



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/16)**

Montreal, 17 to 21 October 2016

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284)* for incorporation in the 2019-2020 Edition

2.1: Part 1 — General

EXCEPTIONS FOR DANGEROUS GOODS OF THE OPERATOR

(Presented by B. Carrara)

SUMMARY

This working paper invites the DGP-WG to analyse the current provisions for exceptions for dangerous goods of the operator and to give comments for a future working paper.

Action by the DGP-WG: The DGP-WG is invited to review and discuss the applicability of the provisions of Part 1;2.2.

1. INTRODUCTION

1.1 Part 1;2.2 provides exceptions to operators from full compliance with the Technical Instructions. Part 1;2.2.1 a) to d) list dangerous goods to which the Technical Instructions do not apply.

“2.2 EXCEPTIONS FOR DANGEROUS GOODS OF THE OPERATOR

2.2.1 The provisions of these Instructions do not apply to the following:

- a) articles and substances which would otherwise be classified as dangerous goods but which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations or that are authorized by the State of the Operator to meet special requirements;
- b) aerosols, alcoholic beverages, perfumes, colognes, liquefied gas lighters and portable electronic devices containing lithium metal or lithium ion cells or batteries provided that the batteries meet the provisions of Table 8-1, Item 20) carried aboard an aircraft by the operator for use or sale on the aircraft during the flight or series of flights, but excluding non-refillable gas lighters and those lighters liable to leak when exposed to reduced pressure;
- c) dry ice intended for use in food and beverage service aboard the aircraft;

- d) electronic devices, such as electronic flight bags, personal entertainment devices, and credit card readers, containing lithium metal or lithium ion cells or batteries and spare lithium batteries for such devices carried aboard an aircraft by the operator for use on the aircraft during the flight or series of flights, provided that the batteries meet the provisions of 8;1.1.2 20). Spare lithium batteries must be individually protected so as to prevent short circuits when not in use. Conditions for the carriage and use of these electronic devices and for the carriage of spare batteries must be provided in the operations manual and/or other appropriate manuals as will enable flight crew, cabin crew and other employees to carry out their responsibilities.”

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1.2 Paragraph 2.2.1 a) provides general information that includes any article or substance which is required to be on board the aircraft according to airworthiness requirements, operating regulations or authorized by the State of the Operator to meet special requirements.

1.3 Paragraph 2.2.1 d) also provides general information by showing examples of electronic devices, without limiting them.

1.4 On the other hand, paragraphs 2.2.1 b) and c) list specific dangerous goods such as aerosols, perfumes, dry ice and electronic devices. In this case, it is not possible to exempt any other article or substance not listed.

1.5 Some operators contacted the Brazilian Civil Aviation Authority (CAA) about the possibility to carry alcohol gel by themselves on board the aircraft for use by passengers and crew members during flight. According to 2.2.1 b), this item is not listed and consequently not permitted. In this case, the only possibility would be going through an exemption process according to Part 1;1.1.3.

1.6 Does the DGP-WG consider that this limitation, especially in Part 1;2.2.1 b), is correct or should there be a variation such as consumer commodities or allowance for an approval process by the State of the Operator?

1.7 Another point raised for discussion related to Part 1;2.2 regards the term “unless otherwise authorized by the State of the Operator” on items 2.2.2 to 2.2.4.

“2.2.2 Unless otherwise authorized by the State of the Operator, articles and substances intended as replacements for those referred to in 2.2.1 a), or articles and substances referred to in 2.2.1 a) which have been removed for replacement, must be transported in accordance with the provisions of these Instructions, except that when consigned by operators, they may be carried in containers specially designed for their transport, provided such containers are capable of meeting at least the requirements for the packagings specified in these Instructions for the items packed in the containers.

2.2.3 Unless otherwise authorized by the State of the Operator, articles and substances intended as replacements for those referred to in 2.2.1 b) and c) must be transported in accordance with the provisions of these Instructions.

2.2.4 Unless otherwise authorized by the State of the Operator, battery-powered devices with installed batteries and spare batteries intended as replacements for those referred to in 2.2.1 d) must be transported in accordance with the provisions of these Instructions.”

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1.8 This term implicitly transforms the compliance with the Technical Instructions optional for dangerous goods referred to 2.2.1 intended as replacement, because each State of the Operator can authorize differently. In this case, there is no need for any approval or exemption process involving other States which may be concerned (destination, overflight, transit and origin).

1.9 Easy examples to understand the complexity and dangerousness are the transport of oxygen generators or even lithium ion batteries, which are prohibited on passenger aircraft but according to 2.2.2 to 2.2.4 might be excepted from that prohibition.

2. **ACTION BY THE DGP-WG**

2.1 The DGP-WG is invited to analyse the current provisions related to exceptions for dangerous goods of the operator and also invited to give comments for a future working paper.

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