



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 18 2000

Mr. Les Adolph
Sr Manager-Hazardous Materials Transportation Programs
Trans World Airlines, Inc.
9200 N.W. 112th Street
P.O. Box 20126
Kansas City, MO 64195

Ref. No. 00-0028

Dear Mr. Adolph:

This is in response to your letter dated January 17, 2000, regarding the proper shipping description for crew member personal breathing equipment (PBE) manufactured by Essex PB&R Corporation. Specifically, you ask if the proper shipping description for the PBE described in your letter is "Life-saving appliance, not self-inflating, 9, UN3072."

Under 49 CFR 173.22, it is the shipper's responsibility to properly describe a material in accordance with Parts 172 and 173. Such determinations are not required to be verified by this Office. In your letter, you describe a PBE which contains two small compressed oxygen cylinders, each having a volumetric capacity of approximately 3.3 ounces, and approximately 0.2 kilograms of lithium hydroxide, and otherwise complies with the conditions and limitations of § 173.219. We agree that the proper shipping name for this article is "Life-saving appliance, not self-inflating, 9, UN3072." In addition, it is our opinion that the limitations in § 175.85(i)(1) and (2) which limit the number of cylinders of compressed oxygen in certain cargo compartments do not apply to articles which may be described as "Life-saving appliance, not self-inflating."

I trust this information is of use to you. If we can be of further assistance, please contact us.

Sincerely,

Edward T. Mazzullo
Director, Office of Hazardous Materials Standards



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January 17, 2000

U.S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Standards
Attn: Ed Mazzullo
Headquarters (DHM-10)
400 Seventh Street, S.W.
Washington, DC 20590

Dear Mr. Mazzullo,

I am writing to you requesting a formal interpretation of the proper shipping name for Crew Member Personal Breathing Equipment (PBE) manufactured by Essex PB&R Corporation. It is my suggestion that an appropriate proper shipping name for these devices would be **Life-saving appliances, not self-inflating, UN3072**. However, at this time there does not appear to be agreement from your agency on this point.

I want to assure you that this request is only for the type of PBE, which uses compressed oxygen, and IS NOT to be associated in anyway with the PBE's that use oxygen generators.

I am enclosing copies of correspondence I have had with DOT on this subject as well as information from the manufacturer that describes the device. Perhaps due to a misunderstanding on my part, I thought we already had achieved the ability to use **Life-saving appliances, not self-inflating, UN3072**. However, the manufacturer uses two proper shipping names for each PBE that is shipped: and they are, **Oxygen, compressed, UN1072 and Corrosive solid, n.o.s. (Anhydrous lithium hydroxide), UN1759**.

There are some important justifications for preferring UN3072 for these devices.

- First, they contain relatively small amounts of each of their hazardous constituents. The amounts of both of the products is minimal - i.e., two small cylinders of oxygen totalling 0.048kg and 0.2 kg of lithium hydroxide which is used as a carbon dioxide scrubber.
- Second, they function together in the operation of this device, when it operates as a PBE.
- Third, and perhaps most importantly from a handling point of view, the presence of Oxygen, compressed, UN1072, in this device links it directly to the loading restrictions (i.e., no more than six oxygen cylinders per Class D compartment), introduced in the Final Rule in Docket HM-224A.

I have been in discussions with the manufacturer who also supports the change to **Life-saving appliances, not self-inflating, UN3072**.

Gale
\$175.75
\$172.101(L)
life saving
appliance
00-0028

This letter is part of a two-fold approach. Through ATA, the air carrier industry has asked for an emergency exemption that seeks to exclude these small units from the limitation of six oxygen cylinders per aircraft, in inaccessible cargo compartments, which becomes effective March 1, 2000.

While that exemption would be valuable to every operator, I still feel that **Life-saving appliances, not self-inflating, UN3072** is the most appropriate proper shipping name that represents the minimal hazards associated with this device but I would like a formal interpretation that supports its use.

Best regards,



Les Adolph

Sr. Manager-Hazardous Materials Transportation Programs

Trans World Airlines, Inc.

Chairman-Air Transport Association-HAZMAT COMAT TASK FORCE

Attachments:

Cc: Frank Black - ATA

Wayne Kerley - PB&R Essex Corporation