



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

NOTICE
N 8000.352

Effective Date:
2/13/2007

Cancellation Date:
2/13/2008

SUBJ: Revision of Operations Specification A055 for the Carriage of Hazardous Materials

1. PURPOSE. This notice issues operations specification (OpSpec) A055 for the carriage of hazardous materials (hazmat) by air carriers conducting operations under Title 14 of the Code of Federal Regulations (14 CFR) parts 121 and 135 located in the automated Operations Safety System (OPSS). OpSpec A004 is issued for those that will-not-carry hazmat.

2. DISTRIBUTION. We will distribute this notice to the division level in the Flight Standards Service in Washington headquarters, including the Regulatory Standards Division at the Mike Monroney Aeronautical Center; to the branch level in the regional Flight Standards divisions; and to all Flight Standards District Offices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avr.faa.gov>. Operators may find this information on the Federal Aviation Administration's (FAA) Web site at: http://www.faa.gov/library/manuals/examiners_inspectors/8000/.

3. CANCELLATION. This notice cancels N 8400.87, Issuance of Operations Specification A055 for the Carriage of Hazardous Materials, dated February 15, 2006.

4. BACKGROUND. Historically, U.S. regulations have allowed for the handling and transport of dangerous goods regulated under Title 49 of the Code of Federal Regulations (49 CFR) parts 171 through 180 only if the air carrier conducted training in accordance with 14 CFR part 121, § 121.401 and part 135, § 135.323, as applicable. Once a carrier completed required training of appropriate personnel, using an FAA-approved training program, and incorporated appropriate procedures into the operations manual, the FAA considered the carrier implicitly authorized to carry hazmat. The required training included one-time initial and annual recurrent training programs.

a. International Civil Aviation Organization (ICAO) standards for the carriage of hazmat recommend initial and biennial recurrent training programs. Additionally, ICAO recommends the certificate holder be specifically authorized by its *state of authority* to carry hazmat.

b. To align U.S. implementation with ICAO standards, the FAA temporarily moved existing hazmat training, manual, and training requirements to Special Federal Aviation Regulation (SFAR) No. 99. These requirements remain effective until February 7, 2007. FAA also included revised hazmat training and manual requirements in 14 CFR part 121, § 121.1001 and part 135, § 135.501. These changes also amended the retraining cycle to a 24-month cycle.

c. The FAA expanded the manual requirements for hazmat of part 121, § 121.135(b)(23) and part 135, § 135.23(p), respectively, to require both will-carry and will-not carry certificate holders' OpSpecs to authorize or prohibit the operator's carriage of hazmat.

Distribution: A-W(FS)-2; A-X(FS)-3; A-FFS-7 (LTD); AMA-200 (12 cys) **Initiated By:** AFS-260
(Electronically: A-W(FS)-2; A-X(FS)-2; A-FFS-7)

5. GUIDANCE. Air carriers have until February 7, 2007, to comply with the new training and manual requirements. They may continue to operate using SFAR No. 99 with their existing training programs, manuals, and procedures for the carriage of hazmat until February 7, 2007. See Appendix 2 of this notice for a sample of the permanent OpSpec A055, Carriage of Hazardous Materials. Appendices 1 and 3 of this notice contain guidance on compliance with the hazmat regulations.

a. The revised permanent OpSpec A055 is available for issuance in the parts 121, 135, and 121/135 databases of the OPSS. If FAA does not issue OpSpec A055, the certificate holder's A004 statement must say, "The certificate holder is not authorized and shall not accept, handle, and carry materials regulated as hazmat." This complies with the part 119, § 119.49 requirement that the certificate holder's OpSpecs must state that it "will-not-carry" hazmat.

b. After February 7, 2007, FAA must issue or re-issue, as applicable, the revised OpSpec A055 to authorize certificate holders to transport hazmat pursuant to the manual requirements of §§ 121.135(b)(23) or 135.23(p), as applicable. Also, after February 7, 2007, certificate holders must comply with the training program requirements of part 121, §§ 121.1003 through 121.1007 or part 135, §§ 135.503 through 135.507, as applicable.

