



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

NOV - 1 1999

Ms. Shelley A. Espinoza
Baker Hughes
Post Office Box 1407
Houston, Texas 77251-1407

Ref. No. 99-0204

Dear Ms. Espinoza:

This is in response to your letter dated July 16, 1999, regarding the definition of a "hazmat employee" in 49 CFR 171.8 as it applies to an individual performing evaluation of documentation accompanying a cylinder assembly under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The employee is not involved in the manufacturing process, assembly, testing, marking, packaging or transportation of the cylinders.

Based on the information provided in your letter, when an employee of your company is responsible for evaluating documentation accompanying a cylinder assembly (assembly is inspected and verified by an independent inspection agency prior to the evaluation) to determine if the components of the assembly meet the quality and design standards authorized for transportation under a DOT exemption, such an employee is a "hazmat employee," as defined in 49 CFR 171.8. Each "hazmat employee" who performs a function subject to the exemption must receive training on the requirements and conditions of the exemption in addition to the training required by 49 CFR 172.700 through 172.704.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



990204

171.8

Applic. 34410

171.0
HAZMAT
Employee

**BAKER
HUGHES**

99-0201

Baker Atlas

P.O. Box 1407
Houston, Texas 77251-1407
Tel 713-972-4000

July 16, 1999

Mr. Delmer F. Billings
Chief, Standards Development
US Dept. of Transportation/RSPA
Office of Hazardous Materials Standards
400 Seventh Street, SW
Washington, DC 20590

Dear Mr. Billings:

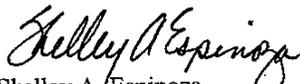
Baker Atlas is seeking a RSPA interpretation regarding the definition of a "hazmat employee" in 49 CFR 171.8. Specifically, we are asking if an individual performing the function described below is considered a "hazmat employee".

Function: Evaluate documentation accompanying a cylinder assembly to determine if the components of the assembly meet the quality and design standards established by Baker Atlas. The cylinder assembly is authorized for transport under a DOT exemption. Before this evaluation is conducted, the assembly is inspected and verified by an independent inspection agency as required in 49 CFR 178.35(c).

Individuals performing the evaluation function are not involved in the manufacturing process, assembly, testing, marking, packaging or transportation of the cylinders.

Your assistance in this matter is greatly appreciated. Please advise if additional information is needed.

Regards,


Shelley A. Espinoza
HSE Advisor

cc: Pat Boles
Mike Gourley