



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUL 7 2006

Mr. Thomas J. Fischer
Associated Spring Raymond
1705 Indian Wood Circle, Suite 210
Maumee, OH 43537

Ref. No. 06-0142

Dear Mr. Fischer:

This is in response to your letter requesting clarification of the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to nitrogen-charged gas springs. You ask for confirmation of your understanding that the gas springs are not regulated under the HMR, although you state: "Shipping via air will still require proper coding (UN1066), labeling (non-flammable) and the proper hazardous paperwork to be compliant with IATA standards for air transportation."

Accumulators intended to function as gas springs or other impact or energy-absorbing devices are not subject to the HMR provided they meet the criteria specified in § 173.306(f)(4). Such gas springs also are not subject to the International Civil Aviation's (ICAO) Technical Instructions provided they meet the Technical Instruction's criteria in Special Provision A114. The HMR authorizes the use of the ICAO Technical Instructions with certain exceptions as an alternative to the HMR, but does not authorize the use of the IATA Dangerous Goods Regulations. For questions regarding the use of the IATA Dangerous Goods Regulations, we suggest you contact the organization at 514/390-6770.

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

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



060142

173.306 (f)(4)



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McIntyre
3173.306
Compressed Gas
06-0142

June 22, 2006

Office of Hazardous Material Standards
U.S. Department of Transportation
Washington, D.C.

To Whom It May Concern:

Recently I had a conversation with Kurt from the Hazardous Materials Standards Office to clarify detail related to the shipment of Nitrogen charged gas springs. Associated Spring Raymond is a manufacturer of Nitrogen gas springs and gas spring components. Evaluation of current shipping procedures has identified that our company should not have to identify this particular product line as Hazardous Material when shipping via ground through various logistic companies. In previous conversations with DOT personnel, conflicting information has been presented regarding this requirement. At this time I would like to request a letter of interpretation from the DOT on this subject.

Below I have listed the specific DOT detail for which we are attempting to receive the interpretation against.

173.306(f)(4)

(4) Accumulators intended to function as shock absorbers, struts, gas springs, pneumatic springs or other impact or energy-absorbing devices are not subject to the requirements of this subchapter provided each:

173.306(f)(4)(i)

(i) Has a gas space capacity not exceeding 1.6 L and a charge pressure not exceeding 280 bar, where the product of the capacity expressed in L and charge pressure expressed in bars does not exceed 80 (for example, 0.5 L gas space and 160 bar charge pressure);

173.306(f)(4)(ii)

(ii) Has a minimum burst pressure of 4 times the charge pressure at 20°C for products not exceeding 0.5 L gas space capacity and 5 times the charge pressure for products greater than 0.5 L gas space capacity;

173.306(f)(4)(iii)

(iii) Design type has been subjected to a fire test demonstrating that the article relieves its pressure by means of a fire degradable seal or other pressure relief device, such that the article will not fragment and that the article does not rocket; and

173.306(f)(4)(iv)

(iv) Accumulators must be manufactured under a written quality assurance program which monitors parameters controlling burst strength, burst mode and performance in a fire situation as specified in paragraphs (f)(4)(i) through (f)(4)(iii) of this section. A copy of the quality assurance program must be maintained at each facility at which the accumulators are manufactured.

173.306(f)(5)

(5) Accumulators not conforming to the provisions of paragraphs (f)(1) through (f)(4) of this section, may only be transported subject to the approval of the Associate Administrator.

Our current product meets and has been tested against all items as they have been identified. Therefore we understand that all product can ship via ground transportation with no special tags such as Non-Flammable or Hazardous Material. Shipping via air will still require proper coding (UN1066), labeling (Non-Flammable) and the proper hazardous paperwork to be compliant with IATA standards for air transportation. Your prompt response on this matter is appreciated.

Please contact me with any questions the DOT might have.

Sincerely,
Thomas J. Fischer
Product /Quality Engineer
Associated Spring Raymond