



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUN 27 1996

400 Seventh Street, S.W.
Washington, D.C. 20590

Ms. Candy L. Cook
DGI Training Center
P.O. Box 1283
Amelia Island, FL 32035

Dear Ms. Cook:

This is in response to your letter concerning the amount of hazardous materials that may be carried on either a passenger or cargo aircraft. I apologize for the delay in responding and regret any inconvenience it may have caused.

Your questions have been paraphrased and answered as follows:

- Q. Explain the quantity limitations in 49 CFR 175.75(a)(2).
- A. The quantities in this section are expressed in net weight. The section states that not more than 55 pounds of hazardous materials, and in addition thereto 165 pounds net weight of Class 2.2 (non-flammable gas) may be carried in any inaccessible location or in a freight container on a passenger-carrying aircraft. For cargo-only aircraft, not more than these quantities of hazardous materials may be loaded in a manner which makes them inaccessible unless the hazardous materials are in a freight container.
- Q. Is there a quantity limitation if the hazardous materials are loaded inaccessible on a pallet vs. a freight container?
- A. An aircraft pallet does not meet the definition of freight container, § 171.8. Packages of hazardous materials loaded on an accessible pallet in an accessible cargo compartment on a cargo aircraft only, are not subject to the 55-pound (165 pounds for non-flammable compressed gases) net weight limitation.
- Q. Is it correct that items allowed on a passenger aircraft, but are being transported on an all cargo aircraft must follow the 25/75 rule in an inaccessible cargo hold, while some items packed for cargo aircraft only will not follow the limitation?
- A. Even if a package that is prepared for carriage on a passenger aircraft is being transported on a cargo-only aircraft, the quantity limits per package imposed by Column 9A of the Hazardous Materials Table, § 172.101 apply.

Q. Are Foreign Flag carriers subject to the 25/75 rule?

A. Yes. Part 175 -- Carriage by Aircraft applies to the acceptance for transportation, loading and transportation of hazardous materials in any aircraft in the United States, § 175.5(a). This would include all foreign aircraft entering or departing U.S. airspace.

If we can be of further assistance, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards



DGI Training Center-East
P O Box 1283
Amelia Island, FL 32035

904-321-0874 ■ Fax 904-321-1801

DB
File: 175.75
SC: 412,300



13 July 1995

Mr. Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards
R.S.P.A.
400 7th St. SW
Washington D.C. 20590

7/18/95
DB

Dear Mr. Billings,

At your convenience, I would like to request a written interpretation on the following, please. I have spoken to many agents at the FAA and have received various answers. My question deals with the amount of Hazmat which may be carried on either a passenger or cargo aircraft. " 175.75 - Quantity limitations aboard aircraft". It seems pretty clear for passenger aircraft; 25 kg net weight of Hazardous Materials and in addition 75kg of non-flammable gas in each inaccessible cargo compartment and in addition 25/75 in each freight container if it is accessible. Item 175.75(2) (iii) seems to be solely for cargo aircraft; If they are loaded on a cargo aircraft in an accessible position, but built up on the pallet so as to be inaccessible it will be limited to 25/75. It goes on to state " unless in a freight container". So, how much is allowed in that freight container? Does it mean that on a cargo aircraft, if the items are packed according to a passenger packing instruction, there is no limitation if they are containerized, but there is a limitation if they are loaded inaccessible on a pallet ?

"this is or, not and"

For packages that are packed for cargo aircraft only, we refer to ~~175.85~~ (b); These packages must be loaded so they may be seen, handled and where size and weight permit, separated from other cargo during flight. It goes on to list items which may be inaccessible during flight and are not subject to the 25/75 weight restriction.

Is it correct to assume that items that are allowed on a passenger aircraft, but are being transported on an all cargo aircraft must follow the 25/75 rule in an inaccessible cargo hold, while some items that are packed for cargo aircraft only will not follow the limitation?

For instance a shipper wishes to transport 60L of a Flammable liquid in Packing Group III. If they pack it for a passenger aircraft and move it on an all cargo carrier it would have to be loaded accessibly to avoid the 25kg limitation. If the shipper packed according to a cargo aircraft packing instruction number, it could then be loaded

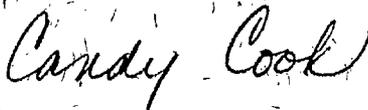
inaccessible with no weight restrictions. And what about 175.75 (2) (iii), if he put it in a container? No weight restriction?

