expired or is otherwise no longer in effect. Any alteration of this equivalency certificate renders it invalid. Visit the Transport Canada website for the latest version of this equivalency certificate.

PURPOSE

(The following is for information purposes only and is not part of the certificate.)

To harmonize with the *49 CFR*, this equivalency certificate authorizes the handling, offering for transport or transportation of lithium cells and batteries which exceed the lithium content and watt hour rating specified in Special Provision 34. The lithium cells and batteries must not exceed the following limits:

- Lithium metal cell with a lithium content of ≤ 5 g,
- Lithium metal battery with a lithium content of ≤ 25 g,
- Lithium ion cell with a watt hour rating of ≤ 60 Wh, or
- Lithium ion battery with a watt hour rating of ≤ 300 Wh.

These thresholds are based on paragraph 173.185(c)(1)(iv) of the *49 CFR*. Industry will often refer to these sizes of lithium cells and batteries as “medium-sized lithium cells and batteries”.

This equivalency certificate also harmonizes with paragraph 173.185(d) of the *49 CFR*, by authorizing “medium-sized lithium cells and batteries” that are being shipped for disposal or recycling, to be transported in the same manner as new batteries.

This equivalency certificate also authorizes the use of the Lithium Battery Mark with the new dimensions of 100 mm per side as illustrated in the *UN Recommendations*, the *ICAO Technical Instructions*, and the *IMDG Code*. Moreover, the telephone number for additional information is not required to be displayed on the Lithium Battery Mark. As background information, in January 2021, the *UN Recommendations*, the *ICAO Technical Instructions*, and the *IMDG Code* reduced the minimum allowable size of the Lithium Battery Mark from 120 mm by 110 mm to 100 mm per side.

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Please note that any distributor or client of the certificate holder who receives a package covered by this equivalency certificate may reoffer it for transport provided no modification or change is made to the package or its contents and it is reoffered for transport in compliance with this equivalency certificate.

CONDITIONS

This equivalency certificate authorizes the **members of Council on Safe Transportation of Hazardous Articles (COSTHA)** to handle, offer for transport or transport and authorizes **any person** to handle or transport on behalf of the **members of Council on Safe Transportation of Hazardous Articles (COSTHA)**, by road vehicle, railway vehicle, or by a vessel in Canada, dangerous goods that are:

UN Number	Shipping Name and Description	Class	Packing Group
UN3090	LITHIUM METAL BATTERIES (including lithium alloy batteries)	9	N/A
UN3091	LITHIUM METAL BATTERIES CONTAINED IN EQUIPMENT (including lithium alloy batteries); or LITHIUM METAL BATTERIES PACKED WITH EQUIPMENT (including lithium alloy batteries)	9	N/A
UN3480	LITHIUM ION BATTERIES (including lithium ion polymer batteries)	9	N/A
UN3481	LITHIUM ION BATTERIES CONTAINED IN EQUIPMENT (including lithium ion polymer batteries); or LITHIUM ION BATTERIES PACKED WITH EQUIPMENT (including lithium ion polymer batteries)	9	N/A

in a manner that does not comply with:

- Special Provision 34(1)(a) of Schedule 2 of the *TDG Regulations*,
- Special Provision 34(1)(b) of Schedule 2 of the *TDG Regulations*,

if the following conditions are met:

1) General

- a) The dangerous goods are handled, offered for transport or transported in accordance with all the requirements of Special Provision 34 in Schedule 2 of the *TDG Regulations*, with the exception of 34(1)(a) and 34(1)(b);

- b) The lithium content is not more than:
 - i) 5 g for a lithium metal or lithium alloy cell, and
 - ii) 25 g for a lithium metal or lithium alloy battery;
- c) The watt-hour (Wh) rating is not more than:
 - i) 60 Wh for a lithium-ion cell, and
 - ii) 300 Wh for a lithium-ion battery.
- d) Any distributor or client of the **members of COSTHA** who receives a package covered by this equivalency certificate may reoffer it for transport provided no modification or change is made to the package or its contents and it is reoffered for transport in compliance with this equivalency certificate.

2) Classification

- a) Each cell and battery have been determined to meet the criteria for assignment to Class 9 on the basis of tests carried out in accordance with the *Manual of Tests and Criteria*, Part III, subsection 38.3.

3) Safety marks – Marking, Labelling and Placarding

- a) Despite the requirements of section 4.24 of the *TDG Regulations*, each means of containment may be marked with the Lithium Battery Mark in accordance with:
 - i) section 5.2.1.9 of the *UN Recommendations*,
 - ii) section 5.2.1.10 of the *IMDG Code*, or
 - iii) section 2.4.16 of Chapter 2 of Part 5 of the *ICAO Technical Instructions*;

Note: *The UN Recommendations, the ICAO Technical Instructions and the IMDG Code now require that each side of the Lithium Battery Mark be 100 mm in length, whereas the TDG Regulations require a label that is 120 mm x 110 mm. Also, if the size of the package so requires, the mark may be reduced to not less than 100 mm wide x 70 mm high. Finally, the telephone number for additional information on the Lithium Battery Mark is not required in the international regulations listed above.*

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- b) The means of containment shall be marked with the following information in a manner that is easy to identify and legible and in characters that are at least 6 mm in height:
 - i) **“Lithium Batteries — Forbidden for transport by aircraft — Equivalency Certificate SU 14355”**, or
 - ii) **“Piles au lithium — Interdit par transport aérien — Certificat d'équivalence SU 14355”**;
- c) When the means of containment is placed in an overpack, the overpack shall be marked, on two opposite sides, with the following information in a manner that is easy to identify and legible:
 - i) The word **“OVERPACK”** or **“SUREMBALLAGE”**, in characters that are at least 12 mm in height,
 - ii) The appropriate lithium battery mark as required by condition 4)a) in Part A of this equivalency certificate, and
 - iii) The information required by condition 4)b) in Part A of this equivalency certificate, in characters that are at least 12 mm in height.

4) Training

- a) The certificate holder must ensure that their personnel who handle, offer for transport or transport the dangerous goods are knowledgeable of the conditions of this equivalency certificate that relate directly to the person's duties.

Signature of Issuing Authority

David Lamarche, P. Eng.

David Lamarche, P. Eng.

Manager, Approvals and Special Regulatory Projects

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(The following is for information purposes only and is not part of the certificate.)

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Legend for Certificate Number

SH - Road, SR - Rail, SA - Air, SM - Marine
SU - More than one Mode of Transport
Ren - Renewal

For more information:

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