6. ACTION. Principal operations inspectors (POI) should provide a copy of this notice to his/her certificate holders that conduct operations under parts 121 or 135. The certificate holders must provide the appropriate materials to their POI for processing in order for the applicable OpSpec A004 or A055 to be issued, indicating whether the certificate holder "will-carry" or "will-not-carry" hazmat.

a. Will-Carry Certificate Holder. A will-carry certificate holder conducting operations under parts 121 or 135 must comply with the requirements of §§ 121.1003 through 121.1007 or §§ 135.503 through 135.507, as applicable, by February 7, 2007. The certificate holder must submit its revised training program and manuals to the POI in accordance with the guidance in Appendices 1 and 3 of this notice and must be in compliance with the requirements of §§ 121.103 through 121.1007 or §§ 135.503 through 135.507, as applicable, by February 7, 2007, to continue to carry hazmat.

b. Will-Not-Carry Certificate Holder. OpSpec A004 satisfies the regulatory requirement of 119.49(a)(13) for those that DO NOT CARRY hazmat. For a will-not-carry certificate holder, a NEW OpSpec A004 may need to be "pulled" over from "available" and re-issued for those that DO NOT CARRY to comply with § 119.49.

c. Single-pilot operators issued OpSpec A040 may comply with the hazmat program by submitting a hazmat program for acceptance by the FAA. Operators issued OpSpecs A037, A038, or A039 must have an approved hazmat program and follow the guidance in paragraphs 5a or 5b of this notice, as applicable. The hazmat program currently accepted/approved by the respective regional hazmat branch manager should be used.

d. Appendices 1 and 3 of this notice contain general guidance for hazmat programs. Appendix 2 contains the sample of the permanent OpSpec A055 for the will-carry hazmat authorization.

7. DISPOSITION. We will permanently incorporate the contents of Appendices 1 and 3 into FSIMS before this notice expires. Questions regarding this notice should be directed to the Air Transportation Division, AFS-200, at (202) 267-8116.

ORIGINAL SIGNED BY
Carol Giles for
James J. Ballough
Director, Flight Standards Service

APPENDIX 1. ORDER 8400.10, VOL, 3, CH. 1, SECTION 3, PARAGRAPH 63, OPSPEC A055—CARRIAGE OF HAZARDOUS MATERIALS.

A. Authorization. Operation Specification (OpSpec) A055 is an optional authorization applicable to certificate holders conducting operations under Title 14 of the Code of Federal Regulations (14 CFR) parts 121 or 135 that choose to comply with the applicable regulations to carry hazardous materials (hazmat).

B. Regulatory Changes. With the publication of Federal Register (FR) 58796, Vol. 70, No. 194, Friday, October 7, 2005, a change to 14 CFR part 119, § 119.49(a)(13) was effective November 7, 2005, as follows:

(1) Section 119.49(a)(13) requires that all certificate holders conducting operations under parts 121 or 135 to indicate in their OpSpecs that they “will-carry” or “will-not-carry” hazmat. OpSpec A055 is issued for those that “will-carry” hazmat. OpSpec A004 must contain the statement in subparagraph b that the certificate holder “will-not-carry” hazmat.

(2) This FR also required that after February 7, 2007, these certificate holders must comply with the manual requirements of part 121, §§ 121.135(b)(23) or 135.23(p) and with the hazmat training program requirements of part 121, §§ 121.1003 through 121.1007 or part 135, §§ 135.503 through 135.507, as applicable.

(3) These changes align U.S. implementation with International Civil Aviation Organization (ICAO) standards for the carriage of hazmat which recommend initial and biennial recurrent training programs. Additionally, ICAO recommends the certificate holder be specifically authorized by its State of Authority to carry hazmat.

