

(b) Discrepancies which must be reported under paragraph (a) of this section are those involving hazardous materials which are improperly described, certified, labeled, marked, or packaged, in a manner not ascertainable when accepted under the provisions of §175.30(a) of this subchapter, including:

(1) Package which are found to contain hazardous materials:

(i) Other than as described or certified on shipping papers;

(ii) In quantities exceeding authorized limits;

(iii) In inside containers which are not authorized or have improper closures;

(iv) In inside containers not oriented as shown by package markings;

(v) With insufficient or improper absorption materials, when required; or

(2) Packages or baggage which are found to contain hazardous materials subsequent to their being offered and accepted as other than hazardous materials.

[Amdt. 175-15, 45 FR 35332, May 27, 1980, as amended by Amdt. 175-41, 52 FR 36672, Sept. 30, 1987; 66 FR 45184, Aug. 28, 2001; 68 FR 57633, Oct. 6, 2003]

§ 175.33 Notification of pilot-in-command.

(a) Except as provided in §175.10, when a hazardous material subject to the provisions of this subchapter is carried in an aircraft, the operator of the aircraft must provide the pilot-in-command with accurate and legible written information as early as practicable before departure of the aircraft, which specifies at least the following:

(1) The proper shipping name, hazard class and identification number of the material, including any remaining aboard from prior stops, as specified in §172.101 of this subchapter or the ICAO Technical Instructions (IBR, see §171.7 of this subchapter). In the case of Class 1 material, the compatibility group letter also must be shown. If a hazardous material is described by the proper shipping name, hazard class, and identification number appearing in:

(i) Section 172.101 of this subchapter, any additional description requirements provided in §§172.202 and 172.203 of this subchapter must also be shown in the notification.

(ii) The ICAO Technical Instructions, any additional information required to be shown on shipping papers by §171.11 of this subchapter must also be shown in the notification.

(2) The total number of packages;

(3) The net quantity or gross weight, as applicable, for each package except those containing Class 7 (radioactive) materials and those for which there is no limit imposed on the maximum net quantity per package;

(4) The location of the packages aboard the aircraft;

(5) Confirmation that no damaged or leaking packages have been loaded on the aircraft;

(6) For Class 7 (radioactive) materials, the number of packages, overpacks or freight containers their category, transport index (if applicable), and their location aboard the aircraft;

(7) The date of the flight;

(8) The telephone number of a person not aboard the aircraft from whom the information contained in the notification of pilot-in-command can be obtained. The aircraft operator must ensure the telephone number is monitored at all times the aircraft is in flight. The telephone number is not required to be placed on the notification of pilot-in-command if the phone number is in a location in the cockpit available and known to the flight crew.

(9) Confirmation that the package must be carried on cargo aircraft only if its transportation aboard passenger-carrying aircraft is forbidden; and

(10) An indication, when applicable, that a hazardous material is being carried under terms of an exemption.

(b) A copy of the written notification to pilot-in-command shall be readily available to the pilot-in-command during flight. Emergency response information required by subpart G of part 172 of this subchapter must be maintained in the same manner as the written notification to pilot-in-command during transport of the hazardous material aboard the aircraft.

(c) The aircraft operator must retain at the airport of departure or the operator's principal place of business a copy of each notification of pilot-in-command, an electronic image thereof, or the information contained therein

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for 90 days. Except as provided in paragraph (d) of this section, the aircraft operator must make this information available, upon request, to an authorized official of a Federal, State, or local government agency at reasonable times and locations.

(d) The aircraft operator must have the information required to be retained under paragraph (c) of this section readily accessible at the airport of departure and the intended airport of arrival for the duration of the flight leg and, upon request, must make the information immediately available, in an accurate and legible format, to any representative of a Federal, State, or local government agency (including an emergency responder) who is responding to an incident involving the flight.

[Amdt. 175-25, 47 FR 54823, Dec. 6, 1982, as amended by Amdt. 175-30, 48 FR 53713, Nov. 29, 1983; Amdt. 175-32, 49 FR 45750, Nov. 20, 1984; Amdt. 175-35, 50 FR 49394, Dec. 2, 1985; Amdt. 175-45, 55 FR 875, Jan. 10, 1990; Amdt. 175-47, 55 FR 52685, Dec. 21, 1990; Amdt. 175-52, 59 FR 67518, Dec. 29, 1994; 66 FR 33437, June 21, 2001; 68 FR 14347, Mar. 25, 2003; 68 FR 75747, Dec. 31, 2003]

§ 175.35 Shipping papers aboard aircraft.

(a) A copy of the shipping papers required by §175.30(a)(2) must accompany the shipment it covers during transportation aboard an aircraft.

(b) The documents required by paragraph (a) of this section and §175.33 may be combined into one document if it is given to the pilot-in-command before departure of the aircraft.

§ 175.40 Keeping and replacement of labels.

(a) Aircraft operators who engage in the transportation of hazardous materials must keep an adequate supply of the labels specified in subpart E of part 172 of this subchapter, on hand at each location where shipments are loaded aboard aircraft.

(b) Lost or detached labels for packages of hazardous materials must be replaced in accordance with the information provided on the shipping papers.

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Subpart B—Loading, Unloading and Handling

§ 175.75 Quantity limitations aboard aircraft.

(a) Except as provided in §175.85(c)(3), no person may carry on an aircraft:

(1) A hazardous material except as permitted by this subchapter;

(2) More than 25 kg (55 pounds) net weight of hazardous material (and in addition thereto, 75 kg (165 pounds) net weight of Division 2.2 (non-flammable compressed gas) materials permitted to be carried aboard passenger-carrying aircraft:

(i) In an inaccessible cargo compartment,

(ii) In any freight container within an accessible cargo compartment, or

(iii) In any accessible cargo compartment in a cargo aircraft only in a manner that makes it inaccessible unless in a freight container;

(3) Packages containing Class 7 (radioactive) materials when their combined transport index number (determined by adding together the transport index numbers shown on the labels of the individual packages and/or overpacks):

(i) In passenger carrying aircraft, exceeds 50.0 or, for any single package, exceeds 3.0, or

(ii) In cargo aircraft only, exceeds 200.00 (for fissile Class 7 (radioactive) materials, see §175.702(b)(2)(iv)) or, for any single package, exceeds 10.0.

(b) No limitation applies to the number of packages of Class 9 (miscellaneous hazardous) materials, or ORM-D materials aboard an aircraft.

[Amdt. 175-1A, 41 FR 40686, Sept. 20, 1976, as amended by Amdt. 175-13, 45 FR 20101, Mar. 27, 1980; Amdt. 175-25, 47 FR 54823, Dec. 6, 1982; Amdt. 175-29, 48 FR 50461, Nov. 1, 1983; Amdt. 175-47, 55 FR 52685, Dec. 21, 1990; 66 FR 45184, Aug. 28, 2001]

§ 175.78 Stowage compatibility of cargo.

(a) For stowage on an aircraft, in a cargo facility, or in any other area at an airport designated for the stowage of hazardous materials, packages containing hazardous materials which might react dangerously with one another may not be placed next to each other or in a position that would allow