



Baker, Y.
26-0120

Fwd: Request for Letter of Interpretation — Transport Case as Valve Protection Device for Type 4 Hydrogen Cylinders under 49 CFR § 173.301(h) and Materials of Trade Exception under 49 CFR § 173.6

1 message

INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>
To: "Baker, Yul (PHMSA)" <yul.baker@dot.gov>
Cc: Hazmat Interps <hazmatinterps@dot.gov>

Thu, Sep 10, 2026 at 2:09 PM

Goof afternoon,

Please see the following request for a letter of interpretation. Let us know if you need anything else.

Best,

Aminah

----- Forwarded message -----

From: **Angel Tamariz** <angel@cellenh2.com>

Date: Thu, Sep 10, 2026 at 12:18 PM

Subject: Re: Request for Letter of Interpretation — Transport Case as Valve Protection Device for Type 4 Hydrogen Cylinders under 49 CFR § 173.301(h) and Materials of Trade Exception under 49 CFR § 173.6

To: INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>

Dear Aminah,

Thank you for the quick response. Please find our mailing address below:

Cellen H2, Inc.

1500 South Dairy Ashford Rd

Ste 207-448

Houston, TX, 77077

USA.

Please let me know if you need anything else to process the request.

Best regards,

Angel Tamariz

Cofounder & CIO

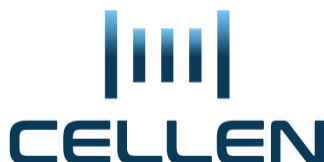
Cellen H2, Inc.

+1 (346) 495 9278

www.CellenH2.com

Houston, TX, 77077

Connect on [LinkedIn](#)



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information. If you are not the named addressee you should not disseminate, distribute, or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

From: INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>

Sent: Thursday, September 10, 2026 9:46

To: Angel Tamariz <angel@cellenh2.com>

Subject: Re: Request for Letter of Interpretation — Transport Case as Valve Protection Device for Type 4 Hydrogen Cylinders under 49 CFR § 173.301(h) and Materials of Trade Exception under 49 CFR § 173.6

Dear Angel,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<https://www.phmsa.dot.gov/phmsa-regulations>

However, before we can submit your request for processing, please respond to this email with:

- Physical Mailing Address

Sincerely,

Aminah, 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. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

On Wed, Sep 9, 2026 at 6:26 PM Angel Tamariz <angel@cellenh2.com> wrote:

Dear Hazmat Information Center,

We are writing to request a Letter of Interpretation regarding two related questions about our hydrogen cylinder transport operations under the Materials of Trade (MOT) exception and the valve protection requirements for compressed gas cylinders.

Company Background

Cellen H2, Inc. is a Houston-based hydrogen drone manufacturer and infrastructure provider. We transport DOT-certified Type 4 compressed hydrogen cylinders, UN1049, Division 2.1, (The cylinders are manufactured under PHMSA Competent Authority Approval CA2015030007 (Tracking Number [2025124251](#)), currently held by Iljin Hysolus Co., Ltd., registration number M0710, approved for manufacture of UN ISO 11119-3 Type 4 cylinders under 49 CFR 178.69–71. This approval is currently active with an expiration date of February 23, 2031), 350 bar service pressure; in pickup trucks to support our own drone operations and to provide an identical transport solution to our customers, who transport the same cylinders in their own vehicles to support their principal business operations. Both use cases are intended to qualify under the MOT exception per 49 CFR § 173.6.

Cylinder and Regulator Configuration

Each cylinder is fitted with an Intelligent Energy pressure regulator. This regulator does not include a manual shutoff valve. Flow control is achieved exclusively through a Bayonet quick-connect fitting — when the Bayonet is connected, hydrogen flows; when it is disconnected, flow stops immediately. The Bayonet is only connected during active drone operations and is never present during storage or transport. The regulator does include safety devices: a manual Pressure Relief Valve (PRV) and a burst disc designed to safely release hydrogen in the event of overpressure or thermal exposure. The cylinders themselves are Type 4 DOT-certified COPVs, which are designed to crack rather than fragment in an accident scenario.

Transport Case Description

Cylinders are transported in an OMNI ATA-rated corrugated plastic case (33.25" × 23.25" × 25.5"), constructed with 3/8" plastic walls, a tongue-and-groove gasket, silicone-sealed hardware, recessed casters, and a travel handle. The case is water-resistant except for pressure-relief vents. The interior accommodates six cylinders secured in WZ30 foam inserts custom-sized to prevent any lateral or vertical movement. Convoluted polyurethane foam in the lid provides additional retention. The case is secured to the pickup truck bed using cargo straps.

Question 1 — Valve Protection under 49 CFR § 173.301(h)

Section 173.301(h) requires that valves be protected against damage or accidental opening during transport. Our cylinders do not use a traditional threaded protective cap. We rely on the transport case itself — its rigid 3/8" plastic walls, custom foam inserts that immobilize each cylinder, and latched lid — to prevent the valve and regulator from being struck, damaged, or accidentally actuated during transport.

Does this transport case configuration satisfy the valve protection requirement under 49 CFR § 173.301(h) for these cylinders, given that the regulator has no manual shutoff and the case physically prevents any accessory connection during transport?

Question 2 — MOT Exception Coverage for Customer Transport

Our customers receive the identical cylinders and transport cases described above and use them to transport hydrogen cylinders between their own job sites in their own pickup trucks, in direct support of their principal business operations. The aggregate gross weight per vehicle does not exceed 440 lbs (200 kg), cases are marked with UN1049 and the Class 2.1 Flammable Gas label, and no vehicle placards are applied.

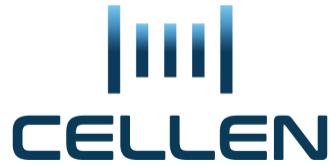
Does the MOT exception under 49 CFR § 173.6 apply to our customers' transport of these cylinders in this configuration, under the same conditions described above?

We appreciate PHMSA's guidance on these questions. We are committed to full compliance and want to ensure our operational procedures and customer-facing documentation are properly grounded in official regulatory interpretation.

Please feel free to contact us if any additional information would be helpful.

Respectfully,

Angel Tamariz
CIO - Cellen
+1 (346) 495 9278
www.CellenH2.com
Houston, TX, 77077
Connect on [LinkedIn](#)



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information. If you are not the named addressee you should not disseminate, distribute, or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.