



U.S. Department of Transportation

1200 New Jersey Avenue, SE
Washington, D.C. 20590-0001

**Pipeline and Hazardous
Materials Safety Administration**

**ORDER MODIFYING
NOTICE OF SUSPENSION OF DOT-SP 13957**

Date Issued: August 17, 2007

Issued to: The Lite Cylinder Company, Inc.
112 Alpha Drive
Franklin, TN 37064

c/o: Lawrence W. Bierlein
McCarthy, Sweeney, & Harkaway, P.C.
Suite 600
2175 K Street, NW
Washington, DC 20037

Pursuant to the issuance of DOT-SP 14562, the Notice of Suspension of DOT-SP 13957 is hereby MODIFIED regarding The Lite Cylinder Company, Inc.'s (TLCCI) authorization to manufacture non-DOT specification, liner-less, fully-wrapped fiberglass composite cylinders, effective immediately upon service of this Order.

On February 3, 2006, TLCCI was granted a special permit by the Pipeline and Hazardous Materials Safety Administration's (PHMSA) Office of Hazardous Materials Special Permits and Approvals to manufacture, mark, sell and use a non-DOT specification, liner-less, fully-wrapped fiberglass composite cylinders for the transportation in commerce of the following hazardous materials:

Compressed gas, flammable, n.o.s., 2.1, UN1954;
Compressed gas, non-flammable, n.o.s., 2.2, UN1956;
Liquefied gas, flammable, n.o.s., 2.1, UN3161
Liquefied gas, n.o.s., 2.2, UN3163;
Liquefied gases, *non-flammable charged with nitrogen, carbon dioxide or air*, 2.2,
UN1058;
Petroleum gases, liquefied, 2.1, UN1075

Due to an investigation following a number of ruptures of 33-lb. cylinders in April 2007, a Notice of Suspension of DOT-SP 13957 (Notice) was issued on May 10, 2007. In response to the Notice, TLCCI submitted the following documents to show cause why the special permit should not be suspended:

- Report dated May 10, 2007 from Rodney L. Osborne, Ph.D., P.E. of Batelle

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- Burst test records
- Proof test records
- Request for reconsideration of Notice of Suspension of DOT-SP 13957 dated May 29, 2007 and accompanying exhibits
- Updated information regarding recall of 33-lb. cylinders dated June 13, 2007
- Lite Cylinder Company Quality Manual and all subsequent revisions
- Cylinder drawings
- Production charts

In addition, PHMSA conducted a fitness inspection of TLCCI on June 11, 2007, documenting its findings in Inspection/Investigation Report 07410001.

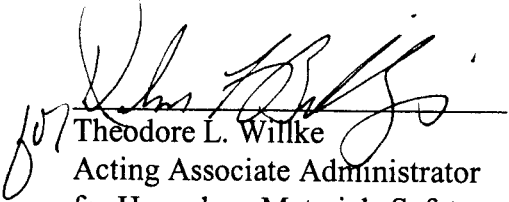
In consideration of the foregoing, and with the issuance of DOT-SP-14562 in conjunction with this Order, the Notice is hereby modified insofar as TLCCI may produce, manufacture, and sell all cylinders as specified in DOT-SP 14562, i.e., 10-lb. and 20-lb. cylinders. Moreover, all 10-lb. and 20-lb. cylinders previously manufactured, marked and certified under DOT-SP 13957 prior to May 10, 2007, are authorized for continued use under DOT-SP 14562, as specified in the new special permit. The initial Notice, however, prohibits the continued use of any DOT-SP 13957 33-lb. cylinders and new manufacture of 33-lb. cylinders under DOT-SP 13957 after May 10, 2007. This provision remains in effect and TLCCI must continue to comply with the terms of the initial Notice.

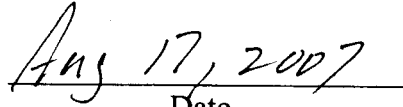
How do I respond to this Notice of Suspension? Although this ORDER is effective immediately upon service, you may, in accordance with the provisions of § 107.121(c)(1) file a written response to this Order Modifying Notice of Suspension of DOT-SP 13957.

When is my response due? You must respond within thirty (30) days from the date of service of this Order. Your response must be in writing and must be addressed to:

Associate Administrator/Director of Enforcement
 Pipeline and Hazardous Materials Safety Administration
 1200 New Jersey Avenue, SE
 East Building, E21-304 (PHH-30)
 Washington, DC 20590

What happens if I fail to respond? You waive your right to be heard further on this matter and the Associate Administrator will make a permanent finding based on the current facts and circumstances surrounding this Order.


 Theodore L. Wilke
 Acting Associate Administrator
 for Hazardous Materials Safety


 Date

VIA PERSONAL SERVICE