



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JAN 26 2012

Robert K. Mitchell
Executive Director – Chief Executive Officer
USA Shooting
1 Olympic Plaza
Colorado Springs, CO 80909

Reference No.: 11-0287

Dear Mr. Mitchell:

This is in response to your November 16, 2011 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they pertain to the commercial air transport of compressed air gun cylinders. Specifically, you ask whether these cylinders when uncharged and unpressurized are regulated as a hazardous material under the HMR.

The air cylinders as described are not regulated as a hazardous material under the HMR provided they are uncharged, unpressurized, and contain only air. In addition, the cylinders cannot contain any flammable or toxic gas, or other regulated material.

Section 173.115(b) of the HMR defines Division 2.2 (non-flammable, non poisonous compressed gas) as any material which exerts in the package a gauge pressure of 200 kPa (29.0 psig/43.8 psia) or greater at 20 °C (68 °F), is a liquefied gas, or is a cryogenic liquid; and does not meet the definition of the Division 2.1 (flammable gas) or Division 2.3 (gas poisonous by inhalation). The uncharged, unpressurized air gun cylinders do not meet these criteria and are therefore not regulated.

For international transportation, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), Transport Canada's Transportation of Dangerous Goods Regulations (Transport Canada TDG Regulations), and the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations are consistent and also do not consider such uncharged and unpressurized cylinders as dangerous goods (hazardous materials).

I hope this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Charles E. Betts
Director
Standards and Rulemaking Division

Babich
§ 171.1
Applicability
11-0287

November 16, 2011

Mr. Delmer F. Billings, Senior Regulatory Advisor
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Agency
East Building, PHH-10
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

RE: Transporting Airgun Cylinders on Commercial Aircraft

Dear Mr. Billings,

I thank you for our November 7th meeting regarding commercial air transport of airgun cylinders such as those used in Olympic-style rifle and pistol competition. These cylinders are currently prohibited on commercial aircraft but as discussed the cylinders are uncharged/unpressurized for air travel and as such, it was concluded the cylinders are unregulated. This was also the conclusion of PHMSA in issuing interpretation #06-0178 to Daisy Outdoor Products August 30, 2006 (copy enclosed).

To assist the Transportation Safety Agency in their air cylinder policy review, we request an interpretation relative to the transport of empty air cylinders in checked baggage for sporting airguns using compressed air as the propellant.

Please contact me at your convenience for additional information as may be desired.

Sincerely,

Robert K. Mitchell
Executive Director

Enclosure: PHMSA Interpretation #06-0178