



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/22)**

Montréal, 21 to 25 November 2022

- Agenda Item 2: Managing air-specific safety risks and identifying anomalies (REC-A-DGS-2025)**
2.3: Develop proposals, if necessary, for amendments to the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284SU) for incorporation in the 2025-2026 Edition

**DRAFT AMENDMENTS TO ATTACHMENT I TO CHAPTER 1 OF THE SUPPLEMENT TO
THE TECHNICAL INSTRUCTIONS**

(Presented by Sam Bitossi – Rapporteur DGP-WG/SUPP)

SUMMARY

The Working Group on the Supplement (DGP-WG/SUPP) have drafted amendments to Attachment I to Chapter 1 of the Supplement to the Technical Instructions for consideration and feedback from DGP-WG/22.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 Following on from DGP/28 and with respect to the proposed work schedule for this working group, the DGP Working Group on the Supplement (DGP-WG/SUPP) reviewed the content of Attachment I to Chapter 1 — Guidance for processing exemptions and approvals for the safe transport of dangerous goods by air.

1.2 As such, the draft amendments contained within Appendix A have been put forward by the DGP-WG/SUPP for consideration and feedback from DGP-WG/22.

1.3 DGP-WG/SUPP will continue working on Attachment I to Chapter 1 in 2023, with the objective of submitting some amendments for adoption by the panel at the end of this biennium.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG/22 is invited to review the draft amendments in Appendix A to this paper and provide feedback, comments and/or written amendments to the DGP-WG/SUPP for consideration and incorporation.

APPENDIX

PROPOSED AMENDMENT TO PART S-1 OF THE SUPPLEMENT TO THE TECHNICAL INSTRUCTIONS

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ATTACHMENT I TO CHAPTER 1

GUIDANCE FOR PROCESSING ~~EXEMPTIONS~~ **APPROVALS** AND **APPROVALS** **EXEMPTIONS** FOR THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

A. General Guidance

The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* provide requirements to safely transport dangerous goods by air. These requirements often exceed the requirements of other modes of transport commensurate with the unique and sensitive nature of air transport.

Part 1 of the Technical Instructions provides for the issuance of approvals and exemptions in certain instances as described in 1;1.1.2 and 1;1.1.3, respectively. States which issue an ~~exemption~~ **approval** or ~~approval~~ **exemption** should have a review process in place and exercise the appropriate technical competency to conduct a thorough evaluation and impose the necessary safety measures to ensure that the conditions of the ~~exemption~~ **approval** or ~~approval~~ **exemption** issued provide an equivalent level of safety to the requirements of the Technical Instructions.

Note 1.— Attachment I to Chapter 5 provides a generic competency framework for dangerous goods State technical personnel.

Who must obtain an ~~exemption~~ **approval** or ~~approval~~ **exemption**?

The responsibility for obtaining an approval or exemption ~~may rest~~ **rests** with the operator, ~~or with the shipper or with both~~ depending on the nature of the request and on State procedures. ~~The shipper should be requested to identify an operator that is prepared to carry the cargo should the approval or exemption be issued. It is also useful for States to include the operator in the consideration of the conditions that will apply to the approval or exemption so that the operator is able to conduct a specific safety risk assessment for the planned operation.~~

What additional information should the States consider obtaining in the application process?

The States should consider the following:

- ~~— whether the application is received from or on behalf of the operator;~~
- ~~— if the State of Origin is different to the State of Operator;~~
- ~~— whether the operator is certified to transport the dangerous goods under an approval or exemption;~~
- ~~— a safety risk assessment submitted by the operator as part of the application;~~
- ~~— whether the operator's safety risk assessment covers all activities requested within the application.~~

It is also useful for States to include the operator in the consideration of the conditions that will apply to the approval or exemption so that the operator is able to conduct a specific safety risk assessment for the planned operation, as required by Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes.

Note 2.— Guidance on the conduct of a specific safety risk assessment on the transport of items in the cargo compartment is contained in Guidance for Safe Operations Involving Aeroplane Cargo Compartments (Doc 10102).

Note 3.— The shipper should be requested to identify an operator that is prepared to carry the cargo should the approval or exemption be issued.

When may States grant ~~exemptions~~ **approvals** or ~~approvals~~ **exemptions** from the provisions of the Technical Instructions?

Approvals may be issued where specifically provided for in the Technical Instructions. Exemptions may be granted in cases of extreme urgency, or when other forms of transport are inappropriate, or full compliance with the prescribed requirements is contrary to public interest.

What are the responsibilities of the requestor?

It is the responsibility of the requestor to identify the specific requirements of the Technical Instructions from which relief is sought, and ensure that supporting information is provided which demonstrates that the proposed transport provisions equal or exceed the level of safety provided by the Technical Instructions.

What is an equivalent level of safety?

It is important for States to ensure that an equivalent level of safety is maintained in the issuance of any ~~exemption-approval~~ or ~~approval~~ exemption. An equivalent level of safety is maintained when compensating measures ensure the overall level of safety equals that of the Technical Instructions. An equivalent level of safety evaluation will consider:

- the applicable requirements from which relief is sought;
- the compensating modifications, limitations, restrictions or equipment imposed;
- how these modifications provide an equivalent level of safety to the requirements of the Technical Instructions.

