



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 10 2000

Mr. Carl B. Kole
Administrator, Dangerous Goods
United Airlines
Box 66100
Chicago, IL 60666

Ref. No. 99-0294

Dear Mr. Kole:

This is in response to your letter of October 8, 1999, regarding the transportation of a cylinder of compressed oxygen for passenger use during flight. I am sorry for the delay in responding to your inquiry, I hope it has not caused you any inconvenience.

Section 175.10(a)(7) excepts from the Hazardous Materials Regulations (HMR; 49 CFR Part 171-180) a cylinder of compressed oxygen for medical use by a passenger which is furnished by an aircraft operator in accordance with 14 CFR 121.574 or 135.91. In the scenario presented in your letter, an oxygen cylinder is installed in an aircraft for use by a passenger on a later flight segment. You ask if transportation of the cylinder prior to the segment on which it is used by the passenger is permitted. It is our opinion that this scenario is permitted under the provisions of 49 CFR 175.10(a)(7), if the requirements of 14 CFR 121.574 are met. The Federal Aviation Administration's Flight Standards Service has informed us that your scenario would comply with 14 CFR 121.574 if either of the following were satisfied: (1) the cylinder is installed with data approved by the Administrator of the Federal Aviation Administration; or (2) United Airlines has received a supplemental type certificate for the modification.

This response has been coordinated with the Federal Aviation Administration. If we can be of further assistance, please contact us.

Sincerely,

Edward T. Mazzullo
Director, Office of Hazardous Materials Standards



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175.10



October 8, 1999

World Headquarters

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99-0294

October 8, 1999

Mr. Edward T. Mazzulio
Director of Hazardous Materials Standards
Research and Special Programs Administration
U.S. Department of Transportation
400 7th Street N.W.
Room 8100
Washington, D.C. 20590-0001

Dear Mr. Mazzulio,

SUBJECT: INTERPETATION OF HM 224A

With the release of HM 224A the issue of installed oxygen on board commercial aircraft for passenger use has come under discussion by the FAA and many of the carriers it regulates.

United specifically has in the past had a process whereby a licensed mechanic has installed in our over-head bins oxygen cylinders for medical use of our passengers.

This installation has complied with the requirements of both 14CFR 121.574 and those applicable provisions of 49CFR.

With the release of the final rule HM 224A an issue has arisen which HM 224A does not address directly. While HM 224A talks about the *transport in cargo* of oxygen, it does not directly address oxygen that is installed for use by a passenger on a downline segment. The area of interpretation we are requesting deals with the oxygen bottle which is installed at point A for use on a segment B to C.

With the lack of maintenance personnel at many of our smaller communities we serve, it is a matter of practicality that a mechanic install the oxygen cylinder in the over-head bin meeting all of the applicable installation and tie down rules. By so doing we are assured of a quality installation with an equivalent level of safety. We have always considered the *installed* bottle as part of the ship's equipment.

The passenger then boards the flight and uses the bottle on the B-C segment.

ADMINISTRATOR DANGEROUS GOODS
UNITED AIRLINES WHQSY

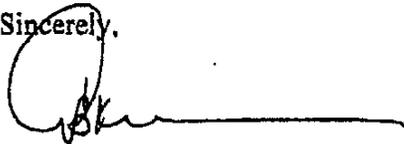
Box 66100, Chicago, Illinois 60666. • Location: 1200 East Algonquin Road, Elk Grove Township, Illinois 60007

After use, the bottle is then removed from the aircraft and is returned to a servicing station in the *shipped as cargo* mode packed in the ATA Specification 300 packaging.

With that as a back ground my question is quite simple. Since we are **not** shipping therapeutic oxygen in cargo for replenishing a downline aircraft or station, but as an installed part of the aircraft equipment for passenger use, are we in compliance with the intent of the HMR and HM 224A

I look forward to your response and truly hope a favorable decision will forth coming so we may continue to service our passenger's needs in those smaller communities we serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Kole', with a long horizontal line extending to the right.

Mr. Carl B. Kole
Administrator Dangerous Goods
United Airlines

CK