



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

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

NOV 27 2002

Mr. Edward O'Brien
Fire Protection Consultants, LTD
8719 Pete Wiles Road
Middletown, MD 21769

Ref. No. 02-0271

Dear Mr. O'Brien:

This is in response to your October 14, 2002 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you request a variation from the requalification markings displayed on pressure-sensitive labels for cylinders used as fire extinguishers. In your letter you provided a copy of a pressure sensitive label for our review.

As provided in recently adopted § 180.213(c), the HMR permit the application of pressure-sensitive labels bearing the requalification information on DOT specification cylinders used as fire extinguishers. However, as pointed out in your letter, the marking configuration on the labels are not consistent with the HMR but conform to the requirements referenced in NFPA 10, Standard for Portable Fire Extinguishers, which is adopted by many State and local agencies.

The requalification marking on pressure-sensitive labels for cylinders used as fire extinguishers must be marked in the manner illustrated in § 180.213(d). However, upon written request, a variation from the marking requirement may be approved by the Associate Administrator as provided in § 180.213(d)(1). A request for a variation may be submitted to the Office of Hazardous Materials Exemptions and Approvals (DHM-30), Research and Special Programs Administration, U.S. Department of Transportation, 400 7th Street SW., Washington DC, 20590-0001.

Sincerely,

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



020271

180.213(c)

**F
P
C
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MEMBER

Webb
 § 180.213(c)(1)
 H.M-220 D
 Marking Cylinders
 02-0271

October 14, 2002

U.S. Department of Transportation
 Research & Special Programs Administration
 Office of Hazardous Material Standards

Attn: Edward Mazzullo

Dear Mr. Mazzullo,

FPC LTD is a company that provides HazMat training for companies engaged in the fire extinguisher business.

This letter is a request for variation pertaining to Docket No RSPA-01-10373 (HM220D) referencing section 180.213 Requalification Marking (1) a cylinder used as a fire extinguisher may be marked by using a pressure sensitive label.

Request for variation ref.(d) Requalification marking, for a fire extinguisher per section 180.209(j) Requalification by the volumetric expansion test or the proof pressure test, or the 5 years external visual inspection for fire extinguisher cylinders conforming to section 180.209(g), marked with a pressure sensitive label per our example ONE on page 2. The month, year and test pressure would be indicated by a perforation such as by a hand punch.

This label and marking would be consistent with the requirements for marking Extinguishers referenced in NFPA #10 which is adopted by the State Fire Codes, see example TWO on page 2 regulations. 29CFR 1910.157 on Portable Fire Extinguisher Inspection, maintenance and testing does not specify how a hydrottested extinguisher shall be marked.

The reference to Fire Extinguishers includes specification cylinders used as hand portable fire extinguishers, wheeled unit fire extinguishers, fire suppression system cylinders for pre engineered and engineered systems. With regard to the label suppliers samples shown on example TWO page two, it is my belief that this type of label did not comply with regulations prior to October 1st, 2002 or with the current regulations.

Sincerely
FPC LTD

Edward O'Brien
Edward O'Brien
President

EXAMPLE ONE PAGE 2

Hydrotested by: _____

Company Name

- MONTH -				- RIN -	- YEAR -	S
1	2	3	4	A1	2002	
6	8	7	8	32	2003	
9	10	11	12		2004	

- Test Pressure -
360 • 390 • 460 • 480 • 500 • 720 • 900 • 1000

month year test pressure indicated by a perforation such as a hand punch.
 proof pressure test -S on label
 volumetric expansion test- no S on label
 5- year external visual inspection for fire extinguishers conforming to Section 180.209(g) -E on label

position of marking
place hand
m
top of
label

EXAMPLE TWO
NFPA 10

LABEL SUPPLIERS
SAMPLES

5-6 Recording of Hydrostatic Tests.
 5-6.1 A permanent record shall be maintained for each cylinder tested.
 A-5-6.1 The permanent record should include as a minimum the date of test, cylinder serial number or extinguisher serial number, model number, cylinder size, test pressure, visual inspection result, cylinder disposition, and initials of person performing the test. Refer to CGA C-1 for a sample form for recording test results.
 5-6.2 High Pressure Cylinders and Cartridges. Cylinders or cartridges that pass the hydrostatic test shall be stamped with the Retester's Identification Number and month and year of the retest per TC/DOT requirements.
 NOTE: It is important that the stamping be placed only on the shoulder, top head, neck, or footing (where provided) of the cylinder.
 5-6.3 Hose Assemblies. Hose assemblies that pass a hydrostatic test do not require recording, labeling, or marking.
 5-6.4 Low Pressure Cylinders. Fire extinguisher shells of the low pressure type that pass a hydrostatic test shall have the test information recorded on a suitable metallic label or equally durable material a minimum size of 2 in. x 3 1/2 in. (5.1 cm x 8.9 cm). The label shall be affixed to the shell by means of a headless process. These labels shall be self-destructive when removal from a fire extinguisher shell is attempted. The label shall include the following information:
 (a) Month and year the test was performed, indicated by a perforation, such as a hand punch.
 (b) Test pressure used.
 (c) Name or initials of person performing the test, and name of agency performing the test.

<input type="checkbox"/> B.YR. MAINT.	PERFORMED BY _____	HYDRO. TEST <input type="checkbox"/>				
Company Name, Address, and Phone Number Will Print Here						
YEAR	2002	2003	2004	2005	2006	2007
MONTH	1	2	3	4	5	6
PSI TEST	100	125	150	200	250	300

BOX STYLE MAINT/HYDRO LABEL
ACTUAL SIZE: 2" x 3-1/2"
LABEL # BX-MH

THIS FORMAT REQUIRED IN FLORIDA

JAN. FEB. MAR. APR. MAY JUNE	<input type="checkbox"/> B.YR. MAINT.	HYDRO. TEST <input type="checkbox"/>								
Company Name, Address, and Phone Number Will Print Here										
TESTER	1	2	3	4	5	6	7	8	9	0
THROW AWAY	1	2	3	4	5	6	7	8	9	0
WELL DATE	1	2	3	4	5	6	7	8	9	0
JULY AUG. SEPT. OCT. NOV. DEC.										

DIGIT STYLE MAINT/HYDRO LABEL
ACTUAL SIZE: 2" x 3-1/2"
LABEL # DG-MH