



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUN 17 1998

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 requesting clarification of quantity limits for carriage on cargo-only aircraft of hazardous materials which are acceptable for carriage on passenger-carrying aircraft. I apologize for the delay in responding.

Your questions are paraphrased and answered as follows:

Question 1. Packages of hazardous materials acceptable on passenger-carrying aircraft which are stowed aboard a cargo-only aircraft in an inaccessible cargo compartment or in an inaccessible manner within an accessible cargo compartment are limited to 25 kilograms (kg) net weight of hazardous material (and in addition thereto 75 kg net weight of Division 2.2). What is the limitation if the hazardous materials are placed in one or more freight containers aboard the cargo-only aircraft?

If the cargo compartment is accessible, 49 CFR 175.75(a)(2)(ii) permits 25 kg of hazardous materials (reference to the Division 2.2 limit will be ignored for the sake of simplicity) in each freight container, regardless of the number of containers in the compartment. If the cargo compartment is inaccessible, the 25 kg limit applies to the cargo compartment.

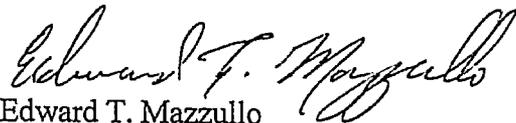
Question 2. Is a Class 3, Packing Group III, material -- which is within quantity limits and is acceptable for carriage aboard passenger-carrying aircraft -- subject to the 25 kg limit when transported aboard cargo-only aircraft in an inaccessible cargo compartment or in an inaccessible manner within an accessible cargo compartment? Is the same shipment subject to the 25 kg limit if it is offered as acceptable only on cargo aircraft and labeled CARGO AIRCRAFT ONLY?

Section 175.85(c)(1) provides a quantity limit exception from both 49 CFR 175.75(a)(2) and 175.85(b) for Class 3, Packing Group III materials. Therefore, the shipment is not subject to the 25 kg limit regardless of whether it is offered as acceptable for passenger-carrying aircraft or cargo aircraft only.

Your inquiry highlights two points with regard to the provisions of 49 CFR 175.85. First, although the intent of 49 CFR 175.85(c)(1) is to provide exceptions from both the 49 CFR 175.75(a)(2) quantity limits and the 175.85(b) requirement for accessible stowage, the introductory regulatory text of 49 CFR 175.85(c)(1) fails to specifically reference 49 CFR 175.75. We intend to correct this discrepancy in a future rulemaking. Second, for a material not eligible for the 49 CFR 175.85(c)(1) exceptions, such as a Class 8 material, a shipment which is acceptable for carriage aboard passenger-carrying aircraft is subject to the 25 kg limit when transported aboard cargo-only aircraft in an inaccessible cargo compartment or in an inaccessible manner within an accessible cargo compartment. If the same shipment is offered as acceptable only on cargo aircraft and labeled CARGO AIRCRAFT ONLY, it may only be carried accessibly as required by 49 CFR 175.85(b).

I trust this satisfies your inquiry. If this office can be of further assistance, please contact us.

Sincerely,



Edward T. Mazzullo
Director, Office of Hazardous
Materials Standards



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File: Lavallo
175.75
Se: 4/2



29 July 1996

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

Dear Mr. Billings,

Thank you for your response to my inquiries regarding 175.75(a)(2). I believe I did not ask the questions correctly, therefore I did not receive the answers to help me understand the regulation. I have included your response for reference.

I understand that if a package is packed according to passenger aircraft packing instructions and is loaded on a cargo aircraft in an inaccessible position, it will be limited to 25kg net for Hazmat and 75kg net for non-flammable gases. 175.75 (a)(2)(iii) goes on to say unless in a freight container.

Question 1 How much then is allowed if it is in a freight container? (assume the package is within the limits specified in Table 172.101)

Question 2 175.75 states specifically it is for items which are allowed on a passenger carrying aircraft. If I have a package prepared according to a cargo aircraft only packing instruction and is within the limits under Table 172.101, what is the limit in an inaccessible hold or position which makes it inaccessible to the crew during flight ?

Example: A shipper has a Class 3 item, in Packing Group III, without a subrisk. It is perfectly prepared for a passenger aircraft. It is being transported on a cargo aircraft in an inaccessible position. It will be limited to the 25/75 limitations. I have the same substance, this time it has been packed within the limits for cargo aircraft only and has been tendered to an all cargo carrier.

Will the package prepared under the cargo only limitations be limited to the 25/75 aircraft limitations?

Is my interpretation correct in that the passenger quantity will have to follow the 25/75 aircraft limitation while the cargo only shipment will not have a compartment limitation and will not have to be accessible to the crew? Seems very contradictory. A package with perhaps a smaller amount than the cargo only shipment will be limited while the perhaps larger quantity for cargo only will not have to follow the compartment limitation.

I await your reply.

Sincerely,

Candy L. Cook

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DGI Training Center