



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 1, 2024

Rob Hall
Manager of Dangerous Goods and Environmental Compliance
Republic Airways
8909 Purdue Road
Suite 300
Indianapolis, IN 46268

Reference No. 24-0062

Dear Mr. Hall:

This letter is in response to your July 10, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of a portable electronic device powered by a lithium metal battery on a passenger aircraft in accordance with § 175.10 for professional purposes. Specifically, you ask whether an aircraft maintenance technician can utilize the § 175.10(a)(18) personal device exception to bring a small aircraft component that contains a 0.12g lithium metal button cell battery contained in equipment in the cabin of a revenue or repositioning/ferry flight when traveling to perform repairs on an out of service aircraft.

The answer is no. Section 175.10(a)(18) applies to passengers, crewmembers, and air operators carrying portable electronic devices containing a battery when carried by passengers or crew members for personal use. Your scenario describes an aircraft component for non-personal use, and therefore does not qualify for the purposes of the exception under § 175.10(a)(18). Section 175.8(a)(3) specifies that items of replacement (company material), like the repair part you describe, must be transported in accordance with the HMR.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Jones, Jessie Jane CTR (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, July 12, 2024 11:58 AM
To: Dodd, Alice (PHMSA)
Cc: Hazmat Interps
Subject: FW: Request for Interpretation
Attachments: 49 CFR 175.10 Interpretation Request.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Alice,

Please see the attached interpretation request. Let us know if you need anything.

Sincerely,
Janaye

From: Hall, Robert L <rhall@rjet.com>
Sent: Wednesday, July 10, 2024 9:03 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Republic Airways is respectfully submitting this request for formal interpretation. We look forward to your response. Thank you in advance.

Regards,

Rob

Rob Hall ASQ CQA
Manager of Dangerous Goods and Environmental Compliance
317-471-2754 office
rhall@rjet.com





7/10/2024

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Good afternoon, Mr. Kelley

Republic Airways is requesting clarification/interpretation on 49 CFR 175.10, Exceptions for passengers, crewmembers, and air operators. Is this rule only intended for passenger and crewmember personal devices only and not for professional purposes? More specifically, Republic is looking for an interpretation on how it applies to aircraft maintenance technicians carrying equipment and/or parts required for out of service aircraft as a carry-on, if said equipment/parts are under passenger and crew exception limitations. For example, a roadtrip consisting of a technician traveling to an out of service aircraft on a revenue or repositioning/ferry flight and carrying a small aircraft component that has a 0.12g lithium metal (button cell) battery contained in the equipment (UN 3091). If lithium content or watt hours are under the limit of exceptions for passenger and crew, would it be permissible for traveling maintenance technicians to carry this in the cabin for the purpose of repairing an out of service aircraft? We look forward to hearing your response.

Regards,

Rob Hall
Manager of Dangerous Goods and Environmental Compliance



317-471-2754
rhall@rjet.com