



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

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

AUG 18 2003

Mr. Glen K. Wanczyk
Hazardous Materials Consultant
D&G Consulting, Inc.
3708 South Monarch Drive
Bountiful, Utah 84010

Ref. No. 03-0063

Dear Mr. Wanczyk:

This responds to your letter regarding modifications made to an air bag inflator manufactured under the terms of a DOT exemption, under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you inquire whether your customer may replace the thrust neutral shipping cap with one that is appropriate for the application of the inflator and reoffer it for transportation without review, testing and certification by an independent inspector.

The answer is no. As specified in the exemption, no modification may be made to the production safety system which would affect the performance of the safety system or its compliance with the requirements of the exemption until such modifications have been reviewed, tested and certified by an independent inspector.

I trust this satisfies your request. Please contact us if we can be of further assistance.

Sincerely,

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



030063

178,65

Stevens
\$178.65
Cylinders
03 5023

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February 28, 2003

Associate Administrator
For Hazardous Materials Safety
Research and Special Programs
U.S. Department of Transportation
400 Seventh Street SW Room 8100
Washington, D.C. 20590-0001

Fax: 202 366 3012

Attention: Mr. Edward Mazzullo
Director, Office of Hazardous Materials Standards

Subject: Request for U.S. Department of Transportation Interpretation

I represent a company that buys air bag inflators from an established inflator manufacturer. The inflator is a compressed gas style, manufactured to the requirements contained in Title 49 §178.65 (Spec. 39), and a US DOT Exemption. The inflator, as delivered, comes with a thrust neutral shipping cap, which is threaded into the inflator base. My customer removes this threaded shipping cap and replaces it with another style of thrust neutral shipping cap. The new shipping cap has exactly the same number and type of threads. This new type of shipping cap is required to accommodate the next application of the device.

The inflator manufacture and their independent third party inspector have directed that the inflator design certification, required by the exemption, must be modified to include the change in shipping cap. Additionally, they require drawings of the new shipping cap configuration and a physical audit of the company's configuration and quality systems. As possible justification for this request is the language in the exemption which states that "a person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package." Another possible justification is "no modification may be made to the pressure vessel, pyrotechnic components or production safety system which would affect the performance of the safety system or its compliance with the requirements this exemption until such modifications have been reviewed, tested and certified by an independent inspector."

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Air bag inflators both compressed gas styles and pyrotechnic styles have many applications, such as: automobile driver modules, passenger modules, curtain systems, side impact and seats. And in every instance the inflator is "attached" to allow gases to be directed in order to inflate bags. This attachment will, in every case, change the performance of the inflator to some degree from when it was built and tested; however, in no other instance in which I am aware does a manufacture or their independent third party inspector require design data or auditing from downstream applications.

I respectfully submit that once the inflator design certification has been made and if no changes are made to the pyrotechnics, gasses, or construction of the pressure vessel, that the independent third party inspector's role is fulfilled. Further, I would submit, DOT inflator exemptions do not contain requirements for inflator applications, as described above, to become part of the manufacturing design certification process for the inflator itself.

There are near term customer requirements that cause this interpretation to be URGENT.

Thank you in advance for your help in resolving this issue.

Sincerely,



Glen K. Wanczyk
Hazardous Materials Consultant