



National Transportation Safety Board

Washington, D.C. 20594

Office of the Vice Chairman

SEP 01 2004

RSPA-04-17664-17

Dockets Management System
U.S. Department of Transportation
Room PL-402, Nassif Building
400 Seventh St., SW
Washington, DC 20590-0001

The National Transportation Safety Board has reviewed the Research and Special Programs Administration (RSPA) notice of proposed rulemaking (NPRM), "Hazardous Materials Regulations: Transportation of Compressed Oxygen, Other Oxidizing Gases and Chemical Oxygen Generators on Aircraft," Docket No. RSPA-04-17664 (HM-224B), which was published at 69 Federal Register 88 on May 6, 2004.

The Safety Board notes that RSPA previously issued regulations addressing the transportation of chemical oxidizers and compressed oxygen cylinders aboard aircraft on August 19, 1999, under docket HM-224A. Under that rulemaking, RSPA amended the Hazardous Materials Regulations by requiring that no more than a combined total of six compressed oxygen cylinders be stowed in inaccessible cargo compartments that were not equipped with fire or smoke detection systems and fire suppression systems. The amendments also required that no more than six compressed oxygen cylinders and one cylinder of medical-use compressed oxygen per passenger be carried in a crew-accessible cargo compartment equipped with a fire or smoke detection system but not a fire suppression system. Every compressed oxygen cylinder was also required to be placed in an overpack or outer packaging that met Air Transport Association (ATA) specifications for a 300 Type 1 container. According to RSPA, testing by the Federal Aviation Administration indicated that these shipping containers provided an "incremental" level of thermal protection. Finally, the amendments prohibited the transportation of any other package containing an oxidizing material in an inaccessible cargo compartment that did not have a fire or smoke detection system or fire suppression system.

The Safety Board notes that, in this NPRM under docket HM-224B, RSPA proposes to require that overpacks or outer packaging for cylinders of compressed oxygen and chemical oxygen generators not only meet the specifications for an ATA 300 Type I container, but also meet the same flame penetration resistance standards that are required for cargo-compartment sidewalls and ceiling panels in transport-category aircraft. The outer packaging must also provide certain thermal protection capabilities so as to retain its contents during an otherwise controllable cargo compartment fire. The Board also notes that if these new standards are adopted, RSPA would remove the present limitation on the number of cylinders of compressed oxygen that may be transported in cargo compartments that are not equipped with a fire suppression system.

The Safety Board has reviewed the flame penetration resistance standards and believes that overpacks meeting these standards will provide an improved level of protection for compressed oxygen cylinders. However, the Board believes that RSPA should not remove the present limits on the number of compressed oxygen cylinders that may be transported until sufficient data on the performance and durability of the new overpacks are collected, analyzed, and proved to provide adequate protection with regular use.

The Safety Board also notes that RSPA is proposing to revise requirements for pressure relief devices on compressed oxygen cylinders to reduce the release of oxygen when the cylinder is exposed to fire, and to prohibit the transportation of all other oxidizing gases aboard cargo and passenger aircraft. The Safety Board notes that RSPA is also proposing new standards that would require chemical oxygen generators without any packaging to withstand a drop test without actuation or loss of contents, and to have one of four designated features to prevent inadvertent activation. RSPA also proposes to require chemical oxygen generator overpacks that meet the same flame and thermal resistance standards as would be required for compressed oxygen cylinders overpacks.

The Safety Board believes that these proposed amendments would enhance the safe transportation of hazardous materials by air and therefore supports the rulemaking as noted. The Safety Board appreciates the opportunity to comment on this proposed rulemaking. If additional clarification or information is needed regarding our comments, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark V. Rosenker', written in a cursive style.

Mark V. Rosenker
Vice Chairman