Are Foreign Flag carriers entering or departing the US subject to the 25/75 Rule? I have included the pages from my workbook which deal with loading aircraft. Perhaps you can confirm or tell me where I'm going wrong.

I'm probably going way too deep here and further confusing myself. I am an instructor and when these questions come up in class I need to know what I'm talking about.

Mr. Billings, I thank you in advance for your time and attention to this matter.

Most sincerely,



Candy L. Cook
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File 175.75
SC 412-300

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Chief, Regulations Development
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"this is OK
not OK"

For packages that are packed for cargo aircraft only, we refer to 175.35(b). These packages must be loaded so they may be seen, handled and where size and weight permit, separated from other cargo during flight. It goes on to list items which may be inaccessible during flight and are not subject to the 25/75 weight restriction.

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Mr. Billings, I thank you in advance for your time and attention to this matter.

Most sincerely,

Candy Cook

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DGI Training Center
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Fax 904-321-1801

a package. Each operator making a report under this section shall send a report to the Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590-0001, with a separate copy to the FAA facility indicated in paragraph (a) of this section.

[45 FR 74640, Nov. 10, 1980; 54 FR 25813, June 19, 1989, effective Jan. 1, 1990; 55 FR 39981, Oct. 1, 1990]

(d) [Reserved]

[52 FR 8592, March 19, 1987]

Subpart B—Loading, Unloading and Handling

§175.75 Quantity limitations aboard aircraft.

(a) Except as provided in §175.85(c)(3), no person may carry on an aircraft—

(1) A hazardous material except as permitted by this subchapter;

(2) More than 25 kg (55 pounds) net weight of hazardous material (and in addition thereto, 75 kg (165 pounds) net weight of Division 2.2 (nonflammable compressed gas) materials) permitted to

be carried aboard passenger-carrying aircraft—

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(i) In an inaccessible cargo compartment,

(ii) In any freight container within an accessible cargo compartment, or

(iii) In any accessible cargo compartment in a cargo aircraft only in a manner that makes it inaccessible unless in a freight container;

(3) Packages containing Class 7 (radioactive) materials when their combined transport index number (determined by adding together the transport index numbers shown on the labels of the individual packages and/or overpacks)—

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(i) In passenger carrying aircraft, exceeds 50.0 or, for any single package, exceeds 3.0, or

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(ii) In cargo aircraft only, exceeds 200.00 (for fissile Class 7 (radioactive)

materials, see §175.702(b)(2)(iv)) or, for any single package, exceeds 10.0.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983; 55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(b) No limitation applies to the number of packages of Class 9 (miscellaneous hazardous) materials, or ORM-D materials aboard an aircraft.

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

§175.78 Stowage compatibility of cargo.

(a) For stowage on an aircraft, in a cargo facility, or at any other area at an airport designated for the stowage of hazardous materials, packages containing hazardous materials which might react dangerously with one another may not be placed next to each other or in a position that would allow a dangerous interaction in the event of leakage. As a minimum, the segregation prescribed in the following Table must be maintained.

[58 FR 50505, Sept. 27, 1993]

Table 1

	A	B	C	D	E	F	G
A Explosives and Blasting Agents or ICAO Class 1	Note 3	Note 4	X				
B Compressed gases or ICAO Class 2	Note 4						
C Flammable liquids or ICAO Class 3	Note 4						
D Flammable liquids and solids (labeled SPONTANEOUSLY COMBUSTIBLE) OR ICAO Division 4.2	Note 4				X		
E Flammable solids (labeled DANGEROUS WHEN WET) or ICAO Division 4.3	Note					X	X
F Oxidizers or ICAO Division 5.1 and Organic peroxides or ICAO Division 5.2	Note 4		X	X	X		X
G Corrosive materials or ICAO Class 8	X			X	X	X	

Note 1. The letters across the top of the Table have the same meaning as the letters along the left side of the Table.
 Note 2. An "X" at the intersection of a row and a column in the Table means that packages containing the indicated classes of hazardous materials may not be stowed next to or in contact with each other or in a position which would allow interaction in the event of leakage of the contents.
 Note 3. For import or export shipment, explosives other than explosives of ICAO Division 1.4, Compatibility Group S, that do not belong to the same compatibility group according to the ICAO Technical Instructions may not be stowed together except that compatibility groups C, D, and E may be stowed together. Explosives of ICAO Division 1.4, Compatibility Group S may be stowed with explosives of all compatibility groups with the exception of A and L.
 Note 4. Explosives, other than safety explosives (ICAO Division 1.4, Compatibility Group S) must not be stowed together with this class.