C. Title 14 CFR Part 91 Subpart K, Program Managers and Part 125 Operators. There is no OpSpec A055 for part 125 operators nor a management specification A055 for part 91 subpart K. Part 91, § 91.1085 requires hazmat recognition training. No program manager may use any person to perform any assigned duty/responsibility for handling or carriage of hazmat unless that person has received training in the recognitions of hazmat.

(1) Therefore, any program manager who delegates such an assignment would be a “hazmat employer” in accordance with 49 CFR part 172, § 172.702(d).

(2) Any person so assigned, must be trained in accordance with part 172, § 721.704(a).

(3) If the part 91 subpart K program manager makes a business decision not to accept hazmat and does not assign any person to perform a duty or responsibility to handle or carry hazmat, then recognition training is not required.

D. Certificate Holders That Choose to Carry Hazmat (Will-Carry).

(1) A certificate holder conducting operations under parts 121 or 135 that chooses to carry hazmat (and Company Materials (COMAT) identified as hazardous) must provide to its POI a general outline of the aspects of the proposed training program as presented in table 1 of part 121, appendix O and the manual with the procedures and information to be used to assist the flight crewmembers. The POI will forward this material to the appropriate regional hazmat branch manager’s office (see FAA Order 8400.10, volume 2, chapter 1, section 5 for references). Generally, air carriers must only submit an outline sufficient to provide an overview of the training program in regard to the aspects and functions

Appendix 1

covered as listed in tables 1 and 2 of part 121, appendix O. The hazmat branch manager will review the submission to determine that it includes the relevant training aspects for the cited job functions.

(2) Provided the following conditions are met the certificate holder may be authorized to accept, handle, and transport materials, including COMAT, regulated as hazmat in transport under 49 CFR parts 171 through 180, in particular, part 175, Carriage by Aircraft.

(a) Packages containing hazmat are properly offered and accepted in compliance with parts 171 through 180;

(b) Packages containing hazmat are properly handled, stored, packaged, loaded, and carried on board the certificate holder's aircraft in compliance with parts 171 through 180;

(c) The requirements for the notification to the pilot in command (PIC) (49 CFR part 175, § 175.33) are complied with; and

(d) Aircraft replacement parts, consumable materials or other items regulated by parts 171 through 180 are properly handled, packaged, and transported.

(3) Additionally, for each crewmember and person performing or directly supervising the following job functions involving items for transport on an aircraft, the certificate holder's manual required by 14 CFR part 121, § 121.133 or part 135, § 135.21 shall contain those procedures and information necessary to assist the crewmember or other person in identifying packages that are marked or labeled as containing hazmat or that show signs of containing undeclared hazmat, including procedures and information on the following:

- Acceptance
- Rejection
- Handling
- Storage incidental to transport
- Packaging of company material
- Loading

(4) The manual required by §§ 121.133 or 135.21, as appropriate, shall contain the certificate holder's procedures for rejecting packages that do not conform to the Hazardous Materials Regulations (HMR) in 49 CFR parts 171 through 180, or that appear to contain undeclared hazmat.

(5) The manual required by §§ 121.133 or 135.21, as appropriate, shall contain the certificate holder's procedures for complying with the hazardous materials incident reporting requirements of 49 CFR part 171, §§ 171.15 and 171.16 and discrepancy reporting requirements of 49 CFR part 175, § 175.31.

(6) The certificate holder is responsible for maintaining the records in initial and recurrent hazmat training within the three preceding years of all direct employees, contractors, and subcontractors directly supervising or performing an applicable job function as described in part 121 subpart Z for or on behalf of the certificate holder. The training records may be electronic or paper and must be made available to the FAA upon request at the location the trained person performs or directly supervises the covered job function.

