



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

OCT 02 2007

Mr. Kerry Hricsina
Director of Engineering and
Product Development
American Cap Co. L.L.C
15 Church Street
Wheatland, PA 16161

Ref. No.: 07-0170

Dear Mr. Hricsina:

This responds to your August 22, 2007 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) requirements applicable to cylinder valve caps and guards. Your questions are paraphrased and answered below.

Q1. Section 173.301(h)(3) specifies that each cylinder manufactured after October 1, 2007 must have a valve assembly that is of sufficient strength or protected such that no leakage occurs when a cylinder with the valve installed is dropped 1.8 m (6 ft.) or more onto a non-yielding surface, such as concrete or steel, impacting the valve assembly or protection device at an orientation most likely to cause damage. Do the HMR allow for valve caps meeting this requirement to be marked "DOT CFR 49" to specify that they are in compliance with § 173.301(h)?

A1: Yes. Although the HMR do not require such a mark to be placed on valve caps that comply with § 173.301(h), such a marking would not be considered a prohibited mark.

Q2: Is there any requirement in the HMR for either a cylinder protection valve cap or valve guard to meet the testing requirements in the Compressed Gas Association publication, CGA V-9?

A2: No. However, we proposed to incorporate CGA V-9 into the HMR in a notice of proposed rulemaking published April 17, 2007 (72 FR 18446).

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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173.301 (h)



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§ 173.301(h)(3)(i)
Cylinders
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Attn: Ed Massullo
Director Hazmat STDS (Phh-10)

8/22/07

Mr. Massullo,

Our company would like to have an interpretation on the DOT CFR 49 regarding cylinder cap testing for valve protection. We have read section 173.301 para (h) regarding cylinder valve protection and section 173.50 para (d) "General packaging requirements for toxic materials packaged in cylinders". The testing requirements are clear in both sections on the purpose, height and result of the drop test.

Interpretation request #1:

As we are a manufacturer of metal caps and guards for valve protection, we would like to mark our caps so that they may be identified as being tested in accordance with the DOT requirements. I did not see any specific requirement in the CFR 49 that the caps need to be stamped or marked. Other governmental specifications, ISO 11117 and EN 962 require testing as well, but when tested to these standards the caps are required to be stamped per the individual specification.

Question 1: Once we have manufactured and tested our caps and they have passed the drop testing as prescribed in the DOT CFR 49, are we permitted to stamp our manufactured cap with "DOT CFR 49", showing that this design has met the DOT requirements? If not, is there any other wording that would be acceptable to achieve the same purpose?

Interpretation request #2:

The Compressed Gas Association pamphlet V-9 has information on valve protection, and for cap and valve guard testing. The CGA pamphlet is referred to in several sections of the CFR 49, however, all of the sections refer to valve information only and not to any specific testing that is required for valve protection caps and guards.

Question 2: "Is there any DOT requirement that specifies that a cylinder valve protection cap or valve guard has to meet the testing requirements set forth in the CGA pamphlet V-9?"

Regards,

Kerry Hricsina
Director of Engineering and Product Development
American Cap Co. llc