



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

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

OCT 20 2010

Mr. Juan Gonzalez  
Calle 29 # 17 B 100 Casa 4  
El Retiro - Antioquia  
Colombia

Reference No. 10-0091

Dear Mr. Gonzalez:

This is in response to your request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to certain cylinder marking requirements. Your questions are paraphrased and answered below.

- Q1. Section 173.301(b) (Note: your e-mail refers to the out-of-date cite, § 173.34. The information was moved to § 173.301 in a final rule, "Hazardous Materials: Requirements for Maintenance, Requalification, Repair and Use of DOT Specification Cylinders," HM-220D, 67 FR 51652, published August 8, 2002.) states that additional information may be marked on the cylinder provided it does not affect the required markings prescribed in the applicable cylinder specification. What type of additional information is referred to in this statement?
- A1. Section 173.301(b) refers to any information that is not required. The non-required additional information may not diminish or obstruct the required information. In addition, § 178.35(f) addresses additional marking requirements for specification cylinders. Additional markings include those that are not required in Part 180 of Subpart C and § 178.35(f).
- Q2. Who is authorized to place information on the cylinder?
- A2. The application of requalification markings required under the HMR are only authorized by individuals meeting the requirements of Part 107, Subpart I, "Approval of Independent Inspection Agencies, Cylinder Requalifiers, and Non-domestic Chemical Analyses and Tests of DOT Specification Cylinders."
- Q3. Is the indentation of new information over the surface where original information was initially stamped acceptable?
- A3. Requalification markings must conform to requirements in § 180.213, including maintaining the minimal wall thickness and specifications for the marking size and location. Generally,

all specification markings must be maintained, legible, and visible at all times. Previous requalification markings may not be obliterated except as provided in § 180.213(b)(2).

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is written in a cursive style with a long horizontal flourish extending to the right.

T. Glenn Foster  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

McIntyre  
§ 173.34  
Cylinders  
10-0091

**Drakeford, Carolyn (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, April 23, 2010 12:06 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Question about CFR 49 part 173.34

Carolyn,  
This gentleman would like a written letter of interpretation based on the emails contained below.  
Thanks,  
Rob

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**From:** Juan Carlos Gonzalez Velez [mailto:gonzaljk@yahoo.com]  
**Sent:** Friday, April 23, 2010 12:01 PM  
**To:** INFOCNTR (PHMSA)  
**Cc:** masanchez@andi.com.co  
**Subject:** Re: Question about CFR 49 part 173.34

This morning called up to the numbers provided by you in the US and I had a phone conversation with a Subject Matter Expert who guided me in a very detailed way. Thanks for that.

Can you please send a WRITTEN RESPONSE to my questions bellow?. I really appreciate your assistance.

Best Regards,  
Juan Gonzalez.

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**From:** Juan Carlos Gonzalez Velez <gonzaljk@yahoo.com>  
**To:** INFOCNTR@dot.gov  
**Sent:** Fri, April 23, 2010 9:30:53 AM  
**Subject:** Re: Question about CFR 49 part 173.34

Thank you for your prompt response.  
My question is basically about seamless cylinders used to fill and transport industrial and medical gases at high pressure. I will be happy to speak with a subject matter expert in this field, so thanks for the phone # given, I will be ringing soon.  
My phone number is +57 311 764 5952, you can reach me any time. Thanks again  
Best regards,  
Juan Gonzalez

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**From:** "INFOCNTR@dot.gov" <INFOCNTR@dot.gov>  
**To:** gonzaljk@yahoo.com  
**Sent:** Fri, April 23, 2010 8:28:00 AM  
**Subject:** RE: Question about CFR 49 part 173.34

Dear Juan Carlos Gonzalez Velez,

We have received your inquiry about the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<http://hazmat.dot.gov/regs/rules.htm>

A hazardous materials regulatory specialist would be happy to speak with you regarding your inquiry. You may contact the Hazardous Materials Information Center, which is staffed with regulatory specialists who can quickly answer your questions by phone, Monday through Friday, 9 AM - 5 PM EST at (800) 467-4922 or (202) 366-4488. Alternatively, if you would like a regulatory specialist to contact you directly, please respond to this e-mail with a telephone number where you can be reached between 9 AM and 5 PM EST.

Sincerely,

Robert Benedict, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://hazmat.dot.gov/infocent.htm>

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**From:** Juan Carlos Gonzalez Velez [mailto:gonzaljk@yahoo.com]  
**Sent:** Thursday, April 22, 2010 5:40 PM  
**To:** contactcenter@gpo.gov; INFOCNTR (PHMSA)  
**Cc:** masanchez@andi.com.co  
**Subject:** Question about CFR 49 part 173.34

I do not know if you are the right department to ask for this information but just in case is not your business, please pass this message to the appropriate department or person who deals with questions asked to regulations boards in the TRANSPORTATION field.

I am sending this message to three agencies (GPO, NARA by another means, and DOT to whom I also sent this question through its web page) that may offer some assistance. Please respond even if the three of you have a response.

Reading CFR 49 part 173.34 about qualification, maintenance and use of cylinders, a doubt comes up regarding the nature of additional information that may be placed on the cylinder. Basically note (C-1) about cylinder marking says: "Additional information not affecting the markings prescribed in the applicable cylinder specification may be placed on the cylinder. No indentation may be made in the sidewall of the cylinder unless specifically permitted in the applicable specification". My questions are:

1. What type of additional information is referred to here?, Is it additional to the original one when cylinder was manufactured. If that is the case, could it be even original information that is becoming illegible because of its usage?
2. Who is authorized to place such information on the cylinder, and what kind of tests may endorse the new information stamped?
3. Is it reasonable to accept indentation of new information over the surface where original information was initially stamped?

Thanks in advance for your prompt response.  
Juan Gonzalez