



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

AUG - 6 2004

Mr. Rick Blenkush
NWA Corporate Dangerous Goods and Safety
Department C9025
7500 Airline Drive
Minneapolis, MN 55450-1101

Ref. No. 04-0152

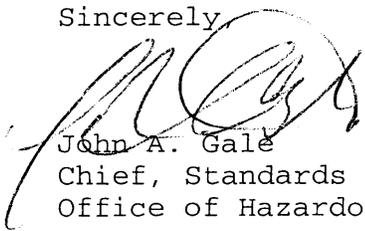
Dear Mr. Blenkush:

This is in response to your letter dated April 20, 2004, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if each aircraft operator who engages in the transportation of hazardous materials must maintain an adequate supply of every label specified in Part 172, Subpart E, or must the operator only maintain an adequate supply of the labels applicable to the hazardous materials they transport.

Aircraft operators who engage in the transportation of hazardous materials must keep an adequate supply of the labels specified in Part 172, Subpart E (§ 175.40). We are aware that some air carriers have made a business decision not to accept certain classes or divisions of hazardous materials. It is the opinion of this office that an aircraft operator subject to § 175.40 is only required to maintain an adequate supply of the labels in Part 172, Subpart E applicable to the hazardous materials they transport.

I hope this satisfies your request.

Sincerely,


John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



040152

175.40

Gale, John

From: Blenkush, Richard G [richard.blenkush@nwa.com]
Sent: Tuesday, April 20, 2004 2:57 PM
To: Gale, John
Subject: FW: Request Interpretation

BATH
§175.40
Labeling
04-0152

Rick Blenkush
NWA Corporate Dangerous Goods and Safety
612-727-8937

-----Original Message-----

From: Blenkush, Richard G
Sent: Tuesday, April 20, 2004 1:56 PM
To: 'john.gale@rspa.dor.gov'
Subject: Request Interpretation

John - Greetings from NWA in MSP.

Our FAA Regional office recommended I contact you for an interpretation of a regulation in 49CFR.

49CFR, 175.40 states aircraft operators who engage in the transport of hazardous materials must keep an adequate supply of labels on hand at each location where shipments are loaded aboard aircraft.

As NWA accepts very few dangerous goods from most of our domestic stations, do we need the full range of labels at ALL of our stations? Many smaller domestic stations only see passenger medical oxygen a few times per year. Most other stations only see a few classes of COMAT per year.

How does RSPA interpret this regulation, a full set of labels or only labels of the classes that a station will be accepting/shipping?

Thank you for your help.

Regards

Rick Blenkush
NWA Corporate Dangerous Goods and Safety
612-727-8937

Department 07025
2004-04-20
04-0152