



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S W
Washington, D.C. 20590

FEB 23 1990

Mr. Samuel S. Elkind
Secretary
ATA Dangerous Goods Board
1709 New York Avenue, NW
Washington, DC 20006

Dear Mr. Elkind:

This is in response to your letter of February 1, 1990, concerning the 50 lbs. quantity limitation aboard aircraft in 49 CFR 175.75 and Variation US 19 in the ICAO Technical Instructions, referencing the quantity limitation as 25 kg. You question whether an air carrier may load the full 25 kg in an inaccessible cargo compartment since it exceeds 50 lbs. by approximately 5 lbs.

Section 173.26 authorizes that metric units may be substituted on an equivalent basis and up to and including one liter per quart and 500 grams per pound. Therefore, carriers engaged in both domestic and international operations that are accepting and transporting hazardous materials prepared in accordance with the ICAO Technical Instructions may load 25 kg in an inaccessible cargo compartment.

We trust this answers your question. Let us know if we can be of further assistance.

Sincerely,

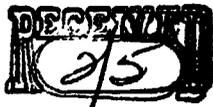
Hattie L. Mitchell

for

Edward T. Mazzullo
Chief, Standards Division
Office of Hazardous Materials
Transportation

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Air Transport Association



OF AMERICA

1709 New York Avenue, NW
Washington, DC 20006-5206
Phone (202) 626-4000

February 1, 1990

Ms. Ann Boylan
Standards Division
Office of Hazardous Materials Transportation
Research and Special Programs Administration
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

Dear Ms. Boylan:

We spoke yesterday about the discrepancy between the aircraft loading limits expressed in English measure in 49 CFR 175.75 and their adaptation to metric units in Variation US 19 in the ICAO Technical Instructions. As you will recall from our conversation, an ATA member air carrier needed to resolve an interpretative question affecting the total net weight of hazardous materials that may be loaded into an inaccessible cargo compartment aboard an aircraft.

The problem that this member had encountered arose from the fact that, while 49 CFR 175.75(a)(2) states that no more than 50 lbs of hazardous materials may be loaded in any inaccessible cargo compartment, the parallel Variation in ICAO, US 19, applies the limit of 25 kg. While we are surprised that the approximation of 1 kg as 2 lbs could ever give rise to such a dispute, the crux of this interpretive question is over the fact that 25 kg actually represents a greater weight than 50 lbs. We wish to formally establish that, as you indicated informally by telephone, where questions arise in the use of the Technical Instructions, air carriers may load the full 25 kg into an inaccessible cargo compartment, as authorized by Variation US 19. You indicated that this is true for the purposes of the particular question, which involved international operations. Would it also be true within the U.S. if a carrier engaged in domestic transportation accepts and transports only those hazardous materials that have been prepared in accordance with ICAO?

Recognizing that oral interpretations are worth the paper they are printed on, I look forward to your written confirmation of your oral interpretation. If you wish to discuss this question further, please feel free to contact me at (202) 626-4131.

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due
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Sincerely,

Samuel S. Elkind

Samuel S. Elkind
Secretary
ATA Dangerous Goods Board

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