



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

APR 13 2017

Mr. Chris Hinchey
Bancroft Hinchey Ltd
School House
Slaugham Lane
Warninglid
West Sussex, United Kingdom
RH17 5TJ

Reference No. 16-0170

Dear Mr. Hinchey:

This letter is in response to your October 20, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking of cylinders. You note that requalification marking requirement for cylinders in § 180.213(c) allows a label embedded with epoxy that is legible and durable throughout the life cycle of the cylinder. You add that § 180.213(b) states that unless authorized by the cylinder specification, the marking on the cylinder sidewall is prohibited. You further reference § 178.35(f)(4), which states that unless otherwise specified in the applicable specification, the markings on each cylinder must be stamped plainly and permanently on the shoulder, top head, or neck.

In your email, you provide the following assumptions:

- There is no manufacturer authorization to label the sidewall which negates § 180.213(b).
- The use of a label on the sidewall is therefore in conflict with the requirements to not mark a sidewall.
- Applying a label to the dome, top head, or neck is impractical. Therefore, the amended texts refer to the common practice of placing labels on the sidewall of composite cylinders.

Specifically, you ask for confirmation that the application of labels overcoated with epoxy as described in § 180.213(c) is an acceptable method of applying a requalification marking for a composite cylinder.

The answer is yes. It is the opinion of this Office that the assumptions stated in your email regarding the labeling of composite cylinders are correct. When requalifying composite cylinders under § 180.213, a label embedded with epoxy is permissible provided it produces a mark that is both legible and durable.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script, reading "T. Glenn Foster". The signature is written in dark ink and is positioned below the word "Sincerely,".

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

Goodall, Shante CTR (PHMSA)

From: Rivera, Jordan CTR (PHMSA)
Sent: Thursday, October 20, 2016 1:21 PM
To: Hazmat Interps
Subject: FW: 49CFR 180.213 interp request

Andaws
180.213
Regualification Markings
160170

Hi Shante/Alice,

Please submit this as a letter of interpretation. Please let me know if you have any questions.

Thanks,
Jordan

From: Chris Hinchey [<mailto:chris@bancroft.co.uk>]
Sent: Thursday, October 20, 2016 1:10 PM
To: INFOCNTR (PHMSA)
Subject: RE: 49CFR 180.213 interp request

Dear Jordan,
Thanks for the quick reply.

Details below

Bancroft Hinchey Ltd
School House
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RH17 5TJ

Regards
Chris

Chris Hinchey
Director
Bancroft
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chris@bancroft.co.uk <<mailto:chris@bancroft.co.uk>>
skype chris.hinchey

From: INFOCNTR (PHMSA) [<mailto:INFOCNTR.INFOCNTR@dot.gov>]
Sent: 20 October 2016 18:02
To: Chris Hinchey <chris@bancroft.co.uk>
Subject: RE: 49CFR 180.213 interp request

Dear Chris,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<http://phmsa.dot.gov/regulations>

In order to process your request, please respond to this email with your full contact information (mailing address, telephone number). You may contact the Hazardous Materials Information Center at +1 202-366-4488 with questions.

Please allow a minimum of 8 weeks before contacting the Office of Hazardous Materials Standards (OHMS) for a status on written letters of interpretations. Delivery time of a written interpretation can vary markedly based on topic complexity and the depth of review necessary by OHMS Divisions and modal administrations (e.g., FAA) to ensure an appropriate response.

Sincerely,

Jordan, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://phmsa.dot.gov/hazmat/regs/interps>

From: Chris Hinchey [mailto:chris@bancroft.co.uk]

Sent: Thursday, October 20, 2016 12:26 PM

To: PHMSA HM InfoCenter

Subject: 49CFR 180.213 interp request

Sirs

I am requesting clarification of 49CFR §180.213 Requalification markings.

The October 1st revision amends the marking requirement to include the use of a label overcoated with epoxy, as stated in 81FR 3686

180.213 states (underlining refers to the particular wording discussed):

(c) Requalification marking method. The depth of requalification markings may not be greater than specified in the applicable specification. The markings must be made by stamping, engraving, scribing, or applying a label embedded in epoxy that will remain legible and durable throughout the life of the cylinder, or by other methods that produce a legible, durable mark

In regard to the placement of the labels referred to, the preceding paragraph states:

(b) Placement of markings. Each cylinder must be plainly and permanently marked on the metal of the cylinder as permitted by the applicable specification. Unless authorized by the cylinder specification, marking on the cylinder sidewall is prohibited.

Marking on the sidewall is also prohibited in the general requirements of 178.35 (f) (4) which states *Unless otherwise specified in the applicable specification, the markings on each cylinder must be stamped plainly and permanently on the shoulder, top head, or neck.*

Therefore I assume there is no manufacturer authorisation to label the sidewall which negates paragraph 180.213(b)

The use of a label on the sidewall is therefore in conflict with the requirement not to mark the sidewall.

Applying a label to the dome, top head or neck is impractical, and my assumption is that the amended text refers to the common practice of placing labels on the sidewall of composite cylinders.

Can you confirm that application of labels overcoated with epoxy as described is acceptable on the cylinder sidewall as a method of applying a requalification marking after a cylinder is tested?

Yours Faithfully
Chris HInchey

Chris Hinchey
Director

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