



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

NOV 19 2007

Ms. Angie Williams
Vice-President
Strike First Corporation
85 Hudson Road
Stow, Massachusetts 01775

Ref. No.: 07-0139

Dear Ms. Williams:

This is in response to your June 28, 2007 letter and subsequent e-mail correspondence from your Chief Operations Officer regarding the fire extinguisher requirements in § 173.309(a) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You reference our May 8, 2007 response (Ref. # 07-0070) to Edward O' Brien, of Fire Protection Certification, in which we stated your company's fire extinguisher submitted to us for review does not conform to the provisions in § 173.309(a) and, when charged, may not be offered for transportation in commerce. We also stated the non-DOT specification fire extinguisher does not display the marking "MEETS DOT REQUIREMENTS" which is a certification that the fire extinguisher was manufactured in full conformance with the prescribed requirements.

In your letter you acknowledged that your company's fire extinguishers did not contain the certification marking. However, you stated that you are providing a label containing the certification marking to your clients for application to the fire extinguishers. Further, we were informed by Mr. Randal Joyner, Chief Operations Officer with your company, that the fire extinguishers will be full compliance with all requirements in § 173.309(a) upon applying the certification marking. Based on this additional information, we agree that your company's fire extinguishers would be in full compliance with § 173.309(a) after affixing the "MEETS DOT REQUIREMENTS" marking and, therefore, may be offered for transportation in commerce.

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

cc: Mr. Edward O'Brien

Satterthwaite
§173.309
Fire Extinguishers
07-0139

June 28, 2007

Hydro-Test Products, Inc.
85 Hudson Road
Stow, Massachusetts 01775

**RE: May 8, 2007 – LETTER OF INTERPRETATION CONCERNING THE
TRANSPORTATION AND FILLING OF STRIKE FIRST FIRE
EXTINGUISHERS**

Dear Sir/Madam:

It has come to our attention that you posted on your website a letter dated May 8, 2007 from the US Department of Transportation to Edward O'Brien of Fire Protection Certification, stating that our fire extinguishers do not conform to the provision in 49 CFR Sec. 173.309. We have been made aware by the Department of Transportation that although none of our 2.5 lb., 5lb., or 10lb. ABC fire extinguishers exceeds 241 psi, we are required to place a sticker on each cylinder that states, "Meets DOT Requirements."

For the record, we have addressed this situation and all of our fire extinguishers will now have that sticker applied and we will provide stickers to our distributors to apply to fire extinguishers in the field. Based on our conversations with DOT, this action is sufficient to address the situation.

This action now makes the information contained in your posted letter of May 8, 2007 on your website, as referenced above, both inaccurate and obsolete. In the interest of providing your readership with the most accurate and current information available, we respectfully request that you either kindly remove that letter from your website, post this letter in addition to that letter or at the very least, add an Editor's Note stating that Strike First Corporation of America is now in complete compliance with the Department of Transportation regulation 49 CFR Sec. 173.309.

Thank you for your immediate attention.

Respectfully,

Angie Williams
Vice-President
Strike First Corporation of America

Cc: Mr. Edward O'Brien, President, Fire Protection Certification
Ms. Hattie L. Mitchell, Chief, Regulatory Review and Reinvention, DOT