



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

MAR 25 2015

Christopher A. Cornelius  
Gayston Corporation  
Director of Quality  
200 Advance Drive  
Springboro, OH 45066

Reference No. 14-0147

Dear Dr. Cornelius:

This is in response to your July 21, 2014 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the calculation of the tare weight of cylinders. Specifically, you seek an interpretation of § 178.35(c)(3)(vii) as it pertains to the process by which you report the tare weight and volumetric capacity of a specification cylinder during the manufacturing process.

In your incoming letter, you propose to determine the tare weight of the cylinder prior to conducting the hydrostatic testing. This information is collected and summarized by a lot code and the highest tare weight (i.e. the heaviest part) would then be used to determine the volumetric capacity for the entire lot of cylinders. You ask if it is permissible to gather the tare weight prior to hydrostatic testing.

The answer is yes. The HMR does not specify when in the manufacturing process the tare weight of the cylinder must be determined. Determining the tare weight of the cylinder prior to conducting the hydrostatic test is not prohibited. In addition, using the maximum tare weight in a specific lot as the marked tare weight is not forbidden provided that the tare weight and volumetric capacity measured under § 178.35(c)(3)(vii) are accurate and not affected by any other test conducted on the cylinder. However, caution is advised since marking the cylinder with the maximum tare weight instead of the actual weight could result in cylinder underfilling, errors during requalification, or other recordkeeping issues.

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink that reads "T. Glenn Foster".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Andrews  
178.35(c)(3)(vii)  
Cylinders  
14-0147

**Dodd, Alice (PHMSA)**

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**From:** Ciccarone, Michael CTR (PHMSA)  
**Sent:** Monday, July 21, 2014 4:20 PM  
**To:** Hazmat Interps  
**Subject:** FW: Interpretation of 49 CFR § 178.35 (c) (3) (vii)  
**Attachments:** Gayston - 49 CFR § 178.35 (c) (3) (vii).pdf

Shante and Alice,

Please submit this for a formal letter of interpretation.

Thanks,

Mike

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**From:** Chris Cornelius [<mailto:ccornelius@gayston.com>]  
**Sent:** Monday, July 21, 2014 4:10 PM  
**To:** PHMSA HM InfoCenter  
**Subject:** Interpretation of 49 CFR § 178.35 (c) (3) (vii)

To Whom It May Concern,

Please find my attached letter of formal request of interpretation of 49 CFR § 178.35 (c) (3) (vii). I look forward to your decision.

Thank you,



Christopher A. Cornelius // Director of Quality  
Gayston Corporation // 200 Advanced Dr // Springboro, OH 45066  
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Gayston Corporation  
200 Advanced Way  
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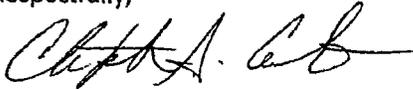
July 21, 2014

US DOT  
PHMSA Office of Hazardous Materials Standards  
Attn: PHH-10  
East Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

Dear Sir or Madam:

Gayston Corporation (M4625) is seeking formal interpretation of 49 CFR §178.35(c) (3) (vii) as it pertains to the process by which we gather tare weight and calculate the volumetric capacity of our cylinders. Our proposal is to move the location for gathering tare weight to the final machining operation, prior to hydrostatic testing. This information will be collected and summarized by lot code and the *highest* tare weight (i.e. heaviest part) will then be used to determine the volumetric capacity for the entire lot of cylinders. We will still gather individual full-weight measurements post hydrostatic testing and use the lot-specific tare weight to determine the volumetric capacity for our cylinders. Gayston Corporation feels that this will result in a method that is fair and accurate representation of our cylinders volumetric capacity as well as being a more efficient manufacturing process.

Respectfully,



Christopher A. Cornelius  
Director of Quality