

## **POLICY LETTER**

### **Transport of Dangerous Goods by Air**

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#### **1. Applicability:**

Pending the issuance of the LARs specifying the regulations regarding the Safe Transport of Dangerous Goods by Air, this Policy Letter specifies the requirements for loading and carrying dangerous goods in:

- a) Civil Aircraft of Lebanese Registry;
- b) Aircraft of Foreign Registry while being operated by a Lebanese air Operator;
- c) All other Civil Aircraft when operating within the Republic of Lebanon.

#### **2. Terminology:**

Terms used in this Policy Letter have the following meanings:

- 1) Acceptance Check List. A document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met.
- 2) Cargo Aircraft any aircraft which is carrying goods or property but not passengers. In this context the following are not considered to be passengers:
  - i) A crew member;
  - ii) An operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual;
  - iii) An authorized representative of an Authority; or
  - iv) A person with duties in respect of a particular shipment on board.
- 3) Dangerous Goods any article or substance which is identified as such in the Technical Instructions;
- 4) Dangerous Goods Accident. An occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property damage. (See Appendix, Para 1).

- 5) Dangerous Goods Incident. An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to constitute a dangerous goods incident. (See Appendix, Para 1).
- 6) Dangerous Goods Transport Document. A document which is specified by the Technical Instructions. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN number (if assigned) and that they are correctly classified, packed, marked, labeled and in a proper condition for transport.
- 7) Freight Container. An article of transport equipment for radioactive materials, designed to facilitate the transport of such materials, either packaged or unpackaged, by one more modes of transport. (*Note*: See Unit Load Device where the dangerous goods are not radioactive materials.)
- 8) Handling Agent. An agent who performs on behalf of the operator some or all of the latter's functions including receiving, loading, unloading, transferring or other processing of passengers or cargo.
- 9) Overpack. An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage. (*Note*: A unit load device is not included in this definition.)
- 10) Package. The complete product of the packing operation consisting of the packaging and its contents prepared for transport.
- 11) Packaging. Receptacles and any other components or materials necessary for the receptacle to perform its containment function and to ensure compliance with the packing requirements.
- 12) Proper Shipping Name. The name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging.
- 13) Serious Injury. An injury which is sustained by a person in an accident and which:
  - i) Requires hospitalization for more than 48 hours, commencing with seven days from the date the injury was received; or
  - ii) Results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
  - iii) Involves lacerations which cause severe hemorrhage, nerve, muscle or tendon damage; or;
  - iv) Involves injury to any internal organ; or

- v) Involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
  - vi) Involves verified exposure to infectious substances or injurious radiation.
- 14) State of Origin. The Authority in whose territory the dangerous goods were first loaded on an aircraft.
- 15) Technical Instructions. The latest effective edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc. 9284 – AN/905), including the Supplement and any Addendum, approved and published by decision of the Council of the International Civil Aviation Organization.
- 16) UN Number. The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances.
- 17) Unit Load Device. Any type of container, pallet designed for loading into an aircraft. (*Note: an overpack is not included in this definition; for a container contained radioactive materials see the definition for Freight Container.*)

### **3. Approval to Transport Dangerous Goods (See Appendix, Para 2):**

- 1) An aircraft shall not carry or have loaded onto it any dangerous goods unless:
- a) the operator is approved under this regulation; and
  - b) such goods are carried or loaded in accordance with:
    - i) any conditions to which such approval may be subject; and
    - ii) in accordance with the Technical Instructions.
- 2) An approval under this regulation:
- a) shall be granted by the DGCA if it is satisfied the operator is competent to carry dangerous goods safely;
  - b) shall be in writing; and
  - c) may be subject to such conditions as the DGCA thinks fit.

### **4. Scope:**

- a) An operator shall comply with the provisions contained in the Technical Instructions on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the territory of a State.
- b) Articles and substance which would otherwise be classed as dangerous goods are excluded from the provisions of this Subpart, to the extent specified in the Technical Instructions, provided:

- 1) They are required to be aboard the aeroplane in accordance with the relevant LARs or for operating reasons (See Appendix, Para 3);
- 2) They are carried as catering or cabin service supplies;
- 3) They are carried for use in flight as veterinary aid or as a humane killer for an animal (See Appendix, Para 4).
- 4) They are carried for use in flight for medical aid for a patient, provided that (See Appendix, Para 5):
  - i) Gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;
  - ii) Drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aeroplane;
  - iii) Equipment containing wet cell batteries is kept and, when necessary secured, in an upright position to prevent spillage of the electrolyte; and
  - iv) Proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the commander in the interests of safety; or
- 5) They are carried by a passengers or crewmembers (See Appendix, Para 6).
- c) Articles and substances intended as replacements for those in (b) (1) above shall be transported on an aeroplane as specified in the Technical Instructions.

