

material intended for consumption by humans or animals unless either the Division 6.1 (poisonous) material or material in Division 6.2 (infectious substance) and the foodstuff, feed, or other edible material are loaded in separate unit load devices which, when stowed on the aircraft, are not adjacent to each other, or the Division 6.1 (poisonous) material or material in Division 6.2 (infectious substance) are loaded in one closed unit load device and the foodstuff, feed or other material is loaded in another closed unit load device.

(b) No person may operate an aircraft that has been used to transport any package bearing a POISON or POISON INHALATION HAZARD label unless, upon removal of such package, the area in the aircraft in which it was carried is visually inspected for evidence of leakage, spillage, or other contamination. All contamination discovered must be either isolated or removed from the aircraft. The operation of an aircraft contaminated with such Division 6.1 (poisonous) materials is considered to be the carriage of poisonous materials under paragraph (a) of this section.

[Amdt. 175–85, 62 FR 1236, Jan. 8, 1997, as amended at 64 FR 10781, Mar. 5, 1999]

§ 175.700 Special limitations and requirements for Class 7 (radioactive) materials.

(a) In addition to other requirements, no person may transport in a passenger-carrying aircraft any package required to be labeled in accordance with § 172.403 of this subchapter with a RADIOACTIVE YELLOW-II, RADIOACTIVE YELLOW-III or FISSILE label unless:

(1) For a package required to be labeled RADIOACTIVE YELLOW-III, the transport index does not exceed 3.0;

(2) For a package required to carry a FISSILE label, the criticality safety index does not exceed 3.0;

(3) The package is carried on the floor of the cargo compartment, or freight container;

(4) The package is carried in the aircraft in accordance with §§ 175.701 and 175.703;

(5) The total sum of transport indices of all packages in the aircraft does not exceed 50; and

(6) The total sum of criticality safety indices of all packages in the aircraft does not exceed 50.

(b) In addition to the reporting requirements of § 171.15 of this subchapter, the carrier shall also notify the offeror at the earliest practicable moment following any incident in which there has been breakage, spillage, or suspected radioactive contamination involving Class 7 (radioactive) materials shipments. Aircraft in which Class 7 (radioactive) materials have been spilled may not again be placed in service or routinely occupied until the radiation dose rate at every accessible surface is less than 0.005 mSv per hour (0.5 mrem per hour) and there is no significant removable radioactive surface contamination as determined in accordance with § 173.443 of this subchapter. When contamination is present or suspected, the package and/or materials it has touched must be segregated as far as practicable from personnel contact until appropriate radiological advice or assistance is obtained. The Regional Office of the U.S. Department of Energy or appropriate State or local radiological authorities can provide advice or assistance, and should be notified in cases of obvious leakage, or if it appears likely that the inside container may have been damaged. For personnel safety, the carrier shall take care to avoid possible inhalation, ingestion, or contact by any person with Class 7 (radioactive) materials that may have leaked or spilled from its package. Any loose Class 7 (radioactive) materials and associated packaging materials must be left in a segregated area pending disposal instructions from responsible radiological authorities.

(c) Except as provided in §§ 173.4, 173.422 and 173.423 of this subchapter, no person shall carry any Class 7 (radioactive) materials aboard a passenger carrying aircraft unless that material is intended for use in, or incident to research, medical diagnosis or treatment.

(d) Type B(M) packages may not be offered or accepted for transportation,

nor transported, on passenger-carrying aircraft.

[Amdt. 175-13, 45 FR 20101, Mar. 27, 1980, as amended by Amdt. 175-19, 46 FR 24185, Apr. 30, 1981; Amdt. 175-26, 48 FR 10245, Mar. 10, 1983; Amdt. 175-31, 49 FR 38134, Sept. 27, 1984; 50 FR 18668, May 2, 1985; Amdt. 175-47, 55 FR 52687, Dec. 21, 1990; Amdt. 175-50, 58 FR 50505, Sept. 27, 1993; Amdt. 175-51, 59 FR 49134, Sept. 26, 1994; Amdt. 175-53, 60 FR 50333, Sept. 28, 1995; 62 FR 51561, Oct. 1, 1997; 63 FR 52850, Oct. 1, 1998; 64 FR 51919, Sept. 27, 1999; 69 FR 3693, Jan. 26, 2004]

§ 175.701 Separation distance requirements for packages containing Class 7 (radioactive) materials in passenger-carrying aircraft.

(a) *General.* No person may carry in a passenger-carrying aircraft any package required by §172.403 of this subchapter to be labeled Radioactive Yellow-II, or Radioactive Yellow-III unless the package is placed in the aircraft in accordance with the minimum separation distances prescribed in paragraph (b) or (c) of this section.

(b) *Separation distances.* (1) Except as provided in paragraph (c) of this section, the minimum separation distances prescribed in paragraphs (b)(2) and (b)(3) of this section are determined by measuring the shortest distance between the surfaces of the Class 7 (radioactive) materials package and the surfaces bounding the space occupied by passengers or animals. If more than one package of Class 7 (radioactive) materials is placed in a passenger-carrying aircraft, the minimum separation distance for these packages shall be determined in accordance with paragraphs (b)(2) and (b)(3) of this section on the basis of the sum of the transport index numbers of the individual packages or overpacks.

(2) The following table prescribes minimum separation distances that must be maintained in passenger-carrying aircraft between Class 7 (radioactive) materials labeled Radioactive Yellow-II or Radioactive Yellow-III and passengers and crew:

Transport index or sum of transport indexes of all packages in the aircraft or predesignated area	Minimum separation distances	
	Centimeters	Inches
0.1 to 1.0	30	12
1.1 to 2.0	50	20
2.1 to 3.0	70	28

Transport index or sum of transport indexes of all packages in the aircraft or predesignated area	Minimum separation distances	
	Centimeters	Inches
3.1 to 4.0	85	34
4.1 to 5.0	100	40
5.1 to 6.0	115	46
6.1 to 7.0	130	52
7.1 to 8.0	145	57
8.1 to 9.0	155	61
9.1 to 10.0	165	65
10.1 to 11.0	175	69
11.1 to 12.0	185	73
12.1 to 13.0	195	77
13.1 to 14.0	205	81
14.1 to 15.0	215	85
15.1 to 16.0	225	89
16.1 to 17.0	235	93
17.1 to 18.0	245	97
18.1 to 20.0	260	102
20.1 to 25.0	290	114
25.1 to 30.0	320	126
30.1 to 35.0	350	138
35.1 to 40.0	375	148
40.1 to 45.0	400	157
45.1 to 50.0	425	167

(3) Class 7 (radioactive) materials in packages, overpacks or freight containers labeled Radioactive Yellow-II or Radioactive Yellow-III must be separated from live animals by a distance of at least 0.5 m (20 inches) for journeys not exceeding 24 hours, and by a distance of at least 1.0 m (39 inches) for journeys longer than 24 hours.

(c) *Predesignated areas.* A package required by §172.403 of this subchapter to be labeled Radioactive Yellow-II or Radioactive Yellow-III may be carried in a passenger-carrying aircraft in accordance with a system of predesignated areas established by the aircraft operator. Each aircraft operator that elects to use a system of predesignated areas shall submit a detailed description of the proposed system to the Associate Administrator for approval prior to implementation of the system. A proposed system of predesignated areas is approved if the Associate Administrator determines that it is designed to assure that:

(1) The packages can be placed in each predesignated area in accordance with the minimum separation distances prescribed in paragraph (b)(2) of this section; and

(2) The predesignated areas are separated from each other by minimum distance equal to at least four times the distances required by paragraphs (b)(1) and (b)(2) of this section for the