

## § 175.79

assigned to the most appropriate compatibility group shown in the §172.101 Table of this subchapter.

(B) Explosives in Compatibility Group N may be stowed together with explosives in Compatibility Groups C, D or E when the combination is assigned Compatibility Group D.

(4) NOTE 2. "Note 2" at the intersection of a row and column means that other than explosives of Division 1.4, Compatibility Group S, explosives may not be stowed together with that class.

(5) Packages containing hazardous materials with multiple hazards in the class or divisions, which require segregation in accordance with the Segregation Table need not be segregated from other packages bearing the same UN number.

(6) A package labeled "BLASTING AGENT" may not be stowed next to or in a position that will allow contact with a package of special fireworks or railway torpedoes.

[66 FR 33437, June 21, 2001]

### § 175.79 Orientation of cargo.

(a) A package containing hazardous materials marked "THIS SIDE UP" or "THIS END UP", or with arrows to indicate the proper orientation of the package, must be stored and loaded aboard an aircraft in accordance with such markings.

(b) A package containing liquid hazardous materials not marked as indicated in paragraph (a) of this section, must be stored and loaded with closures up (other than side closures in addition to top closures).

[Amdt. 175-25, 47 FR 54823, Dec. 6, 1982]

### § 175.81 Securing of packages containing hazardous materials.

(a) Packages containing hazardous materials must be secured in an aircraft in a manner that will prevent any movement in flight which would result in damage to or change in the orientation of the packages.

(b) Packages containing Class 7 (radioactive) materials must be secured in a manner that insures that the separation requirements of §§175.701 and

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175.702 will be maintained at all times during flight.

[Amdt. 175-25, 47 FR 54823, Dec. 6, 1982, as amended by Amdt. 175-47, 55 FR 52685, Dec. 21, 1990]

EFFECTIVE DATE NOTE: At 68 FR 61942, Oct. 30, 2003, § 175.81 was amended in paragraph (a) by revising the word "movement" to read "shifting", effective Oct. 1, 2004. At 69 FR 30588, May 28, 2004, the effective date was delayed until Jan. 1, 2005.

### § 175.85 Cargo location.

(a) Except as provided in §175.10, no person may carry a hazardous material subject to the requirements of this subchapter in the cabin of a passenger-carrying aircraft or on the flight deck of any aircraft. Hazardous materials may be carried in a main deck cargo compartment of a passenger aircraft provided that the compartment is inaccessible to passengers and that it meets all certification requirements for a Class B aircraft cargo compartment in 14 CFR 25.857(b) or for a Class C aircraft cargo compartment in 14 CFR 25.857(c).

(b) Each package containing a hazardous material acceptable only for cargo aircraft must be loaded in such a manner that a crew member or other authorized person can see, handle and when size and weight permit, separate such packages from other cargo during flight.

(c) Notwithstanding the provisions of paragraph (b) of this section:

(1) When packages of the following hazardous materials are carried on cargo aircraft only, they may be carried in a location which is inaccessible to a crewmember during flight and are not subject to the weight limitation specified in paragraph (a)(2) of §175.75 of this subchapter.

- (i) Class 7 (radioactive) materials,
- (ii) Division 6.1 (poisonous) materials (except those labeled FLAMMABLE),
- (iii) Materials in Division 6.2 (etiologic or infectious substances),
- (iv) Class 3 (flammable liquid) materials with a flash point above 23 °C (73 °F) that do not meet the definition of another hazardous class,
- (v) Class 9 (miscellaneous hazardous) materials, and ORM-D materials.

(2) When packages of hazardous materials acceptable for cargo-only or

passenger-carrying aircraft are carried on cargo aircraft only where other means of transportation are impracticable or not available, packages may be carried in accordance with procedures approved in writing by the FAA Air Transportation Security Field Office responsible for the operator's overall aviation security program or the FAA Air Transportation Security Division in the region where the operator is located.

(3) When packages of hazardous materials acceptable for cargo-only or passenger-carrying aircraft are carried on small, single pilot, cargo aircraft only being used where other means of transportation are impracticable or not available, they may be carried without quantity limitation as specified in §175.75 in a location that is not accessible to the pilot if:

(i) No person other than the pilot, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material is carried on the aircraft;

(ii) The pilot is provided with written instructions on characteristics and proper handling of the materials; and

(iii) Whenever a change of pilots occurs while the material is on board, the new pilot is briefed under a hand-to-hand signature service provided by the operator of the aircraft.

(d) [Reserved]

(e) No person may carry a material subject to the requirements of this subchapter that is acceptable for carriage in a passenger-carrying aircraft (other than magnetized materials) unless it is located in the aircraft in a place that is inaccessible to persons other than crew-members.

(f) Paragraphs (a) and (e) of this section do not apply to a person operating an aircraft under §175.310 which, because of its size and configuration, makes it impossible for that person to comply.

(g) No person may load magnetized material (which might cause an erroneous magnetic compass reading) on an aircraft, in the vicinity of a magnetic compass, or compass master unit, that is a part of the instrument equipment of the aircraft, in a manner that affects

its operation. If this requirement cannot be met, a special aircraft swing and compass calibration may be made.