## **5. Limitations on the Transport of Dangerous Goods:**

- a) An operator shall take all reasonable measures to ensure that articles and substances that are specifically identified by name or generic description in the Technical Instructions as being forbidden for transport under any circumstances are not carried on any aeroplane.
- b) An operator shall take all reasonable measures to ensure that articles and substances or other goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances are only transported when:
  - 1) They are exempted by the States concerned under the provisions of the Technical Instructions (See Appendix, Para 7);
  - 2) The Technical Instructions indicate they may be transported under an approval issued by the State of Origin.

## **6. Classification:**

An operator shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.

**7. Packing:**

An operator shall take all reasonable measures to ensure that dangerous goods are packed as specified in the Technical Instructions.

**8. Labeling and Marking:**

An operator shall take all reasonable measures to ensure that packages, overpacks and freight containers are labeled and marked as specified in the Technical Instructions.

**9. Dangerous Goods Transport Document:**

An operator shall ensure that, except when otherwise specified in the Technical Instructions, dangerous goods are accompanied by a dangerous goods transport document.

**10. Acceptance of Dangerous Goods:**

- a) An operator shall not accept dangerous goods, for transport until the package, overpack or freight container has been inspected in accordance with the acceptance procedures in the Technical Instructions.
- b) An operator or his handling agent shall use an acceptance check list. The acceptance check list shall allow for all relevant details to be checked and shall be in such form as will allow for the recording of the results of the acceptance check by manual, mechanical or computerized means.

**11. Inspection for Damage, leakage or Contamination:**

- a) An operator shall ensure that:
  - 1) Packages, overpacks and freight containers are inspected for evidence of leakage or damage immediately prior to loading on an aeroplane or into a unit load device, as specified in the Technical Instructions;
  - 2) A unit load device is not loaded on an aeroplane unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous good contained therein;
  - 3) Leaking or damaged packages, overpacks or freight containers are not loaded on an aeroplane.
  - 4) Any package of dangerous goods found on an aeroplane and which appears to be damaged or leaking is removed or arrangements made for its removal by appropriate authority or organization. In this case the remainder of the consignment shall be inspected to ensure it is in a proper condition for transport and that no damage or contamination has occurred to the aeroplane or its load; and

- 5) Packages, overpacks and freight containers are inspected for signs of damage or leakage upon unloading from an aeroplane or from a unit load device and, if there is evidence of damage or leakage, the area where the dangerous goods were stowed is inspected for damage or contamination.

## 12. **Removal of Contamination:**

- a) An operator shall ensure that:
  - 1) Any contamination found as a result of the leakage or damage of dangerous goods is removed without delay; and
  - 2) An aeroplane which has been contaminated by radioactive materials is immediately taken out of service and not returned until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

## 13. **Loading Restrictions:**

- a) *Passenger Cabin and Flight Deck.* An operator shall ensure that dangerous goods are not carried in an aeroplane cabin occupied by passengers or on the flight deck, unless otherwise specified in the Technical Instructions.
- b) *Cargo Compartments.* An operator shall ensure that dangerous goods are loaded, segregated, stowed and secured on an aeroplane as specified in the Technical Instructions.
- c) *Dangerous Goods Designated for Carriage Only on Cargo Aircraft.* An operator shall ensure that packages of dangerous goods bearing the "Cargo Aircraft Only" label are carried on a cargo aircraft and loaded as specified in the Technical Instructions.

## 14. **Provision of Information:**

- a) *Information to Ground Staff.* An operator shall ensure that:
  - 1) Information is provided to enable ground staff to carry out their duties with regard to the transport of dangerous goods, including the actions to be taken in the event of incidents and accidents involving dangerous goods; and
  - 2) Where applicable, the information referred to in sub-paragraph (a) (1) above is also provided to his handling agent.
- b) *Information to Passengers and other Persons.* (See Appendix, Para 8)
  - 1) An operator shall ensure that information is promulgated as required by the Technical Instructions so that passengers are warned as to the types of goods which they are forbidden from transporting aboard an aeroplane; and

- 2) An operator and, where applicable, his handling agent shall ensure that notices are provided at acceptance points for cargo giving information about the transport of dangerous goods.
- c) Information to Crew Members. An operator shall ensure that information is provided in the Operations Manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods, including the actions to be taken in the event of emergencies arising involving dangerous goods.
- d) Information to the Pilot-In-Command. An operator shall ensure that the Pilot-In-Command is provided with written information, as specified in the Technical Instructions.
- e) Information in the event of an aeroplane Incident or Accident. (See Appendix, Para 9):
  - 1) The operator of an aeroplane which is involved in an aeroplane incident shall, on request, provide any information required to minimize the hazards created by any dangerous goods carried.
  - 2) The operator of an aeroplane which is involved in an aeroplane accident shall, as soon as possible, inform the appropriate Authority of the State in which the aeroplane accident occurred of any dangerous goods carried.

## 15. Dangerous Goods Incident and Accident Reports:

An operator shall report dangerous goods incidents and accidents to the D.G.C.A.

