



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

FEB 4 2010

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

Mr. Hilmar Leng
DGR Incident Manager
Lufthansa – The Americas
3400 Peachtree Road N.E., Suite 1225
Atlanta, GA 30326

Ref. No. 09-0272

Dear Mr. Leng:

This responds to your November 2, 2009 letter 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. Specifically, you request clarification of the requirements for Cargo Aircraft Only (CAO) packages loaded in Federal Aviation Administration (FAA) certified Class C cargo compartments.

Your questions are answered and paraphrased as follows:

Q1. Is there a quantity limitation for CAO packages loaded in an FAA certified Class C compartment of a cargo only aircraft?

A1. No. In accordance with § 175.75(d), each package displaying a “Cargo Aircraft Only” label must be loaded on cargo aircraft in a manner that a crew member or other authorized person can access, handle and when size and weight permit, separate such packages from other cargo during flight; in a cargo compartment certified by FAA as a Class C aircraft cargo compartment as defined in 14 CFR 25.857(c); or in an FAA-certified freight container that has an approved fire or smoke detection system and fire suppression system equivalent to that required by the certification requirements for a Class C aircraft cargo compartment. A Class C cargo compartment is considered to be “accessible” for purposes of the “Cargo Only Aircraft” table in § 175.75(f). Thus, there is no quantity limitation for CAO packages transported on a cargo only aircraft and stowed in a Class C cargo compartment.

Q2. If there is no quantity limitation for CAO packages, is there a quantity limitation for packages authorized as cargo aboard passenger aircraft that are loaded in an FAA-certified Class C compartment of a cargo only aircraft?

Q2. Yes. As specified in the “Packages Authorized for Transport Onboard a Passenger Aircraft” section of the “Cargo Only Aircraft” table in § 175.75(f), packages authorized for transportation as cargo on a passenger aircraft that are loaded in an inaccessible manner in a Class C cargo compartment on a cargo only aircraft are subject to quantity limitations – 25 kg per compartment plus an additional 75 kg of Division 2.2 material quantity limitations apply.

DerKinderen, Dirk (PHMSA)

From: Betts, Charles (PHMSA)
Sent: Tuesday, February 02, 2010 4:01 PM
To: Leary, Kevin (PHMSA); Eichenlaub, Kurt (PHMSA); DerKinderen, Dirk (PHMSA); Nickels, Matthew (PHMSA)
Cc: Gorsky, Susan (PHMSA); Mitchell, Hattie (PHMSA)
Subject: FW: Interpretation letters concurrence
Importance: High
Attachments: 09-0249.doc; 09-0299.doc; 09-0207.doc

FYI

LET'S FINALIZE THESE LETTERS FOR ISSUANCE!

Thanks,
Charles

From: Ledina.Gianfrate@faa.gov [mailto:Ledina.Gianfrate@faa.gov]
Sent: Tuesday, February 02, 2010 3:45 PM
To: Betts, Charles (PHMSA)
Subject: Re: Interpretation letters concurrence

Hi Charles,

Both Janet and I agree with the changes you guys made. Thanks!

ledina

Ledina Gianfrate
International and Outreach Division
Office of Hazardous Materials
Federal Aviation Administration
T-202.385.4921
Email - Ledina.Gianfrate@faa.gov

<charles.betts@dot.gov>

01/27/2010 01:27 PM

To: Janet McLaughlin/AWA/FAA@FAA
cc: Ledina Gianfrate/AWA/FAA@FAA, <Kevin.Leary@dot.gov>, <Dirk.DerKinderen@dot.gov>, <Matthew.Nickels@dot.gov>, <Kurt.Eichenlaub@dot.gov>
Subject: Interpretation letters concurrence



Good afternoon Janet/Ledina,

2/3/2010