

## **Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals**

Sub-Committee of Experts on the Transport of Dangerous Goods

1 July 2022

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Item 4 (c) of the provisional agenda

**Electric storage systems: transport provisions**

### **Preliminary Terms of Reference for the Work on the Reuse, Repair and Repurposing Lithium-ion Cells and Batteries and Implications on Safety and Compliance with UN38.3 Testing Requirements**

**Submitted by PRBA – The Rechargeable Battery Association and  
RECHARGE – the Advanced Rechargeable and Lithium Batteries  
Association**

#### **Introduction**

1. This Informal Document and Preliminary Terms of Reference reflect the comments and requests received from members of the Sub-Committee in association with Informal Document INF.26 (60<sup>th</sup> session) prepared by PRBA and RECHARGE.
2. While there is general support for the principles associated with a circular economy, there are nonetheless significant concerns with how companies may be reusing, repairing, or repurposing lithium-ion cells and batteries and at the same time complying with all applicable technical, regulatory, and safety requirements found in sub-section 38.3 of the Manual of Tests and Criteria and the applicable special provisions and packing instructions in the Model Regulations.
3. There is also confusion over how “reuse” and “repurposing” are being defined by governmental agencies and standards organizations and how these different definitions may trigger testing of new lithium battery “design types” pursuant to section 38.3.2.2 of the UN Manual of Tests and Criteria.
4. To that end, we have developed as a starting point the following Preliminary Terms of Reference to guide the Sub-Committee as they consider the impacts of reuse and repurposing of lithium-ion cells and batteries:
  - (a) Identify current industry standards and regulations associated with the terms, definitions, design, manufacturing, and certification of reused, repurposed, repair, refurbished, and recycled lithium-ion cells and batteries.
  - (b) Identify different examples and practices associated with reuse and repurposing lithium-ion cells and batteries.
  - (c) Distinguish the different examples where the design type conformity is still valid or is compromised and list criteria to assess it. This should include identification of acceptable and unacceptable practices.

(d) Develop a program for future work to be validated by the Sub-Committee that may include, but not be limited to, proposals to amend the applicable provisions of the UN38.3 lithium-ion cell and battery tests and UN Model Regulations to ensure compliance and the safe transport of reused and repurposed cells and batteries.

5. If the Sub-Committee agrees with the Preliminary Terms of Reference provided above, a dedicated Working Group could be established to begin the process of developing a program for future work through the use of virtual meetings before the Sub-Committee's 61st session scheduled for 28 November - 06 December 2022.

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