



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

OCT 01 2012

Mr. Salvatore Messina
The Govmark Organization, Inc.
96 Allen Boulevard, Suite D
Farmingdale, NY 11735-5626, USA

Ref. No. 12-0147

Dear Mr. Messina:

This responds to your July 2, 2012 request for clarification on testing requirements for cylinders under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state in your letter that your company is a fire testing laboratory. Specifically, you ask if both the flame penetration resistance and thermal resistance tests specified in § 173.302(f) are required for compressed oxygen and oxidizing gases transported by aircraft.

The answer is yes. In accordance with § 173.302(f), both the flame penetration resistance and thermal resistance tests specified are required for compressed oxygen and oxidizing gas transported by aircraft. Specifically, the cylinder must be placed in a rigid outer packaging that is capable of passing the Flame Penetration Resistance Test in Appendix E to part 178. The cylinder and the outer packaging must be capable of passing the Thermal Resistance Test specified in Appendix D to part 178.

For your information, in accordance with § 173.302(f)(6), a cylinder of compressed oxygen furnished by an aircraft operator to a passenger in accordance with 14 CFR §§ 121.574, 125.219, or 135.91 is excepted from the outer packaging requirements of paragraph (f)(3) of this section.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

Robert Benedict
Chief, Standards Development Branch
Standards and Rulemaking Division



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July 2, 2012

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Subject: 49 CFR Parts 173, 175 and 178 [Docket No. RSPA-04-17664 (HM-224B)] RIN 2137-AD33

Dear Sirs:

Over the last week, I've tried calling you a few times and am getting no response to our voicemail messages.

Our company is a fire testing laboratory.

The subject document references a flame penetration resistance test and a thermal resistance test.

Our question: Are both tests required or does the user have the option of using either one?

Best regards,

Mr. Salvatore Messina
Tel./Ext. 414

SM:mg

Cc: Douglas Lipp