



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

## **NOTICE OF ENFORCEMENT POLICY REGARDING THE TRANSPORTATION OF OVER-PRESSURIZED CYLINDERS**

The U.S. Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) is providing notice that it will not take enforcement action against trained<sup>1</sup> collecting personnel who transport the below-specified over-pressurized cylinders for the purpose of venting and condemnation.<sup>2</sup>

From May 2018 through May 2023, BJ MedQuip Repair Services, Inc., marked approximately 10,000 specification cylinders with Requalifier Identification Number (RIN) N046 as being authorized for hazardous materials transportation. PHMSA has determined that these cylinders have been over-pressurized during requalification and therefore are not in compliance with the Hazardous Materials Regulations (HMR), 49 CFR parts 171–180. These cylinders are presumed to be unsafe and are not authorized for filling with hazardous materials or transportation. A person in possession of a cylinder described in this notice should contact the following to determine whether a cylinder has been over-pressurized:

BJ MedQuip Repair Services, Inc.  
918-865-7529  
P.O. Box 1004  
Mannford, OK 74044

DOT specification cylinders require requalification consisting of a visual inspection and a hydrostatic test, conducted as prescribed in §§ 180.205 and 180.209 of the HMR. Among other requirements, the cylinders must be subjected to a specified minimum test pressure and must not be subjected to greater than 110% of the minimum test pressure. Proper requalification performed in accordance with the HMR is necessary to detect cylinders with compromised structural integrity that need to be condemned. Over-pressurized cylinders are at risk of rupturing, which can cause extensive property damage, serious personal injury, or death.

While these cylinders are not authorized for hazardous materials transportation, they do need to be transported to a safe place for disposal, and PHMSA finds that it is in the public interest for these cylinders to be transported to appropriate facilities to be vented and condemned. Therefore, PHMSA will not take enforcement action against any trained collecting personnel who transport any cylinder identified in this notice for the purpose of recovery and condemnation, including

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<sup>1</sup> Collecting personnel must be trained in accordance with 49 CFR 172.704.

<sup>2</sup> See § 180.205(i)(1)(ix) (“A cylinder must be condemned when [t]he cylinder is known to have been or shows evidence of having been over-pressurized.”); CGA C-1 – 2016, 5.2.1 (“If at time of cylinder requalification the actual test pressure has exceeded 110% of the minimum test pressure (with an allowance of +1%), the requalifier shall either contact the cylinder manufacturer for direction or condemn the cylinder.”).

venting. If the conditions are safe for venting, trained personnel may vent the over-pressurized cylinders outdoors before transportation. This relief applies only to transportation by motor vehicle and does not extend to transport by air, vessel, or railroad.

This document is a temporary notice of enforcement discretion. Regulated entities may rely on this notice as a temporary safeguard from Departmental enforcement as described herein. To the extent this notice includes guidance on how regulated entities may comply with existing regulations, it does not have the force and effect of law, and is not meant to bind the regulated entities in any way. This notice of enforcement discretion is effective through August 31, 2023.

Issued in Washington, D.C. on June 20, 2023.

A handwritten signature in blue ink that reads "William S. Schoonover". The signature is written in a cursive style with a horizontal line at the end.

**William S. Schoonover,**  
Associate Administrator, Office of Hazardous Materials Safety  
Pipeline and Hazardous Materials Safety Administration.