

(B) For a package transported in accordance with the Transport Canada TDG Regulations in a closed transport vehicle or freight container, a label or placard conforming to the TDG Regulations specifications for a “Class 2.3” or “Class 6.1” label or placard may be substituted for the POISON GAS or POISON INHALATION HAZARD label or placard, as appropriate. The transport vehicle or freight container must be marked with the identification numbers for the hazardous material in the manner specified in §172.313(c) of this subchapter and placarded as required by subpart F of part 172 of this subchapter. While in transportation in the United States, the transport vehicle or freight container may also be placarded in accordance with the appropriate TDG Regulations in addition to being placarded with the POISON GAS or POISON INHALATION HAZARD placards.

(11) *Class 7 (radioactive) materials.* (i) Highway route controlled quantities (see §173.403 of this subchapter) must be shipped in accordance with §§172.203(d)(4) and (d)(10); 172.507, and 173.22(c) of this subchapter;

(ii) For fissile materials and Type B, Type B(U), and Type B(M) packagings, the competent authority certification and any necessary revalidation must be obtained from the appropriate competent authorities as specified in §§173.471, 173.472, and 173.473 of this subchapter, and all requirements of the certificates and revalidations must be met;

(iii) Type A package contents are limited in accordance with §173.431 of this subchapter;

(iv) The country of origin for the shipment must have adopted the edition of SSR-6 of the IAEA Regulations referenced in §171.7.

(v) The shipment must conform to the requirements of §173.448, when applicable;

(vi) The definition for “radioactive material” in §173.403 of this subchapter must be applied to radioactive materials transported under the provisions of this subpart;

(vii) Except for limited quantities, the shipment must conform to the requirements of §172.204(c)(4) of this subchapter; and

(viii) Excepted packages of radioactive material, instruments or articles, or articles containing natural uranium or thorium must conform to the requirements of §173.421, §173.424, or §173.426 of this subchapter, as appropriate.

(ix) Packages containing fissile materials must conform to the requirements of §173.453 to be otherwise excepted from the requirements of subpart I of part 173 for fissile materials.

(12) *Self-reactive materials.* Self-reactive materials not identified by technical name in the Self-reactive Materials Table in §173.224(b) of this subchapter must be approved by the Associate Administrator in accordance with §173.124(a)(2)(iii) of this subchapter.

[72 FR 25172, May 3, 2007, as amended at 72 FR 55684, Oct. 1, 2007; 73 FR 57004, Oct. 1, 2008; 76 FR 3345, Jan. 19, 2011; 76 FR 56311, Sept. 13, 2011; 78 FR 60751, Oct. 2, 2013; 78 FR 65468, Oct. 31, 2013; 80 FR 1116, Jan. 8, 2015; 80 FR 72920, Nov. 23, 2015; 81 FR 35513, June 2, 2016; 82 FR 15837, Mar. 30, 2017; 85 FR 75705, Nov. 25, 2020; 85 FR 85416, Dec. 28, 2020; 87 FR 44982, July 26, 2022]

§ 171.24 Additional requirements for the use of the ICAO Technical Instructions.

(a) A hazardous material that is offered for transportation or transported within the United States by aircraft, and by motor vehicle or rail either before or after being transported by aircraft in accordance with the ICAO Technical Instructions (IBR, see §171.7), as authorized in paragraph (a) of §171.22, must conform to the requirements in §171.22, as applicable, and this section.

(b) Any person who offers for transportation or transports a hazardous material in accordance with the ICAO Technical Instructions must comply with the following additional conditions and requirements:

(1) All applicable requirements in parts 171 and 175 of this subchapter (also see 14 CFR 121.135, 121.401, 121.433a, 135.323, 135.327 and 135.333);

(2) The quantity limits prescribed in the ICAO Technical Instructions for transportation by passenger-carrying or cargo aircraft, as applicable;

(3) The conditions or requirements of a United States variation, when specified in the ICAO Technical Instructions.

(c) *Highway transportation.* For transportation by highway prior to or after transportation by aircraft, a shipment must conform to the applicable requirements of part 177 of this subchapter, and the motor vehicle must be placarded in accordance with subpart F of part 172 of this subchapter.

(d) *Conditions and requirements specific to certain materials.* Hazardous materials offered for transportation or transported in accordance with the ICAO Technical Instructions must conform to the following specific conditions and requirements, as applicable:

(1) *Batteries*—(i) *Nonspillable wet electric storage batteries.* Nonspillable wet electric storage batteries are not subject to the requirements of this subchapter provided—

(A) The battery meets the conditions specified in Special Provision 67 of the ICAO Technical Instructions;

(B) The battery, its outer packaging, and any overpack are plainly and durably marked “NONSPILLABLE” or “NONSPILLABLE BATTERY”; and

(C) The batteries or battery assemblies are offered for transportation or transported in a manner that prevents short circuiting or forced discharge, including, but not limited to, protection of exposed terminals.

(ii) *Lithium cells and batteries.* Lithium metal cells and batteries (UN3090) and lithium ion cells and batteries (UN3480) are forbidden for transport as cargo aboard passenger-carrying aircraft. The outside of each package that contains lithium metal cells or batteries transported in accordance with Packing Instruction 968, Section II or lithium ion cells or batteries transported in accordance with Packing Instruction 965, Section II must be appropriately marked: “PRIMARY LITHIUM BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT”, “LITHIUM METAL BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT”, “LITHIUM ION BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT”, or “LITHIUM BATTERIES—

FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT”, or labeled with a CARGO AIRCRAFT ONLY label as specified in §172.448 of this subchapter. When placed in an overpack, the selected mark or label must either be clearly visible through the overpack, or the marking or label must be affixed on the outside of the overpack.

(iii) *Low production runs or prototypes lithium cells or batteries.* Production runs consisting of not more than 100 lithium cells or batteries per year, or prototype lithium cells or batteries (including cells or batteries packed with, or contained in, equipment or motor vehicles) not of a type proven to meet the requirements of section 38.3 of the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter), must be approved by the Associate Administrator prior to transportation aboard aircraft.

(2) A package containing Oxygen, compressed, or any of the following oxidizing gases must be packaged as required by parts 173 and 178 of this subchapter: carbon dioxide and oxygen mixtures, compressed; compressed gas, oxidizing, n.o.s.; liquefied gas, oxidizing, n.o.s.; nitrogen trifluoride; and nitrous oxide.

[72 FR 25172, May 3, 2007, as amended at 72 FR 44847, Aug. 9, 2007; 72 FR 55097, Sept. 28, 2007; 79 FR 46034, Aug. 6, 2014; 80 FR 1116, Jan. 8, 2015; 80 FR 72920, Nov. 23, 2015; 87 FR 78010, Dec. 21, 2022]

§ 171.25 Additional requirements for the use of the IMDG Code.

(a) A hazardous material may be offered for transportation or transported to, from or within the United States by vessel, and by motor carrier and rail in accordance with the IMDG Code (IBR, see §171.7), as authorized in §171.22, provided all or part of the movement is by vessel. Such shipments must conform to the requirements in §171.22, as applicable, and this section.

(b) Any person who offers for transportation or transports a hazardous material in accordance with the IMDG Code must conform to the following additional conditions and requirements:

(1) Unless specified otherwise in this subchapter, a shipment must conform to the requirements in part 176 of this