



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

MAY 17 2007

Ms. Amy Morgan Bruecks  
President  
City Carbonic Sales & Service, Inc.  
406 S.W. 4<sup>th</sup> St.  
Oklahoma City, OK 73109

Ref. No. 07-0082

Dear Ms. Bruecks:

This is in response to your letter requesting clarification of the requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to cylinders manufactured of 6351-T6 aluminum alloy and used in self-contained underwater breathing apparatus (SCUBA), self-contained breathing apparatus (SCBA), or oxygen service. Specifically, you ask whether only these specific cylinders may be eddy current tested and marked with the VE marking as required by §§ 180.209 and 180.213, respectively.

The answer is no. Any cylinder may be eddy current tested and marked with the VE marking regardless of whether the test is required for the particular cylinder. For those cylinders for which the eddy current test and marking are not required, the test exceeds the HMR requirements and is not prohibited.

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

Sincerely,

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



070082

180.209



City Carbonic Sales & Service Co., Inc.

406 S.W. 4th Street  
Oklahoma City, OK 73109

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07-0082

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April 13, 2007

Office of Hazardous Materials Standards  
PHH-12  
Attn: Mrs. Hattie Mitchell  
400 Seventh Street, S.W.  
Washington, D.C. 20590

VIA FACSIMILE: 202-366-3012

Subject: Request for a letter of interpretation

Can you please help my company with a written letter of clarification on the following issue?

**CFR 49 § 180.209 Requirements for requalification of specification cylinders**  
(m) DOT-3AL cylinders manufactured of 6351-T6 aluminum alloy. In addition to the periodic requalification and marking described in § 180.205, each cylinder manufactured of aluminum alloy 6351-T6 used in self-contained underwater breathing apparatus (SCUBA), self-contained breathing apparatus (SCBA), or oxygen service must be requalified and inspected for sustained load cracking in accordance with the non-destructive examination method described in the following table. Each cylinder with sustained load cracking that has expanded into the neck threads must be condemned in accordance with § 180.205(i). This provision does not apply to cylinders used for carbon dioxide, fire extinguisher or other industrial gas service.

It is my interpretation that only these cylinders may be eddy current tested AND marked with the VE. Marking any cylinders other than those "manufactured of aluminum alloy 6351-T6 used in self-contained underwater breathing apparatus (SCUBA), self-contained breathing apparatus (SCBA), or oxygen service" would result in a violation upon a DOT inspection.

Is this requirement intended to be a minimum requirement? Is it an acceptable practice to eddy current test and mark all aluminum cylinders with the VE regardless of their alloy or use?

Thank you for your assistance in this matter.

Sincerely,

Amy Morgan Bruecks  
President  
RIN B435