(7) The following recordkeeping requirements are identical to those required by 49 CFR part 172, § 172.700, International Air Transport Association (IATA), and ICAO:

- Individual's name
- Most recent training completion date
- A description, copy or reference to training material
- Name and address of organization providing training
- Copy of certification used (to show test was satisfactorily completed)

E. Certificate Holders that Choose Not to Carry Hazmat (Will-Not-Carry).

(1) OpSpec A004 will state that the certificate holder conducting operations under 14 CFR parts 121 or 135 is not authorized, and shall not carry hazmat, satisfying the OpSpec regulatory requirement for a "will-not-carry" certificate holder. The certificate holder is prohibited from accepting, handling, or transporting those materials, including hazardous COMAT, regulated as hazmat in transport under 49 CFR parts 171 through 180.

(2) Consistent with this prohibition, for each crewmember and person performing or directly supervising the acceptance, handling, storage incidental to transport, or loading of items for transport on an aircraft, the certificate holder's manual required by 14 CFR §§ 121.133 or 135.21, as appropriate, shall contain those procedures and information necessary to assist the crewmember or other person in identifying packages that are marked or labeled as containing hazardous materials or that show signs of containing undeclared hazmat:

(3) The manual required by §§ 121.133 or 135.21, as appropriate, shall contain the certificate holder's procedures for rejecting packages offered for transport, that contain hazmat or that appear to contain undeclared hazmat.

F. Basic, Single PIC, and Single-Pilot Operators.

(1) Operators issued OpSpecs A037 thru A039 must have an approved hazmat program and should use the hazmat program currently accepted/approved by their respective regional hazardous material branch. These certificate holders conducting operations under part 135 will need to have OpSpec A055 issued if they are a "will-carry" certificate holder. These certificate holders may have to comply with the manual requirements for the carriage of hazmat if the hazardous material branch manager requires it.

(2) Single-pilot Operators issued OpSpecA040 may comply with the hazmat program by submitting a program for acceptance by the FAA if they are a "will-carry" certificate holder. They will be issued OpSpec A055 if they are a "will-carry" certificate holder. There is no manual requirement for a single-pilot operator issued OpSpec A040.

G. References.

(1) Dept. of Transportation document for WILL-CARRY operators:
http://www.faa.gov/licenses_certificates/airline_certification/media/2005_01_01%20Will%20Transport.pdf.

(2) Dept. of Transportation documents for WILL-NOT-CARRY operators:
http://www.faa.gov/licenses_certificates/airline_certification/media/2005_01_01%20Will%20Not%20Transport.pdf.

(3) Federal Register Notices:

- 63 FR 30411-30412; June 4, 1998 (interpretation of constructive knowledge); and
- 70 FR 58796, (#194), October 7, 2005.

**APPENDIX 2. SAMPLE OPERATIONS SPECIFICATION A055, CARRIAGE OF
HAZARDOUS MATERIALS.**

- a. The certificate holder is authorized by the Federal Aviation Administration to accept, handle, and carry materials regulated as Hazardous Materials (HazMat) including hazardous COMAT (company hazmat material), in accordance with 49 CFR parts 171 through 180 and 14 CFR part 121, subparts O and Z or part 135 subpart K, as applicable.
- b. The certificate holder that conducts operations outside of the United States certifies that it complies with the HazMat training standards established by the International Civil Aviation Organization (ICAO) and IATA for the safe transport of dangerous goods by air.
- c. The certificate holder must notify its repair stations regulated by 49 CFR parts 171 through 180 of its Will Carry status.
- d. The certificate holder that is issued HazMat exemptions or permits should list those in Table 1 below (*if there are no additional exemptions or permits, enter N/A in the cells*):

Table 1 – HazMat Exemptions or Permits Issued by Other Agencies

Exemption/Permit Number	Date of Expiration	Agency Issuing, Remarks and/or References
TABL01	TABL02	TABL03