The report required shall contain such of the following information as is appropriate to the occurrence:

- (a) Date of the occurrence;
- (b) Location of the occurrence, flight number and flight date;
- (c) Description of the goods and the reference number of the air waybill, pouch, baggage tag and ticket;
- (d) Proper shipping name (including the technical name, if applicable);
- (e) UN/ID number;
- (f) Class or division in accordance with the Technical Instructions and any subsidiary risk(s);
- (g) Type of packaging and the packaging specification marking;
- (h) Quantity of dangerous goods;
- (i) Name and address of the shipper or passenger;
- (j) Suspected cause of the occurrence;

- (k) Action taken;
- (l) Any other reporting action taken;
- (m) Name, title, address and contact number of the reporter;
- (n) Any other relevant details.

The report containing as much of the information referred to above shall be dispatched in writing and by the quickest available means to the DGCA within 72 hours of the occurrence coming to the knowledge of the person making the report.

**Daniel El Haiby,**  
**Acting Director General of Civil Aviation**

## APPENDIX

### Transport of Dangerous Goods by Air

#### **1. Terminology – Dangerous Goods Accident and Dangerous Goods Incident:**

As a dangerous goods accident and dangerous incident may also constitute an aircraft accident or incident the criteria for the reporting both types of occurrence should be satisfied.

#### **2. Approval to transport dangerous goods:**

- 1- Permanent approval for the transport of dangerous goods will be reflected on the Air Operator Certificate or Foreign Air Operator Certificate. In other circumstances an approval may be issued separately.
- 2- Before the issue of an approval for the transport of dangerous goods, the operator should satisfy the Authority that adequate training has been given, that all relevant documents (e.g. for ground handling, aeroplane handling, training) contain information and instructions on dangerous goods, and that there are procedures in place to ensure the safe handling of dangerous goods at all stages of air transport.

#### **3. Dangerous goods on an aeroplane in accordance with the relevant regulations or for operating reasons:**

- 1- Dangerous goods required to be on board an aeroplane in accordance with the relevant LARs or for operating reasons are those which are for:
  - a) The airworthiness of the aeroplane;
  - b) The safe operation of the aeroplane; or
  - c) The health of passengers or crew.
- 2- Such dangerous goods include but are not limited to:
  - a) Batteries;
  - b) Fire extinguishers;
  - c) First-aid kits;
  - d) Insecticides / Air fresheners;
  - e) Life saving appliances; and
  - f) Portable oxygen supplies.

#### **4. Medical Air for a Patient:**

- 1- Gas cylinders, drugs, medicines, other medical material (such as sterilizing wipes) and wet cell or lithium batteries are the dangerous goods which are normally provided for use in flight as medical aid for a patient. These dangerous goods are not those which are part of the normal equipment of the aeroplane.
- 2- The dangerous goods referred to in paragraph 1 above may also be carried on a flight made by the same aeroplane to collect a patient or after that patient has been delivered when it is impracticable to load or unload the goods at the time of the flight on which the patient is carried.

**5. Scope – Dangerous goods carried by passengers or crew:**

The Technical Instructions exclude some dangerous goods from the requirements normally applicable to them when they are carried by passengers or crew members, subject to certain conditions.

**6. States concerned with exemptions:**

- 1- The Technical Instructions provide that in certain circumstances dangerous goods, which are normally forbidden on an aeroplane, may be carried. These circumstances include cases of extreme urgency or when other forms of transport are inappropriate or when full compliance with the prescribed requirements is contrary to the public interest. In these circumstances all the State concerned may grant exemptions from the provisions of the Technical Instructions provided that every effort is made to achieve an overall level of safety which is equivalent to that provided by the Technical Instructions.
- 2- The States concerned are those of origin, transit, overflight and destination of the consignment and that of the operator. For some types of radioactive, an exemption may not need to be sought from the State of overflight.
- 3- When the Technical Instructions indicate that dangerous goods which are normally forbidden may be carried with an approval, the exemption procedure does not apply.

**7. Provision of information:**

1- Information to Passengers

- 1.1 Information to passengers should be promulgated in such a manner that passengers are warned as to the types of dangerous goods that must be carried on board an aeroplane.
- 1.2 As a minimum, this information should consist of:
  - a) Warning notices or placards sufficient in number and prominently displayed, at each of the places at an airport where tickets are issued and passengers checked in, in aeroplane boarding areas and any other place where passengers are checked in; and
  - b) A warning with the passenger ticket. This may be printed on the ticket or on a ticket wallet or on a leaflet.

2- Information to Other persons

- 2.1 Information to persons offering cargo for transport by air should be promulgated in such a manner that those persons are warned as to the need to properly identify and declare dangerous goods.
- 2.2 As a minimum this information should consist of warning notices or placards sufficient in number and prominently displayed at any location where cargo is accepted.

3- General

- 3.1 Information should be easily understood and identify that there are various classes of dangerous goods.
- 3.2 Pictographs may be used as an alternative to providing written information or to supplement such information.

**Daniel El Haiby,  
Acting Director General of Civil Aviation**