



# National Transportation Safety Board

Washington, D.C. 20594

October 19, 1998

Office of the Chairman

Honorable Kelley S. Coyner  
Administrator  
Research and Special Programs Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Ms. Coyner:

Thank you for the Research and Special Programs Administration's (RSPA) May 4, 1998, response to the National Transportation Safety Board's Safety Recommendations A-96-29 and A-96-30.

Safety Recommendation A-96-29 asked RSPA, in cooperation with the Federal Aviation Administration (FAA), to permanently prohibit the transportation of chemical oxygen generators as cargo on board any passenger or cargo aircraft when the generators have passed expiration dates, and the chemical core has not been depleted.

A review of the final rule issued by RSPA on December 30, 1996, finds that oxygen generators were permanently prohibited as cargo in passenger aircraft. However, this rulemaking does not prohibit the transportation on cargo aircraft of chemical oxygen generators that have passed their expiration dates and have not been depleted. Safety Recommendation A-96-29 specifically addressed chemical oxygen generators that have passed their expiration dates. These generators are not designed to be reused; therefore, given the destructive potential of a fire involving these generators, demonstrated during the Safety Board's tests of generators at the FAA's test facility in Atlantic City, New Jersey, the Board believes that these expired and undepleted generators should not be transported on board any aircraft.

As provided in several aircraft maintenance manuals, chemical oxygen generators that have exceeded their shelf lives could be actuated and their chemical cores depleted. This procedure would expend the explosive charge in the actuator and convert most, if not all, of the oxidizer core to a more stable compound, thus reducing or eliminating the risk of accidental activation during transportation.

Pending action by RSPA and the FAA to prohibit the transportation on cargo aircraft of chemical oxygen generators that have passed their expiration dates and have not had their chemical cores depleted, Safety Recommendation A-96-29 is classified "Open--Unacceptable Response."



Safety Recommendation A-96-30 asked RSPA, in cooperation with the FAA to prohibit transportation of oxidizers and oxidizing materials (e.g., nitric acid) in cargo compartments that do not have fire or smoke detection systems.

RSPA responded that in regard to A-96-30, several rulemaking activities under Docket HM-224A have been published. Specifically, on August 20, 1997, RSPA published a Supplemental Notice of Proposed Rulemaking (NPRM) [62 Federal Register (FR) 44375], proposing to prohibit oxidizers aboard [passenger] aircraft. RSPA stated that the effect of this prohibition would be to limit oxidizers to accessible locations on cargo aircraft. The comment period for Docket HM-224A was reopened in a notice on November 28, 1997, [62 FR 63306] to invite additional comments concerning proposals to prohibit the transportation of oxidizers in passenger-carrying aircraft and in inaccessible locations on cargo aircraft. The comment period closed on February 13, 1998. An evaluation of the comments is being conducted at this time with an expected final rule in mid-fiscal year 1999.

In its October 17, 1997, letter commenting on Docket HM-224A, the Safety Board stated that RSPA and the FAA need to evaluate the effects of authorized hazardous materials in fires in cargo compartments. In response to the December 30, 1996 NPRM, the Board supported a study initiated by RSPA, in coordination with the FAA, to assess the risks associated with the transportation of hazardous materials in aircraft cargo compartments. The Safety Board again urges RSPA and the FAA to complete this study and to ban any hazardous materials, including oxidizers, that cannot be safely transported in aircraft cargo compartments.

The Safety Board looks forward to the publication of the final rule. Please keep the Board informed of your schedule and progress. Safety Recommendation A-96-30 is classified "Open--Acceptable Response."

Sincerely,

  
Jim Hall  
Chairman

cc: Dr. Donald R. Trilling, Director  
Office of Environment, Energy and Safety