APPENDIX 3. ORDER 8400.10, VOL. 2, CH. 1, SECTION 5, HAZARDOUS MATERIALS OR DANGEROUS GOODS

77. GENERAL. This section contains information, direction, and guidance to be used by operations inspectors concerning inspections of hazardous materials (hazmat) or dangerous goods, the acceptance of hazmat or dangerous goods manuals, and the approval for the carriage and/or recognition of hazmat or dangerous goods training. As used in this section, the terms “hazmat” and “dangerous goods” are synonymous. All certificate holders conducting operations under Title 14 of the Code of Federal Regulations (14 CFR) parts 121 and 135 are required to provide training on the identification of hazmat to their personnel. The requirements for certificate holders conducting operations under parts 121 and 135 to receive approval and/or acceptance of the hazmat manual and training program changed significantly October 7, 2005. As a result, this chapter was significantly reduced because the hazmat training program and manual contents previously outlined in this chapter are now placed in the relevant code citations. Special Federal Aviation Regulation (SFAR) No. 99, which contained all existing procedures associated with hazmat manuals or training programs expires as of February 7, 2007. Previously used related templates and Advisory Circular (AC) 121-21B, Information Guide for Training Programs and Manual Requirements in the Air Transportation of Hazardous Materials, have been replaced by specific code citations and thus AC 121-21B is cancelled. The new regulations were published on October 7, 2005, with an effective date of February 7, 2007 (see 70 FR 58796-58831). These rules are closely related to, and reference, the Department of Transportation’s (DOT) Hazardous Material Regulations (HMR), Title 49 of the Code of Federal Regulations (49 CFR) parts 100 through 185. Rather than providing operators with templates or sample compliance documents, principal operations inspectors (POIs) must direct operators to the relevant code citations.

79. OPERATIONS SPECIFICATIONS. In accordance with 14 CFR, part 119, § 119.49, operations specifications (OpSpecs) for certificate holders conducting operations under part 121 or 135 must contain an authorization permitting or a prohibition against the acceptance of hazmat and must apply requirements applicable to a hazmat will-carry or will-not-carry designation. See FAA Order 8400.10, volume 3, chapter 1, section 3 for OpSpecs A004 and A055 information for compliance with this requirement.

81. RESPONSIBILITY FOR ACCEPTANCE/APPROVAL, SURVEILLANCE, AND ENFORCEMENT OF HAZMAT PROGRAMS. The Office of Security and Hazardous Materials (ASH) through the regional hazmat branch manager has oversight responsibility for an operator’s hazmat program. The hazmat branch manager is the technical expert and must evaluate all hazmat programs. (See Table 2.1.5.1 for a list of regional hazmat branch managers.) An operator’s hazmat program is contained in its hazmat manual. Operators should use part 121, appendix O when they develop their hazmat program. The regional hazmat branch manager will provide copies of these new rules upon request.

A. Procedures for Approval of Hazmat Manuals. The hazmat manual is required by part 121, § 121.135(b)(23) and part 135, § 135.23(p) and must be accepted by the POI. However, the POI must not accept this manual until the regional hazmat branch manager has evaluated it and recommended it for acceptance. When a POI receives a hazmat manual for review from an operator, the POI should forward it to the hazmat branch manager.

(4) The hazmat branch manager will review the manual and consult with the POI when necessary. In accordance with specific elements outlined in §§ 121.135(b)(23) or 135.23(p), an operator’s manual must contain procedures and information to assist certain persons in properly applying the relevant aspects of the HMR.

(5) The regional hazmat branch managers will review any hazmat manual contents forwarded to them by a POI or other responsible Flight Standards official.

(6) The hazmat branch manager will respond in writing to the POI by recommending whether or not the contents of the hazmat manual should be accepted. (see FR 58811). This recommendation will be based on §§ 121.135(b)(23) or 135.23(p).

B. Procedures for Approval of Hazmat Training. Initial approval of training is usually granted by the FAA at the same time as the review and acceptance of the hazmat manual. When a POI receives a proposed or updated hazmat training program from an operator, the POI should forward it to the regional hazmat branch manager.

