



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUN 30 2006

Mr. Bill McDonald
Global Fire and Safety, Inc.
2601 Adeline Suite 150
Oakland, CA 94607

Ref. No. 06-0133

Dear Mr. McDonald:

This is in response to your June 6, 2006 letter requesting clarification regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to your exemption cylinder. In your scenario, you have an exemption cylinder marked DOT E-8795. This exemption authorizes the manufacture, mark, sale and use of certain non-DOT specification cylinders conforming to the DOT 4B240ET specification with certain exceptions. Specifically, you ask if your exemption cylinder may be requalified in accordance with § 180.209(g), which allows for external visual inspections of cylinders used exclusively for certain named gases.

The answer is yes. Upon review by the Office of Hazardous Materials Special Permits and Approvals, it has been determined that the cylinder specified in your request may be requalified in accordance with § 180.209(g).

I hope this information is helpful.

Sincerely,

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



060133

180.209 (g)

Satterthwaite
§180.209(g)
Cylinders
06-0133



Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
400 7th Street S.W.
Washington, D.C. 20590-0001

June 6, 2006

Mr. Edward T. Mazzullo,

Ref. E-8795

We have a cylinder marked DOT E-8795 500ET with an original mfg. date of 2-85. The cylinder is charged with fluorinated hydrocarbons and mixtures thereof that are commercially free from corroding components (Halon 1301).

The exemption letter, eighth edition, states applicable regulations to a DOT specification 4B240ET with note exceptions. There is no clarification indicating that this cylinder in this service qualifies for the modified external visual cylinder re-qualification as per CFR-49 section 180.209(g).

It is my understanding that the intent of section 180.209(g) was to allow external visual re-qualification in order to minimize the unnecessary discharge of Halon 1301 and other environmentally harmful agents.

Can this cylinder be re-qualified as per section 180.209(g)?

Please review this inquiry and provide a written response to indicating your decision.

Respectfully,

Bill McDonald
Global Fire and Safety, Inc.
2601 Adeline Suite 150
Oakland, Calif. 94607
510-834-2323

cc: Dave Rubino