



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

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

**APR 13 2011**

Mr. Steve Lindblom  
Airspeed Press  
79 Old Denny Hill Rd  
Warner NH 03278

Reference No.: 11-0058

Dear Mr. Lindblom:

This responds to your email regarding the requalification marking requirements for Department of Transportation (DOT) specification cylinders under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered as follows:

- Q1. If a dive shop has stamped markings not required by the HMR on the crown of a specification cylinder (i.e. cylinder owner's name), would the cylinder be required to be condemned?
- A1. The answer is no. In accordance with § 173.301(b), required markings on a specification cylinder must be legible and must meet the applicable requirements of subpart C of part 180 of the HMR. Additional information may be marked on the cylinder provided it does not affect the required markings prescribed in the applicable cylinder specification. Non-DOT markings (e.g., company name, address) are authorized provided they are made in low stress areas other than the side wall and are not of a size and depth that will create harmful stress concentrations. The presence of stamped markings not required by the HMR on the crown of a specification cylinder would not require condemnation unless the cylinder also meets the condemnation requirements for cylinders found in § 180.205(i).
- Q2. If an authorized cylinder requalifier stamps a cylinder with an unauthorized marking or a marking not required by the HMR (i.e., a "+" after the hydrostatic test date on a Special Permit cylinder, or the words "No Plus" after the hydrostatic test marking on a 3AA tank that had failed the EE 10% overfill test), would the cylinders be required to be condemned? If the cylinder is not required to be condemned, would the improper markings need to be obliterated?
- A2. In accordance with § 180.205(b), no person may mark a cylinder with a Retester Identification Number and a requalification date or otherwise represent that a DOT specification or special permit cylinder has been requalified unless all applicable requirements of this subpart have been met. The "+" marking on a cylinder indicates that

a cylinder complies with § 173.302a(b) and is permitted to be filled to a pressure 10 percent in excess of its marked service pressure. Therefore, marking "+" on a specification cylinder not meeting the requirements in § 173.302a(b) would be prohibited. In addition, in accordance with the condemnation requirements for cylinders found in § 180.205(i), this cylinder is not required to be condemned. However, the cylinder would not be permitted to be offered for transportation until the incorrect markings are obliterated or removed.

Further, as stated in A1, there is no prohibition against additional markings on a specification cylinder provided those markings do not conflict with the requirements in the HMR. Therefore, marking a cylinder with the words "No Plus" is not prohibited by the HMR. However, it is strongly discouraged because this marking may diminish the effectiveness of the required markings. The presence of the marking "No Plus" on a cylinder would not require condemnation unless the cylinder also meets the condemnation requirements for cylinders found in § 180.205(i).

- Q3. If a specification cylinder meets all the requirements in § 173.302a(b) at the time of requalification but the requalifier fails to mark the cylinder with the "+" at the time of requalification, is it permissible to return the cylinder to the requalifier at a later date and mark the "+" on the cylinder based on the information in the requalifier's logbook?
- A3. Although it is the intent of the HMR to mark the "+" on the cylinder at the time of requalification, provided the cylinder has not been re-filled since the time of last requalification and all the requirements of § 173.302a(b) were met at the time of the last requalification test, the marking could be applied at a later date.

I hope this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,



T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Benedict  
§173.302a  
Cylinders  
11-0058

**Drakeford, Carolyn (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, March 08, 2011 2:25 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Request for Formal Letter of Interpretation

Hi Carolyn,

We received the following request for a letter of interpretation at the Info Center.

Thanks,  
Victoria

Victoria Lehman  
Hazmat Information Center (HMIC)  
Pipeline & Hazardous Materials Safety Administration 1200 New Jersey Avenue, SE,  
E21-119 Washington, D.C. 20590  
<http://phmsa.dot.gov/hazmat/info-center>  
(202) 366-1035

-----Original Message-----

**From:** Steven Lindblom [<mailto:slindblom@airspeedpress.com>]  
**Sent:** Tuesday, March 08, 2011 2:20 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for Formal Letter of Interpretation

Airspeed Press  
79 Old Denny Hill Rd  
Warner NH 03278

U.S. DOT/PHMSA Office of Hazardous Materials Standards attn PHH-10 East Building 1200 New Jersey Avenue, SE Washington, DC 20590

Dear PHMSA:

Our understanding it that only the cylinder manufacturer and an authorized requalification facility have the authority to stamp markings onto the crown of a cylinder, and that the requalifier is limited to those markings specifically authorized by the HMR. However in the dive world we often encounter scuba cylinders which have been improperly marked, and are unsure how to handle them. For example:

- 1) A tank where an individual or dive shop has stamped unauthorized markings on the crown of a tank, for example, the owner's name. Is this grounds for condemnation?
- 2) A tank that has been stamped by an authorized requalifier with an unauthorized marking. For example, a "+" after the hydro date on a Special Permit cylinder, or, in one case, the words "No Plus" after the hydro test mark on a 3AA tank that had failed the EE 10% overfill test. Would these require condemnation of the tank? Retesting? If not, should the improper markings be obliterated, or should they be just left?
- 3) Sometimes we hear from owners of 3AA scuba cylinders who requested the "+" when the cylinder was requalified but the requalifier forgot to do it, even though the tank met the all the requirements in 49 CFR 173.302a(b). Is it permissible to return the tank to the

requalifier and have the "+" added based on the information in the requalifiers logbook, or must the tank be retested all over again?

Sincerely,

Steve Lindblom  
Editor, Airspeed Press