



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, D.C. 20590

Pipeline and Hazardous
Materials Safety Administration

JUL 16 2007

Mr. David A. Tikalsky
Manager
DG Programs System Stores
Northwest Airlines Inc.
2700 Lone Oak Parkway
Eagan, MN 55121

Ref. No.: 07-0118

Dear Mr. Tikalsky:

This is in response to your June 18, 2007 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to special permit cylinders. Your scenario is based on DOT- SP 12955 that specifies "No cylinder is authorized 15 years after the date of manufacture marked on the cylinder." Specifically, you ask if a DOT-SP 12955 cylinder may be transported after its service life has expired in accordance with § 173.301(a)(7).

The answer is yes. DOT-SP 12955 does not prohibit the use of § 173.301(a)(7). Section 173.301(a)(7) allows a cylinder to be offered for transportation in commerce after its authorized service life has expired if the cylinder was filled prior to the expiration of its authorized service life, and it is transported for reprocessing or disposal of the cylinder's contents. Once the cylinder has been emptied, it must be condemned in accordance with § 180.205.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

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



070118

173.301(a)(7)

§173.301 (a) (7)

Cylinders
07-0118

Drakeford, Carolyn <PHMSA>

From: INFOCNTR <PHMSA>
Sent: Monday, June 18, 2007 2:33 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: Request for Interpretation
Importance: High
Attachments: SP12955.pdf; 49cfr173.301.pdf

Carolyn,

Could you take care of this new request for interpretation? Thanks!

Erin

From: Tikalsky, David A [mailto:david.tikalsky@nwa.com]
Sent: Monday, June 18, 2007 10:47 AM
To: INFOCNTR <PHMSA>
Cc: Blenkush, Richard G
Subject: Request for Interpretation
Importance: High

Northwest Airlines requests your assistance with interpreting the following Special Permit and regulation in 49CFR. I have attached copies of the Special Permit and the regulation in question for your convenience.

DOT-SP 12955, Section 8, Special Provisions, g states: **No cylinder is authorized 15 years after the date of manufacture marked on the cylinder.**

Is this portion of the provision communicating the service life for the cylinder or does it restrict the transportation of the cylinder in commerce after the service life has expired?

If a cylinder has exceeded its service life of 15 years and must be transported, is 49CFR 173.301 (a) (7) the regulation that applies to the shipment that allows to legally transport the cylinder in commerce?

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6/18/2007