



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUN 25 2001

Mr. John M. Thompson
BOC Gases
600 Union Landing Road
Riverton, New Jersey 08077

Reference No.: 01-0048

Dear Mr. Thompson:

This is in response to your February 14, 2001 letter, requesting clarification on the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they pertain to the charging of foreign-made cylinders for export. Specifically, you asked whether a pressure relief device (PRD) is required on a foreign-made cylinder charge for export as provided by § 173.301(j).

The answer is yes, if the use of a PRD is required by § 173.34(d) or the specific packaging provision. As provided by § 173.301(j), a foreign-made non-DOT specification cylinder may be charged and shipped for export only, if it meets the applicable requirements in the HMR. Section 173.34(d) states that "No person may offer a cylinder charged with a compressed gas for transportation in commerce unless the cylinder is equipped with one or more pressure relief devices" and lists certain exceptions. Additionally, under § 173.301(j)(1), the cylinder must be retested in accordance with § 173.34(e), which prescribes a periodic retest at the pressure marked on the cylinder, but not less than 5/3 of the marked service or working pressure. The retest interval for a foreign cylinder is once every five years.

I hope this information is helpful. Should you have further questions, please contact us.

Sincerely,

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



010048

173.301(j)

BOC GASES

Beatts
§173.301(j)
Cylinders
01-0048

BOC Gases
Union Landing & River Roads
P.O. Drawer No. 272
Riverton NJ 08077

Telephones 856 829 7878

February 14, 2001

Mr. Edward Mazzullo
Director, Office of Hazardous Materials Standards
Office of Hazardous Materials Transportation
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

Dear Sir:

I am asking for clarification concerning whether or not a PRD (Pressure Relief Device) is required on foreign cylinders charged for export as permitted under 173.301 (j).

As you are aware EIGA (European Industrial Gas Association) which is the CGA's (Compressed Gas Association) equivalent in Europe, has no such requirement or recommendation that gas cylinders have a PRD on the valve.

All provisions of 173.301(j) would be complied with.

When we receive the foreign cylinders, they are already tested, marked and valved, if we would have to revalve them, we would be at a major economic disadvantage.

Clarification would enable BOC to comply with the required regulations and become more competitive in the market place.

Thank you for any information you could supply on this matter.

Please respond to me at BOC Gases, 600 Union Landing Road, Riverton, NJ 08077,
PHONE: 856 -786 -2906.

Sincerely,

BOC Gases

John N. Thompson

John N. Thompson
Hazardous Materials Specialist

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A Delaware Corporation