(7) The hazmat branch manager evaluates the training program and consults with the POI when necessary. The operator should coordinate with the regional hazmat branch as necessary to formulate satisfactory hazmat training. In accordance with the specific elements outlined in part 121, §§ 121.1001 and 121.1003 or part 135, §§ 135.501 and 135.503, a will-carry operator's hazmat training program must comply with part 121, appendix O, table 1, and a will-not-carry operator's hazmat program must comply with part 121, appendix O, table 2.

(8) The regional hazmat branch managers will review any hazardous material training program forwarded to them by a POI or other responsible Flight Standards official. The hazmat branch manager will respond to the POI in writing by whether or not the hazmat training program should be accepted (see FR 58802). The recommendation will be based on §§ 121.1001 and 121.1003 or §§ 135.501 and 135.503. The POI then approves the implementation of the training.

TABLE 2.1.5.1—REGIONAL HAZARDOUS MATERIALS BRANCH MANAGERS

AAL Refer to the Hazardous Materials Branch Manager in the Northwest Mountain Region, ANM-740	ANM Hazardous Materials Branch Manager, ANM-740 Northwest Mountain Region 1601 Lind Avenue, S.W. Renton, WA 98055-4056 Phone: (425) 227-2706 24 hr operation center: (425) 227-2000
ACE Refer to the Hazardous Materials Branch Manager in the Southwest Region, ASW-740	ASO Hazardous Materials Branch Manager, ASO-740 Southern Region 1701 Columbia Ave Rm 420 College Park, GA 30337-2745 Phone: (404) 305-6831 24 hr operation center: (404) 305-5180
AEA Hazardous Materials Branch Manager, AEA-740 Eastern Region 1 Aviation Plaza Jamaica, NY 11434 Phone: (718) 553-2596 24 hr operation center: (718) 553-3100	ACE and ASW Hazardous Materials Branch Manager, ASW-740 Southwest Region 2601 Meacham Blvd. Fort Worth, TX 76193-0740 (Fed Ex zip: 76137) Phone: (817) 222-5720 24 hr operation center: (817) 222-5006

**TABLE 2.1.5.1—REGIONAL HAZARDOUS MATERIALS BRANCH MANAGERS
(continued)**

<p>AGL Hazardous Materials Branch Manager, AGL-740 Great Lakes Region 2300 East Devon Avenue Rm 203 Des Plaines, IL60018 Phone: (847) 294-7414 24 hr operation center: (847) 294-8400</p>	<p>AWP Hazardous Materials Branch Manager, AWP-740 Western-Pacific Region 15000 Aviation Blvd 6th Floor, Rm 6025 Lawndale, CA 90261 Phone: (310) 725-3701 24 hr operation center: (310) 725-3300</p>
<p>ANE Hazardous Materials Branch Manager, ANE-740 New England Region 12 New England Executive Park Burlington, MA 01803 Phone: (781) 238-7705 24 hr operation center: (781) 238-7001</p>	<p>WASHINGTON HEADQUARTERS National Program Manager, ASH-300 800 Independence Avenue, S.W. Washington, DC 20591 Phone: (202) 267-9864</p>

83. TITLE 14 CFR PART 91 SUBPART K PROGRAM MANAGERS—HAZMAT RECOGNITION TRAINING FOR PART 91 SUBPART K OPERATORS (§ 91.1085). (There is no Management Specification for part 91 subpart K program managers.) The requirements for part 91 operators are as follows: “No program manager may use any person to perform, and no person may perform, any assigned duties and responsibilities for the handling or carriage of hazmat (as defined in 49 CFR part 171, § 171.8), unless that person has received training in the recognition of hazmat.”