[47 FR 24582, June 7, 1982, effective Aug. 6, 1982; 47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(b) No person may stow a package labeled BLASTING AGENT on an aircraft next to, or in a position that will allow contact with, a package of special fire-works or railway torpedoes.

[43 FR 57897, December 11, 1978; 44 FR 31180, May 31, 1979]

§175.79 Orientation of cargo.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(a) A packaging containing hazardous materials marked "THIS SIDE UP" or "THIS END UP," or with arrows to indicate the proper orientation of the package, must be stored and loaded aboard an aircraft in accordance with such markings.

(b) A package containing liquid hazardous materials not marked as indicated in paragraph (a) of this section, must be stored and loaded with closures up (other than side closure in addition to stop closures).

§175.81 Securing of packages containing hazardous materials.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(a) Packages containing hazardous materials must be secured in an aircraft in a manner that will prevent any movement in flight which would result in damage to or change in the orientation of the packages.

(b) Packages containing Class 7 (radioactive) materials must be secured in a manner that insures that the separation requirements of §§175.701 and 175.702

[Sec. 175.81(b)]

will be maintained at all times during flight.

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

§175.85 Cargo location.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(a) Except as provided in §175.10, no person may carry a hazardous material subject to the requirements of this subchapter in the cabin of a passenger-carrying aircraft or on the flight deck of any aircraft. Hazardous materials may be carried in a main deck cargo compartment of a passenger-aircraft provided that the compartment is inaccessible to passengers and that it meets all certification requirements for a Class B aircraft cargo compartment as provided in 14 CFR 25.857(b).

(b) Each package containing a hazardous material acceptable only for cargo aircraft must be loaded in such a manner that a crew member or other authorized person can see, handle and when size and weight permit, separate such packages from other cargo during flight.

(c) Notwithstanding the provisions of paragraph (b) of this section—

(1) When packages of the following hazardous materials are carried on cargo aircraft only, they may be carried in a location which is inaccessible to a crew member during flight and are not subject to the weight limitation specified in paragraph (a)(2) of §175.75 of this subchapter.

(i) Class 7 (radioactive) materials,

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(ii) Division 6.1 (poisonous) materials (except those labeled FLAMMABLE),

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(iii) Materials in Division 6.2 (etiologic or infectious substances),

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(iv) Class 3 (flammable liquid) materials with a flashpoint above 23°C (73 F) that do not meet the definition of another hazard class.

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(v) Class 9 (miscellaneous hazardous) materials, and ORM-D materials

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

(2) When packages of hazardous materials acceptable for cargo-only or passenger-carrying aircraft are carried on cargo aircraft only where other means of transportation are impracticable or not available, package may be carried in accordance with procedures approved in writing by the FAA Air Transportation Security Field Office responsible for the operator's overall aviation security program or the FAA Air Transportation Security Division in the region where the operator is located.

(3) When packages of hazardous materials acceptable for cargo-only or passenger-carrying aircraft are carried on small, single pilot, cargo aircraft only being used where other means of transportation are impracticable or not available, they may be carried without quantity limitation as specified in §175.75 in a location that is not accessible to the pilot if—

(i) No person other than the pilot, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material is carried on the aircraft;

(ii) The pilot is provided with written instructions on characteristics and proper handling of the materials; and

(iii) Whenever a change of pilots occurs while the material is on board, the new pilot is briefed under a hand-to-hand signature service provided by the operator of the aircraft.

[45 FR 6946, Jan. 31, 1980, effective immediately; 45 FR 35329, May 27, 1980, effective Oct. 1, 1980]

(d) [Reserved]

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(e) No person may carry a material subject to the requirements of this subchapter that is acceptable for carriage in a passenger-carrying aircraft (other than magnetized materials) unless it is located in the aircraft in a place that is inaccessible to persons other than crew-members.

(f) Paragraphs (a) and (e) of this section do not apply to a person operating an aircraft under §175.310 which, because of its size and configuration, makes it impossible for that person to comply.

