



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Ave, SE
Washington, D.C. 20590

DEC 3 2010

Mr. Michael van der Velde
KLM Royal Dutch Airlines
P.O. Box 7700
1117 ZL Schiphol Airport
The Netherlands

Ref. No.: 10-0145

Dear Mr. van der Velde:

This responds to your June 25, 2010 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding quantity limitations and cargo location for carriage by aircraft under § 175.75 and United States (U.S.) Variation 13 in the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air. Your questions are paraphrased and answered below:

Q1. Please clarify the quantity limitations for hazardous materials transported in freight containers loaded in an accessible cargo compartment.

A1. As specified in § 175.75 and U.S. Variation 13, each package containing hazardous materials acceptable for transport aboard passenger aircraft, no more than 25 kg (55 pounds) net weight of hazardous materials and in addition thereto, 75 kg (165 pounds) net weight of Division 2.2 (non-flammable compressed gas) may be loaded in an inaccessible manner. This includes materials loaded in a freight container in an accessible cargo compartment. In the case of cargo freight containers, if the cargo compartment is accessible, the HMR and U.S. Variation 13 permit 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 cargo compartment. If the cargo compartment is inaccessible, the 25 kg limit applies to the cargo compartment.

Q2. Please advise how an air carrier is expected to comply with the 25 kg weight limitation when the quantity of hazardous materials is indicated on the shipping paper by volume?

A2. As provided by § 172.202(a)(6), for transportation by aircraft, the total net mass per package, must be shown unless a gross mass is indicated in Columns (9A) or (9B) of the §172.101 table in which case the total gross mass per package must be shown. For transportation by aircraft, the HMR require the total quantity per package be expressed as a net

mass. However, if the net quantity shown on shipping documents is expressed as a volume (e.g. liters) the net mass expressed in kilograms may be calculated from the net volume by multiplying the volume of the liquid expressed in liters by its specific gravity.

I hope this answers your inquiry. If you have further questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko", with a long horizontal flourish extending to the right.

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Leary,
§ 175.75
ORM-D/Air
10-0145

From: INFOCNTR (PHMSA)
Sent: Friday, June 25, 2010 8:48 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: USG-13(d) - Clarification requested.

Carolyn,
Another request for a written letter of interpretation.
Thanks,
Rob

From: Velde, M van der - SPLFQ [mailto:Michael-van-der.Velde@KLMCARGO.COM]
Sent: Friday, June 25, 2010 5:15 AM
To: INFOCNTR (PHMSA)
Cc: Kampman, D - SPLFQ; Balder, C. - SPLKI; Maily, B - SPLKI
Subject: USG-13(d) - Clarification requested.

To the attention of Messrs.the Office of Hazardous Material Safety Information Center

Dear madam/sir,

Can we kindly request your views and clarification on the following? In the 51st edition of the IATA Dangerous Goods Regulations (2010) we have gone through State Variation USG-13, part (d) and noticed under ad 3. it is stated that no more than 25 kg net weight of dangerous goods and in addition 75 kg net weight of non-flammable gas, that are permitted to be carried aboard a passenger aircraft may be carried: "in any accessible cargo compartment of a cargo aircraft if the dangerous goods are loaded so as to be inaccessible unless in a freight container".

USG-13 (d) is copied here below, the subject ad.3 marked in red.

USG-13 (d) Except for "Other Regulated Materials" as defined in 49 CFR 173.144, substances of Class 9, radioactive material, aircraft batteries transported as items of replacement, and those articles and substances considered to be dangerous goods under these Regulations but which are not subject to 49 CFR Parts 171–180, the following limitations apply:

No more than 25 kg net weight of dangerous goods, and in addition thereto, 75 kg net weight of non-flammable gas, that are permitted to be carried aboard a passenger aircraft may be carried aboard an aircraft:

1. in an inaccessible cargo compartment;
2. in any freight container within an accessible cargo compartment; or
3. **in any accessible cargo compartment of a cargo aircraft if the dangerous goods are loaded so as to be inaccessible unless in a freight container.**

For transport by cargo aircraft the following additional substances are also excepted from this variation:

- (i) Division 6.1 (poisonous) materials (except those labelled FLAMMABLE);
- (ii) Materials in Division 6.2 (etiologic or infectious substances);
- (iii) Class 3 (flammable liquid) materials with a flashpoint above 23°C (73°F) that do not meet the definition of another hazard class.

The following tables provide the limits imposed by this variation:

Problem

- Concerning loading of dangerous goods on a cargo aircraft in an accessible cargo compartment (fi the main deck of a B747-Freighter aircraft) it is clear to us that, if such DG is loaded (for arguments sake) on the side of an open pallet, bordering the aircraft' center line and an adjacent pallet is loaded on the opposite side of that center line, no more than 25 kg DG can be loaded on that position. That DG cargo is off course is this case inaccessible.

- This sentence ends with the note "...unless in a freight container". In our views this strophe contradicts the previous part of the sentence for reasons that DG loaded in a freight container (fi. IATA Types AMA, AA2 etc) is also inaccessible. Unlike an aircraft pallet which is fitted with netting an aircraft container is always closed during flight, the DG inside that container thus being inaccessible. We further found this information to be contradicting with the information provided in table USG 13.B.

Question A: Can you kindly clarify the situation of DG loaded inside a freight container which is positioned in an accessible cargo compartment of a cargo aircraft?

We also have a second problem.

- To our knowledge the USG Variations speak about a limit of 25 kg, however no reference is made as to the actions to be taken when DG are indicated on the Shipper's Declaration in liters (besides those DG mentioned as "excepted").

Question B: Can you please advice how the differences between kilos and liters must be interpreted and where such information is documented?

We look forward to your soonest response.

Respectfully yours,

kc

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 please don't print this e-mail unless you really need to

CC: : KLM Royal Dutch Airlines, dept: Dangerous Goods Competence Center
- SPL/FQ – Dennis Kampman, manager
- SPL/KI – Cees Balder, inspector
- SPL/KI – Bob Maily, inspector

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