87. PART 125 OPERATORS—MANUAL CONTENTS FOR PART 125 OPERATORS (§ 125.73). (There is no OpSpec for part 125 or 125 subpart M operations.) Each manual will have the date of the last revision and revision number on each revised page. The manual must include procedures and instructions to enable personnel to recognize hazmat, as defined in 49 CFR, and if these materials are to be carried, stored, or handled; procedures and instructions for:

A. Accepting shipment of hazmat required by 49 CFR, to assure proper packaging, marking, labeling, shipping documents, compatibility of articles, and instructions on their loading, storage, and handling;

B. Notification and reporting hazmat incidents as required by 49 CFR; and

C. Notification of the pilot in command (PIC) when there is hazmat aboard, as required by 49 CFR.

89. HAZMAT INFORMATION FOR INSPECTORS. Hazmat is identified in 49 CFR parts 100 through 180. The criteria for each of the nine classes of hazmat are found in the sections listed below. For information regarding the marking and labeling, loading or documentation requirements for any hazmat, see the references listed in Table 2.1.5.2 below.

TABLE 2.1.5.2—HAZARD CLASSES

Hazard Classes	Reference
Class 1 - (Explosives)	49 CFR § 173.50
Class 2 - (Divisions 2.1, 2.2 & 2.3) (Gases)	49 CFR § 173.115
Class 3 - (Flammable liquids)	49 CFR § 173.120
Class 4 -	
Division 4.1 (Flammable Solid)	
Division 4.2 (Spontaneously Combustible)	49 CFR § 173.124
Division 4.3 (Dangerous When Wet)	
Class 5 -	
Division 5.1 (Oxidizer)	49 CFR §§ 173.127 and 173.128
Division 5.2 (Organic Peroxide)	
Class 6 -	
Division 6.1 (Toxic Material)	49 CFR §§ 173.132 and 173.134
Division 6.2 (Infectious Substances)	
Class 7 - (Radioactive Material)	49 CFR § 173.403
Class 8 - (Corrosive Material)	49 CFR § 173.136
Class 9 - (Miscellaneous)	49 CFR § 173.144

89. COORDINATION. The POI may be required to act as a coordinator between the operator and ASH. Table 2.1.5.1 lists FAA hazmat branch managers by region and geographic area. These hazmat branch managers may be contacted regarding all aspects of the air transportation of hazmat.

91. EXEMPTIONS. When an operator applies for either an initial DOT exemption or the renewal of an exemption for the carriage of certain hazardous material in air commerce, the POI and the principal maintenance inspector (PMI) may need to assist ASH in reviewing the compliance history of the certificated operator. There are two types of exemptions: an exemption which is valid for 2 years and is obtained through the standard exemption process; and an emergency exemption that is issued to the shipper who hires and provides the name of the operator in the exemption. The emergency exemption is normally issued exclusively for one-time-only shipments. These may also be listed in table 1 of OpSpec A055.

93. VIOLATIONS AND INVESTIGATIONS. When an inspector becomes aware of a suspected hazmat violation, the inspector shall notify the appropriate hazmat branch manager and the appropriate POI. Reports of will-not-carry operators accepting hazmat are of particular interest. The hazmat special agents conduct inspections, surveillance, and investigations of the transportation of hazmat in air commerce operations. As regional hazmat special agents continue their inspection efforts concerning certificate holders conducting operations under part 121 or part 135, they will add a focus on these new requirements to their current focus on the operators' compliance with the applicable HMRs.

95. SOURCES OF INFORMATION. The following regulations and publications pertaining to the safe transportation of hazmat are available electronically:

A. National Sources. National sources of information pertaining to the safe transportation of hazmat are as follows:

(9) *Parts 121 and 135.* These regulations are applicable to operators conducting operations as air carrier and air taxi operators and helicopter operations under parts 121 or 135, and defines the duties and responsibilities for conducting training programs and procedural manuals dealing with the air transportation of hazmat. They can be found at: http://www.faa.gov/regulations_policies/faa_regulations/.

(10) *Parts 100 through 185.* These regulations deal with the proper identification, classification, packaging, labeling, marking, and documentation of hazmat transported in commerce.

(11) Department of Transportation Hazardous Materials Web site: <http://hazmat.dot.gov>.

