



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

May 28, 2010

Dear Part 133 Operators:

Title 49, Code of Federal Regulations (49 CFR), parts 100-185, provide the regulatory requirements for the acceptance, handling and transportation of hazardous materials (hazmat or HM) in commerce by all modes of transportation. When accepting or handling hazmat for transportation by air, or transporting hazmat on board an aircraft, such activity would include any hazmat that is attached to or suspended from an aircraft, e.g. in rotorcraft external load operations.

The transport of hazmat, especially forbidden hazmat, in external load operations may create a hazard to persons or property on the surface, which is not permitted under 14 CFR §133.33(d) and (e). Air operators who are authorized to conduct external load operations must have a plan to mitigate the hazards created by the transport of hazmat, which includes ensuring that personnel involved in these operations are trained to accept, handle and transport such materials in the unique operating environments of part 133 operations.

This basic guidance document, called the "Rotorcraft External-Load Hazardous Materials Operations Manual and Training Program," and the associated safety mitigation plan is intended to assist part 133 certificate holders in complying with the regulations pertaining to the acceptance, handling and transportation of hazardous materials in rotorcraft external load operations.

Regardless of whether you contract others to perform any of the hazmat-related functions, or these functions are performed by someone who contracts your services, the hazmat you are transporting in commerce is being done under your certificate, which makes you responsible for compliance with 49 CFR.

The first step in preparing a Rotorcraft External-Load Hazardous Materials Operations Manual and Training Program and the associated safety mitigation plan is to determine the scope of the operations to be conducted, where such operations are to be performed, and what types and quantities of hazmat will be accepted, handled and transported.

The regulatory requirements for the specific types and quantities of hazmat to be transported by air must then be reviewed to determine whether these materials may be transported by air, and if so, how might they be packaged, marked and labeled to be included in an external-load combination. Due to the nature and unique environment in which external-load operations are conducted, the carriage of hazmat in this manner will also require a special permit.

A special permit (formerly an exemption) is issued by the DOT Pipeline & Hazmat Safety Administration (PHMSA), Office of Hazmat Special Permits & Approvals (PHH-30). Special permits are often issued to permit the carriage of explosives materials, which are forbidden by air, but they may be allowed under a special permit for specific operations and with additional safety precautions and provisions to ensure an equivalent level of safety.

The operator requirements for air transportation of hazardous material are found in 49 CFR part 175 and the table of items (identified by their proper shipping name if they are hazmat) is found in 49 CFR §172.101. For cargo attached to or suspended from aircraft, there are no provisions included in part 175. Therefore, a special permit must be requested as outlined in 49 CFR part 107, subpart B, before that material may be transported by air.

In addition, anyone performing a hazmat-related function must be properly trained in accordance with the Training Reference Tables in Part 3 of the attached document. Instructions must be provided to ensure the hazmat involved is contained i.e. packaged properly to prevent accidental release; hazmat items are properly segregated if they are not compatible; the pilot must be notified of what is being transported (e.g. shipping name, UN number and class) and the gross mass of the hazmat (e.g. net quantity of explosives); and all persons involved in the operation know how to report an emergency or accidental release of hazmat if that should occur. These provisions should be outlined in the special permit.

The attached document also includes an appendix entitled "Hidden Shipment Indicators" to assist crewmembers and others in identifying items that may contain hazardous materials, which must also be considered for acceptance or rejection in accordance with the regulations.

The attached Rotorcraft External-Load Hazardous Materials Operations Manual and Training Program and associated safety mitigation plan is derived from a similar document prepared for air carriers, but it is offered as a starting point to consider in preparing the hazmat program, hazmat safety mitigation plan or other contingency document that you will use for this purpose.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher J. Bonanti". The signature is stylized with a large, looped "C" and a distinct "B".

Christopher J. Bonanti  
Director, Office of Hazardous Materials, ADG-1

[Enclosure]