



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

NOV 30 2001

Ref. No. 01-0215

Mr. Rajiv Rajpurkar
Pacific Scientific
HTL/Kin-Tech Division
1800 Highland Avenue
Duarte, CA 91010

Dear Mr. Rajpurkar:

This responds to your August 16, 2001 letter regarding the cylinder retests requirements in accordance with the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You asked if an exemption cylinder (DOT-E-8561) can be offered for transportation, after the three years from the date of manufacture and/or last hydrostatic tests, if it has not been re-pressurized.

Sections 173.34(e)(1)(ii) and 173.301(c) specify that a cylinder past its test date may not be charged or filled with a hazardous material and transported in commerce unless that cylinder has been inspected and retested. The non-specification cylinder under exemption DOT-E-8561 containing oxygen, compressed for which the retest date has become due need not be emptied to meet a testing schedule. The charged cylinder may remain in service, and may be transported in commerce in compliance with the HMR. However, if the cylinder has been emptied, it may not be charged and refilled and offered for transportation in commerce until it has been properly inspected and retested in accordance with § 173.34(e).

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



010215

173.34

Engrum, Helen

From: Rajpurkar, Rajiv [rrajpurkar@htl.pacsci.com]
Sent: Thursday, August 16, 2001 4:52 PM
To: 'helen.engrum@rspa.dot.gov'
Cc: Freeman, Tony; Savage, Lidia; Rivas, Robert
Subject: Question from Pacific Scientific

Engrum
173.34
Cylinders
01-0215

Dear Helen,

Per our conversation today, I would highly appreciate if you could provide me an answer to the following question.

Question

Can a container which has been granted a DOT exemption (DOT-E 8561) and has not been re-pressurized, be offered for transportation, after the three years from the date of manufacture and / or last hydrostatic test has passed ?

Regards,

Rajiv Rajpurkar

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