



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-EIGHTH MEETING

Virtual, 15 to 19 November 2021

Agenda Item 4: Managing safety risks posed by the carriage of lithium batteries by air (Ref: Job Card DGP.003.03)

ALIGNMENT OF SPECIAL PROVISIONS A88 AND A99 OF THE TECHNICAL INSTRUCTIONS WITH PACKING INSTRUCTION 974 OF THE SUPPLEMENT

(Presented by T. Muller)

SUMMARY

This working paper proposes an alignment of the text of Special Provisions A88 and A99 with the text of Packing Instruction 974.

Action by the DGP: The DGP is invited to consider the amendments as shown in the appendix to this working paper.

1. INTRODUCTION

1.1 The Dangerous Goods European Liaison Group — Advisory Group to the European Union Aviation Safety Agency (EASA) (DGELG) identified an inconsistency between the wording “... a lithium battery or battery assembly ...” referred to in Special Provisions A88 and A99 of the Technical Instructions and the wording “... the lithium cell or battery ...” referred to in Packing Instruction 974 of the Supplement. This inconsistency was discussed by the DGP Working Group on the Supplement, which came to the same conclusion.

1.2 Special Provision A88, Special Provision A99 and the applicable text from Packing Instruction 974 are provided below (relevant text underlined):

A88	Pre-production prototypes of lithium batteries or cells, when these prototypes are transported for testing, or low production runs (i.e. annual production runs consisting of not more than 100 lithium batteries or cells) of lithium batteries or cells that have not been tested to the requirements in Part III, subsection 38.3 of the UN <i>Manual of Tests and Criteria</i> may be transported aboard cargo aircraft if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 910 of the Supplement are met.
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A copy of the document of approval including the quantity limitations must accompany the consignment. Transport in accordance with this special provision must be noted on the dangerous goods transport document.

Irrespective of the limit specified in column 13 of Table 3-1, the battery or battery assembly as prepared for transport may have a mass exceeding 35 kg.

A99 Irrespective of the quantity limits for cargo aircraft specified in column 13 of Table 3-1, and in Section I of Packing Instructions 965, 966, 967, 968, 969 and 970, a lithium battery or battery assembly (i.e. UN 3090 or UN 3480), including when packed with equipment or contained in equipment (i.e. UN 3091 or UN 3481) that meets the other requirements of Section I of the applicable packing instruction, may have a mass exceeding 35 kg, if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 974 of the Supplement are met. A copy of the document of approval must accompany the consignment.

<p>Packing Instruction 974 Cargo aircraft only</p> <p>Introduction</p> <p>This packing instruction applies to UN Nos. 3090, 3091, 3480 and 3481 where the <u>lithium cell or battery</u> has a mass exceeding 35 kg.</p> <p>...</p>

1.3 A note provided under the definition for “lithium battery” in Attachment 2 (glossary of terms) of the Technical Instructions states that “battery assemblies” are treated as “batteries”. Therefore it seems that the wording “battery assembly” in Special Provisions A88 and A99 is redundant and causes confusion.

1.4 The note under the definition for “lithium battery” in Attachment 2 (glossary of terms) of the Technical Instructions is provided below:

Note.— Units that are commonly referred to as “battery packs”, “modules” or “battery assemblies” having the primary function of providing a source of power to another piece of equipment are, for the purposes of these Instructions and the UN Manual of Tests and Criteria, treated as batteries.

1.5 To address the inconsistency, this working paper proposes an amendment to Special Provisions A88 and A99 contained in Table 3-2 of Part 3;3 of the Technical Instructions in order to align it with Packing Instruction 974 of the Supplement.

2. ACTION BY THE DGP

2.1 The DGP is invited to consider the amendments as shown in the appendix to this working paper.

APPENDIX A

PROPOSED AMENDMENT TO PART 3 OF THE TECHNICAL INSTRUCTIONS

Part 3

DANGEROUS GOODS LIST,
SPECIAL PROVISIONS AND
LIMITED AND EXCEPTED QUANTITIES

...

Chapter 3

SPECIAL PROVISIONS

...

Table 3-2. Special provisions

<i>TIs</i>	<i>UN</i>
...	
A88	<p>Pre-production prototypes of lithium batteries or cells, when these prototypes are transported for testing, or low production runs (i.e. annual production runs consisting of not more than 100 lithium batteries or cells) of lithium batteries or cells that have not been tested to the requirements in Part III, subsection 38.3 of the UN <i>Manual of Tests and Criteria</i> may be transported aboard cargo aircraft if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 910 of the Supplement are met.</p> <p>A copy of the document of approval including the quantity limitations must accompany the consignment. Transport in accordance with this special provision must be noted on the dangerous goods transport document.</p> <p>Irrespective of the limit specified in column 13 of Table 3-1, the battery <u>cell</u> or battery assembly as prepared for transport may have a mass exceeding 35 kg.</p>
A99	<p>Irrespective of the quantity limits for cargo aircraft specified in column 13 of Table 3-1, and in Section I of Packing Instructions 965, 966, 967, 968, 969 and 970, a lithium battery <u>cell</u> or battery assembly (i.e. UN 3090 or UN 3480), including when packed with equipment or contained in equipment (i.e. UN 3091 or UN 3481) that meets the other requirements of Section I of the applicable packing instruction, may have a mass exceeding 35 kg, if approved by the appropriate authority of the State of Origin and the State of the Operator and the requirements in Packing Instruction 974 of the Supplement are met. A copy of the document of approval must accompany the consignment.</p>

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