

**§ 173.244 Bulk packaging for certain pyrophoric liquids (Division 4.2), dangerous when wet (Division 4.3) materials, and poisonous liquids with inhalation hazards (Division 6.1).**

\* \* \* \* \*

(c) *Portable tanks*: DOT 51 portable tanks and UN portable tanks that meet the requirements of this subchapter, when a T code is specified in Column (7) of the § 172.101 Table of this subchapter for the specific hazardous material, are authorized.

■ 43. In § 173.306, the paragraph (f) heading is revised and a new paragraph (j) is added to read as follows:

**§ 173.306 Limited quantities of compressed gases.**

\* \* \* \* \*

(f) *Accumulators (Articles, pressurized pneumatic or hydraulic containing non-flammable gas).* \* \* \*

\* \* \* \* \*

(j) For certain compressed gases not subject to the requirements of this subchapter, see § 173.307(a)(5).

■ 44. In § 173.307, a new paragraph (a)(5) is added to read as follows:

**§ 173.307 Exceptions for compressed gases.**

(a) \* \* \*

(5) *Aerosols with a capacity of less than 50 ml.* Aerosols, as defined in § 171.8 of this subchapter, with a capacity not exceeding 50 ml and with a pressure not exceeding 970 kPa (141 psig) at 55 °C (131 °F), containing no hazardous materials other than a Division 2.2 gas, are not subject to the requirements of this subchapter.

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■ 45. In § 173.418, a new paragraph (e) is added to read as follows:

**§ 173.418 Authorized packages-pyrophoric Class 7 (radioactive) materials.**

\* \* \* \* \*

(e) Pyrophoric Class 7 (radioactive) materials transported by aircraft must be packaged in Type B packages, as authorized in Column (8) of the § 172.101 Table of this subchapter.

■ 46. In § 173.422, paragraphs (a)(2), (a)(3), and (a)(4) are revised to read as follows:

**§ 173.422 Additional requirements for excepted packages containing Class 7 (radioactive materials).**

(a) \* \* \*

(2) “This package conforms to the conditions and limitations specified in 49 CFR 173.424 for radioactive material, excepted package-instruments or articles, UN 2911”;

(3) “This package conforms to the conditions and limitations specified in

49 CFR 173.426 for radioactive material, excepted package-articles manufactured from natural uranium or depleted uranium or natural thorium, UN 2909”;

or  
(4) “This package conforms to the conditions and limitations specified in 49 CFR 173.428 for radioactive material, excepted package-empty packaging, UN 2908.”

\* \* \* \* \*

**PART 175—CARRIAGE BY AIRCRAFT**

■ 47. The authority citation for part 175 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127; 49 CFR 1.53.

■ 48. In § 175.10, paragraph (a)(4)(v) is added, and paragraph (a)(25) is revised to read as follows:

**§ 175.10 Exceptions.**

(a) \* \* \*

(4) \* \* \*

(iv) \* \* \*

(v) The provisions of this paragraph (a)(4) also apply to an aircraft operator when transporting passenger or crew member baggage to its intended destination, if the baggage has been separated from the passenger or crew member, including transfer to another carrier for transport to its intended destination.

\* \* \* \* \*

(25) With approval of the aircraft operator, a passenger or crew member may carry in checked or carry-on baggage no more than two small gas cartridges containing no hazardous material other than a Division 2.2 gas that are fitted into a self-inflating life-jacket for inflation purposes, plus no more than two spare cartridges.

\* \* \* \* \*

■ 49. In § 175.30, a new paragraph (a)(5) is added to read as follows:

**§ 175.30 Accepting and inspecting shipments.**

\* \* \* \* \*

(a) \* \* \*

(5) Marked with the air eligibility marking in accordance with § 172.321 of this subchapter, unless excepted from marking.

\* \* \* \* \*

■ 50. In § 175.90, paragraphs (b) and (c) are revised to read as follows:

**§ 175.90 Damaged shipments.**

\* \* \* \* \*

(b) Except as provided in § 175.700, the operator of an aircraft must remove from the aircraft any package, baggage or cargo that appears to be leaking or contaminated by a hazardous material.

In the case of a package, baggage or cargo that appears to be leaking, the operator must ensure that other packages, baggage or cargo in the same shipment are in proper condition for transport aboard the aircraft and that no other package, baggage or cargo has been contaminated or is leaking. If an operator becomes aware that a package, baggage or cargo not identified as containing a hazardous material has been contaminated, or the operator has cause to believe that a hazardous material may be the cause of the contamination, the operator must take reasonable steps to identify the nature and source of contamination before proceeding with the loading of the contaminated baggage or cargo. If the contaminating substance is found or suspected to be a hazardous material, the operator must isolate the package, baggage or cargo and take appropriate steps to eliminate any identified hazard before continuing the transportation of the item by air.

(c) No person may place aboard an aircraft, a package, baggage or cargo that is contaminated with a hazardous material or appears to be leaking.

\* \* \* \* \*

**PART 176—CARRIAGE BY VESSEL**

■ 51. The authority citation for part 176 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127; 49 CFR 1.53.

■ 52. In § 176.27, paragraph (c)(2) is revised to read as follows:

**§ 176.27 Certificate.**

\* \* \* \* \*

(c) \* \* \*

(2) The certification may appear on a shipping paper or on a separate document as a statement, such as “It is declared that the packing of the container has been carried out in accordance with the applicable provisions [of 49 CFR], [of the IMDG Code], or [of 49 CFR and the IMDG Code].”

■ 53. In § 176.63, a new paragraph (f) is added to read as follows:

**§ 176.63 Stowage locations.**

\* \* \* \* \*

(f) *Stowage of containers on board hatchless container ships* (1) Containers holding a hazardous material may be stowed in or vertically above a hatchless container hold if the following conditions are met:

(1) All hazardous materials are permitted for *under deck* stowage as specified in the Table in § 172.101 of this subchapter; and