



**WORKING PAPER**

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

**Auckland, 4 to 8 May 2009**

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

**5.3: Review of provisions for dangerous goods relating to batteries**

- a) lithium batteries
- b) battery-powered devices
- c) battery-powered mobility aids

**NOT OTHERWISE REGULATED LITHIUM BATTERIES – OPERATOR’S  
RESPONSIBILITIES**

(Presented by D. Brennan)

**SUMMARY**

This working paper seeks the views of the DGP-WG with respect to the responsibilities required of operators for lithium batteries consigned in accordance with Section II of the applicable packing instructions.

Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 The coming into effect of the new provisions for “small” lithium batteries as set out in Section II of Packing Instructions 965 to 970 has generated questions, requests for interpretation and demands for general information of a scale that has exceeded even that resulting from the change to the classification of infectious substances in 2003.

1.2 Small lithium metal and lithium ion batteries are used to power every kind of electronic device imaginable, and a number that certainly this panel member had never imagined. The sheer number and scope of applications in which lithium batteries are used has presented a real challenge for airlines in being able respond to the demands of their customers in being able provide clear and concise compliance information.

1.3 That it was necessary to develop a guidance document to answer many of the questions raised by shippers, operators and others, and that there are so many working papers on the topic of lithium batteries raised by a number of different panel members would indicate that some of the information in the packing instructions needs some clarification to more clearly define the requirements.

1.4 From the operator perspective too there remain a number of unanswered questions. At the recent meeting of the IATA Dangerous Goods Board, the airlines present spent a considerable amount of time discussing the problems that have arisen in 2009 in being able to appropriately manage shipper expectations for the carriage of lithium battery consignments, while at the same time ensuring that regulatory requirements are met.

1.5 In this respect there remain a number of unanswered questions that goes to the operational aspects for operators to accept, handle and load consignments of lithium batteries, batteries packed with equipment and batteries contained in equipment. Section II in each of the lithium battery packing instructions contains an opening paragraph that reads:

“Lithium ion cells and batteries offered for transport are not subject to other additional requirements of these Instructions if they meet the requirements of this section.”

The implication of this text is that the shipper is responsible for compliance with the content of Section II and that in the absence of any statement to the contrary operators are not required to conduct any check of packages consigned by a shipper; operators are not limited in the number or type of such packages that they may load in an aircraft hold, subject or course to any national legislation imposing such limits.

## 2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to confirm that operators have no responsibility for providing any acceptance or special handling of lithium batteries consigned for carriage under the provisions of Section II of Packing Instructions 965 to 970, for example:

- a) operators are not required to inspect packages to validate the lithium battery handling has been applied or correctly completed;
- b) operators are not required to verify or validate that the gross mass of packages is within the specified values;
- c) other than as specified in national legislation there is no limit on the number or type of packages of lithium batteries that may be loaded into a unit load device, aircraft cargo compartment or aircraft.

2.2 The DGP-WG is invited to consider if there is any limit or restriction on the number of packages, prepared in accordance with Section II of Packing Instructions 965 to 970, that may be consigned for carriage, for example:

- a) can a shipper consign for carriage a unit load device or other type of pallet containing lithium batteries prepared in accordance with Section II of Packing Instructions 965 to 970;
- b) can a freight forwarder consolidate multiple consignments of packages of lithium batteries prepared in accordance with Section II of Packing Instructions 965 to 970 and then pack those packages into a unit load device for presentation to an operator for carriage.