



## **DANGEROUS GOODS PANEL (DGP) MEETING OF THE WORKING GROUP OF THE WHOLE**

**Memphis, 30 April to 4 May 2007**

**Agenda Item 5: Resolution, where possible, of the non-recurrent work items identified by the Air Navigation Commission or the panel**

**Agenda Item 5.3: Review of provisions for dangerous goods carried by passengers and crew**

### **PASSENGER EXCEPTIONS**

(Presented by R. Richard)

#### **SUMMARY**

This paper is to provide information to the Panel relative to a recent rulemaking amending the United States Hazardous Materials Regulations to enhance the requirements for the transport of oxygen generators and oxidizing gases in cylinders.

## **1. INTRODUCTION**

1.1 At the Panel's 20<sup>th</sup> meeting (24 October-4 November 2005), a decision in principle was taken relative to the development of passenger exceptions.

The report of the meeting states:

*“... members agreed that no fuel could be accepted for a passenger exception if the substance was not already acceptable in the Technical Instructions for transport as cargo on a passenger aircraft.”*

1.2 This paper seeks to re-open discussion relevant to this decision in order to facilitate future work on passenger exceptions, and in light of existing provisions within the Technical Instructions which do not comply with this decision in principle.

1.3 The concept that a substance or article should only be authorized within a passenger exception if the base material is authorized for transport on a passenger aircraft at first glance appears reasonable. However the properties of a material itself do not in all cases render it unsafe for transport under the provisions of a passenger exception. A substance's authorization as cargo aboard passenger aircraft should be a factor in the decision making process, but should not be solely considered during the development of passenger exceptions. In making an assessment as to whether a substance or article is safe for transport as a passenger exception, the quantity and form of the material should be taken into account in tandem with considerations of any restrictions placed on transport of the base material as cargo. The bulk transport of substances or articles as cargo presents an entirely different risk than small quantities of substances or articles carried by passengers or crewmembers. In light of a proper evaluation encompassing all potential safety concerns, an appropriate decision should be made on a case by case basis.

## 2. ACTION BY THE PANEL

2.1 It is proposed that a substance or article's allowance as cargo aboard a passenger aircraft should not be the sole factor in evaluating its eligibility for a passenger exception. The decision should be made on the basis of all available information and a thorough risk analysis.

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