Can forbidden dangerous goods ever be transported?

Some dangerous goods designated as forbidden may be transported if certain conditions are met. The provisions of the Technical Instructions and this Supplement should be followed if there is a need to transport these substances.

Other dangerous goods cannot be carried on aircraft under any circumstance. These include articles or substances which, as presented for transport, are liable to explode, ~~react~~ dangerously ~~react~~, produce a flame or dangerous evolution of heat or dangerous emission of toxic, corrosive or flammable gases or vapours under conditions normally encountered in transport. Dangerous goods meeting this description are included in the Dangerous Goods List (Table 3-1) of the Technical Instructions with the word "Forbidden" shown in columns 2 and 3, but this list is not inclusive. It is essential that appropriate care be exercised to ensure that goods meeting this description are not offered for transport.

What packaging standards should be considered?

Where an entry in Table S-3-1 has a number in parenthesis after the word "Forbidden", this refers to a packing instruction which contains the method of packing that should be specified when issuing an exemption. As much as possible, appropriate packing instruction numbers are indicated in columns 10 to 13 of Table S-3-1 and the associated detailed requirements appear in Part S-4, where these are additional to those given in the Technical Instructions.

Where the approval or exemption references a packing instruction that is not included in the Technical Instructions, it is recommended that the approval or exemption document that is issued include the packing instruction, or at least those parts that are required ~~by~~ for the shipper when preparing a consignment for transport and those parts that are required for the operator when performing its acceptance check of the consignment.

What quantity limitations should be considered for entries subject to Special Provision A1 or A2?

The quantity shown in parenthesis in columns 11 or 13 of Table S-3-1 is the maximum net quantity per package which qualifies for an approval under Special Provisions A1 and A2. Exceeding this limit may only be done through the issuing of an exemption.

What quantity limitations should be considered for entries not subject to Special Provision A1 or A2?

The suggested maximum quantity limitations to be permitted are indicated in Table S-3-2 or S-3-3 for some classes and divisions.

May an approval or exemption be granted to authorize the transport of an ~~forbidden~~ explosive?

~~Only~~ Explosives transported in accordance with assigned to Special Provision A1 or A2 of the Technical Instructions may ~~only~~ be transported under the provisions of an approval. Explosives which are not assigned Special Provision A1 or A2 may only be transported under the provisions of an exemption. Explosives transported in excess of their authorized quantities may only be transported under the provisions of an exemption.

~~May an exemption be granted to authorize the transport of a forbidden explosive or an explosive transported in excess of authorized quantities?~~

~~Explosives transported in excess of their authorized quantities and forbidden explosives may only be transported under the provisions of an exemption.~~

B. Considerations for ~~Exemptions-Approvals~~ and ~~Approvals~~ Exemptions

It is recognized that competent authorities may have varying formats for issuing ~~exemptions-approvals~~ and ~~approvals~~ exemptions. The following information is suggested for consideration by States when issuing such documents:

- A synopsis of the ~~exemption-approval~~ or ~~approval's~~ exemption's scope and purpose. This should include the reason the exemption or approval is necessary.
- The authority under which the ~~exemption-approval~~ or ~~approval~~ exemption is issued. For an approval, the specific approval citation within the Technical Instructions should be listed. For an exemption, Part 1, Chapter 1, 1.1.3 of the Technical Instructions should be cited. ~~For an approval, the specific approval citation within the Technical Instructions should be listed.~~ The issuing State's national legislation or authority may also be listed.

- A description of the dangerous goods authorized. At a minimum, this information should include the UN number, proper shipping name, class, subsidiary hazard, and packing group ~~(if applicable) number~~.
- Specific provisions on how the dangerous goods must be prepared for shipment under the ~~exemption approval/approval~~ exemption authorization. These provisions should demonstrate that an equivalent level of safety to the requirements of the Technical Instructions has been determined.
- The conditions of transport, for example, authorized packaging, quantities, and any additional hazard communication ~~elements~~ that may apply.
- Any special conditions that may apply such as whether persons other than the grantee may re-offer the dangerous goods for subsequent transportation.
- Any limitations that may apply, for example, whether the approval is limited to a single instance, to a specific operator, or any other limitations.
- Whether transport by passenger and/or cargo aircraft is authorized.
- Any special reporting requirements relevant to the reporting of any incident associated with the ~~exemption approval or approval~~ exemption.

Additional considerations for the operator ~~must~~ should also be ~~addressed~~ included. Safety conditions for operators to address may include:

- restrictions on the location and of loading and unloading of cargo;
- restrictions on the time of day of the flight to daylight hours (including loading and unloading);
- restrictions to take-off or land only in visual meteorological conditions;
- flight planning to avoid population-dense areas;
- restrictions on the use of hand-held transmitting devices in the vicinity of the dangerous goods;
- restrictions on the use of aircraft radios and radar during loading and unloading;
- restrictions on the passengers on board;
- carriage of additional firefighting equipment; and/or
- additional segregation requirements.

The considerations above are not exhaustive. A full hazard identification and risk assessment should be conducted prior to the State's issuance of approvals and exemptions.

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