(h) Compressed oxygen, when properly labeled Oxidizer or Oxygen, may be loaded and transported as provided in paragraph (i) of this section. No person may load or transport any other package containing a hazardous material for which an OXIDIZER label is required under this subchapter in an inaccessible cargo compartment that does not have a fire or smoke detection system and a fire suppression system.

(i) In addition to the quantity limitations prescribed in §175.75, cylinders of compressed oxygen must be stowed in accordance with the following:

(1) No more than a combined total of six cylinders of compressed oxygen may be stowed on an aircraft in the inaccessible aircraft cargo compartment(s) that do not have fire or smoke detection systems and fire suppression systems.

(2) When loaded into a passenger-carrying aircraft or in an inaccessible cargo location on a cargo-only aircraft, cylinders of compressed oxygen must be stowed horizontally on the floor or as close as practicable to the floor of the cargo compartment or unit load device. This provision does not apply to cylinders stowed in the cabin of the aircraft in accordance with §175.10(b).

(3) When transported in a Class B aircraft cargo compartment (see 14 CFR 25.857(b)) or its equivalent (i.e., an accessible cargo compartment equipped with a fire or smoke detection system but not a fire suppression system), cylinders of compressed oxygen must be loaded in a manner that a crew member can see, handle and, when size and weight permit, separate the cylinders from other cargo during flight. No more than six cylinders of compressed oxygen and, in addition, one cylinder of medical-use compressed oxygen per passenger needing oxygen at destination—with a rated capacity of 850 L (30 cubic feet) or less of oxygen—may be carried in a Class B aircraft cargo compartment or its equivalent.

[Amdt. 175-1, 41 FR 16106, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §175.85, see the List of CFR

## § 175.88

Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

### § 175.88 Inspection of unit load devices.

A unit load device may not be loaded on an aircraft unless the device has been inspected and found to be free from any evidence of leakage from, or damage to, any package containing hazardous materials.

[Amdt. 175-25, 47 FR 54824, Dec. 6, 1982]

### § 175.90 Damaged shipments.

(a) Packages or overpacks containing hazardous materials must be inspected for damage or leakage after being unloaded from an aircraft. When packages or overpacks containing hazardous materials are carried in a unit load device, the area where the unit load device was stowed must be inspected for evidence of leakage or contamination immediately upon removal of the unit load device from the aircraft, and the packages or overpacks inspected for evidence of damage or leakage when the unit load device is unloaded. In the event of leakage or suspected leakage, the compartment in which the package, overpack, or unit load device was carried must be inspected for contamination and any dangerous level of contamination removed.

(b) Except as provided in § 175.700, the operator of an aircraft must remove from the aircraft any package, baggage or cargo that appears to be leaking or contaminated by a hazardous material. In the case of a package, baggage or cargo that appears to be leaking, the operator must ensure that other packages, baggage or cargo in the same shipment are in proper condition for transport aboard the aircraft and that no other package, baggage or cargo has been contaminated or is leaking. If an operator becomes aware that a package, baggage or cargo not identified as containing a hazardous material has been contaminated, or the operator has cause to believe that a hazardous material may be the cause of the contamination, the operator must take reasonable steps to identify the nature and source of contamination before proceeding with the loading of the con-

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taminated baggage or cargo. If the contaminating substance is found or suspected to be a hazardous material, the operator must isolate the package, baggage or cargo and take appropriate steps to eliminate any identified hazard before continuing the transportation of the item by air.

(c) No person may place aboard an aircraft, a package, baggage or cargo that is contaminated with a hazardous material or appears to be leaking.

(d) If a package containing a material in Division 6.2 (etiologic or infectious substance) is found to be damaged or leaking, the person finding the package shall:

(1) Avoid handling the package or keep handling to a minimum;

(2) Inspect packages adjacent to the leaking package for contamination and withhold from further transportation any contaminated packages until it is ascertained that they can be safely transported;

(3) Comply with the reporting requirement of § 171.15 of this subchapter; and

(4) Notify the consignor or consignee.

[Amdt. 175-25, 47 FR 54824, Dec. 6, 1982, as amended by Amdt. 175-47, 55 FR 52685, Dec. 21, 1990; 66 FR 45184, Aug. 28, 2001; 68 FR 45038, July 31, 2003]

## Subpart C—Specific Regulations Applicable According to Classification of Material

### § 175.305 Self-propelled vehicles.

(a) Self-propelled vehicles are exempt from the drainage requirements of § 173.220 of this subchapter when carried in aircraft designed or modified for vehicle ferry operations and when all of the following conditions are met:

(1) Authorization for this type operation has been given by the appropriate authority in the government of the country in which the aircraft is registered;

(2) Each vehicle is secured in an upright position;

(3) Each fuel tank is filled in a manner and only to a degree that will preclude spillage of fuel during loading, unloading, and transportation; and

(4) Each area or compartment in which a self-propelled vehicle is being transported is suitably ventilated to