[45 FR 13087, February 28, 1980, effective September 1, 1980]

(g) No person may load magnetized material (which might cause erroneous magnetic compass reading) on an aircraft, in the vicinity of a magnetic compass, or compass master unit, that is a part of the

instrument equipment of the aircraft, in a manner that affects its operation. If this requirement cannot be met, a special aircraft swing and compass calibration may be made.

[50 FR 48419, Nov. 25, 1985]

§175.88 Inspection of unit load devices.

A unit load device may not be loaded on an aircraft unless the device has been inspected and found to be free from any evidence of leakage from, or damage to, any package containing hazardous materials.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

§175.90 Damaged shipments.

[47 FR 54817, Dec. 6, 1982, effective Jan. 1, 1983]

(a) Packages or overpacks containing hazardous materials must be inspected for damage or leakage after being unloaded from an aircraft. When packages or overpacks containing hazardous materials are carried in a unit load device, the area where the unit load device was stowed must be inspected for evidence of leakage or contamination immediately upon removal of the unit load device from the aircraft, and the packages or overpacks inspected for evidence of damage or leakage when the unit load device is unloaded. In the event of leakage or suspected leakage, the compartment in which the package, overpack, or unit load device was carried must be inspected for contamination and any dangerous level of contamination removed.

(b) Except as provided for in §175.700, the operator of an aircraft shall move from the aircraft any package subject to this subchapter that appears to be damaged or leaking. In the case of a package which appears to be leaking, the operator must insure that the remainder of the packages in the same shipment are in proper condition for transport aboard the aircraft and that no other package has been contaminated.

(c) No person shall place a package that is damaged or appears to be damaged or leaking aboard an aircraft subject to this part.

(d) If a package containing an a material in Division 6.2 (etiologic or infectious substance) is found to be damaged or leaking, the person finding the package shall —

[55 FR 52685, Dec. 21, 1990, effective Oct. 1, 1991]

[Sec. 175.90(d)]

LIMITATIONS
ALL CARGO AIRCRAFT

For packages prepared according to a passenger aircraft Packing Instruction;

- ✓ No quantity limitation if loaded in a position that is accessible to crew members or containerized on the main deck.
- ✓ Limited to 25kg (55lbs) net weight of Dangerous Goods and in addition, 75kg (165lbs) net weight of non-flammable gas if in an inaccessible cargo hold or in any accessible cargo compartment, but loaded on a pallet so as to be inaccessible.

For packages prepared according to a cargo aircraft only Packing Instruction number and bearing the "Cargo Aircraft Only" label;

- ✓ There is no limitation as long as a crew member or other authorized person can see, handle and when size and weight permit, separate such packages during flight.
- ✓ The following items only, when transported on a cargo aircraft, may be loaded in an inaccessible location and are not subject to weight restrictions;
 1. Class 7, Radioactive Materials
 2. Division 6.1, Toxic substances (without a flammable subrisk) and Division 6.2, Infectious substances
 3. Class 3, Flammable liquids, in Packing Group III, without a subsidiary risk.
 4. Class 9, Miscellaneous Dangerous Goods and ORM-D materials.

For Radioactive Materials;

- ✓ The total combined Transport Index numbers shown on the labels of the individual packages must not exceed 200.
- ✓ Each individual package may not exceed a Transport Index of 10.0.

Note: Other restrictions apply. Read in detail 175.700, 175.702, 175.703 and 175.705.

Note: If a person other than a crew member, company employee, an authorized representative of the United States or a person accompanying the shipment is traveling on the aircraft, the rules for passenger aircraft quantities and loading restrictions apply.

Facsimile Cover Sheet

To: Jackie Smith
Company: OHMS
Phone:
Fax: 202 366 3753

From: Thomas Kenny
Company: FAA ACO-50
Phone: 7 3130
Fax:

Date: 12/19/95

**Pages including this
cover page:** 2

Comments: Hi Jackie. Sorry this took so long, had to do some research. Please call if you have questions. Tom Kenny

DB -- 4/2
This letter was forwarded
to GAA as you can see because
I had researched it (with
your help) and was still
struggling.
The attachment to this
AAx (the reply) is among the
missing

You are receiving a FAX from:

OHMS

Office of Hazardous Materials Standards



Return FAX Number (202) 366-3753

Number of Pages (including Cover) *4*

Date: *11/29/95*

Time: *5:15 pm*

FAX: *#75760*

Addressee: *Chris Glasgow, ACO-50*

Initiator: *Jackie Smith*

Phone: *#73952*

Phone: *#64478*

Comment: *Thanks!!*