(12) FAA Office of Security and Hazardous Materials Web site: <http://ash.faa.gov>.

B. ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air. These technical instructions amplify the basic provisions of Annex 18 to the Convention on International Civil Aviation, and contain detailed instructions necessary for the safe international transport of dangerous goods by air. These instructions are issued in a 2-year edition on alternate Septembers, becoming effective the following January 1. The use of the ICAO Technical Instructions is limited by 49 CFR part 171, § 171.11.

TABLE 2.1.5.3—REGULATORY REFERENCES

This list is not all inclusive. It includes frequently used references when inspecting hazmat. See the references in paragraph 95 for electronic copies of the referenced materials.

- 14 CFR part 119, § 119.49 – Contents of Operating Specifications
- 14 CFR part 121, § 121.135 – Manual Contents
- 14 CFR part 121 subpart Z
 - § 121.1001 – Applicability and definitions
 - § 121.1003 – Hazardous materials training: General
 - § 121.1005 – Hazardous materials training required
 - § 121.1007 – Hazardous materials training records
- 14 CFR part 121, appendix O
- 14 CFR part 135, § 135.23 – Manual contents
- 14 CFR part 135 subpart K
 - § 135.501 – Applicability and definitions
 - § 135.503 – Hazardous materials training: General
 - § 135.505 – Hazardous materials training required
 - § 135.507 – Hazardous materials training records
- 49 CFR part 171 - General Information, Regulations, and Definitions
 - § 171.8 – Definitions
 - § 171.11 – Use of ICAO Technical Instructions
 - § 171.15 – Immediate notice of certain hazardous materials incidents
 - § 171.16 – Detailed hazardous materials incident reports
- 49 CFR part 172 – Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements including:
 - § 172.101 Hazardous Material Table
 - § 172.102 – Special Provisions
 - § 172.200 – Shipping Papers
 - § 172.300 - Marking
 - § 172.400 – Labeling
 - § 172.500 – Placarding
 - § 172.600 – Emergency Response
 - § 172.700 – Training
 - § 172.800 – Security
- 49 CFR part 173 – Shippers-General Requirements for Shipments and Packagings
- 49 CFR part 175 – Carriage by Aircraft
 - § 175.1 – Purpose, scope and applicability
 - § 175.3 – Unacceptable hazardous materials shipments
 - § 175.8 – Exceptions for operator equipment and items of replacement (COMAT)
 - § 175.9 – Exceptions for special aircraft operations
 - § 175.10 – Exceptions for passengers, crewmembers, and air operators
 - § 175.20 – Compliance and Training

TABLE 2.1.5.3—REGULATORY REFERENCES (continued)

- § 175.25 – Notification at air passenger facilities of hazardous materials restrictions (signage)
- § 175.26 – Notification at cargo facilities of hazardous materials requirements (signage)
- § 175.30 – Inspecting Shipments
- § 175.31 – Reports of Discrepancies
- § 175.33 – Shipping paper and notification of pilot-in-command
- § 175.75 – Quantity limitations and cargo location
- § 175.78 – Stowage compatibility of cargo
- § 175.88 – Inspection, orientation and securing of packages of hazardous materials
- § 175.90 – Damaged shipments
- § 175.310 – Transportation of flammable liquid fuel; aircraft only means of transportation
- § 175.501 – Special requirements for oxidizers and compressed oxygen
- § 175.630 – Special requirements for Division 6.1 and Division 6.2 material
- § 175.700 – Special limitations and requirements for Class 7 materials
- § 175.701 – Separation distance requirements for packages containing Class 7
- § 175.702 – Separation distance requirements for packages containing Class 7 in CAO
- § 175.703 – Other special requirements for the acceptance and carriage of packages containing Class 7 materials
- § 175.704 – Plutonium shipments
- § 175.705 – Radioactive contamination
- § 175.706 – Separation distances for undeveloped film from packages containing Class 7 materials

97. - 102. RESERVED.