



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

MAR 30 2012

Mr. Robert Holley
Safetech
1230 Wilson Court
Humble, TX 77396

Ref. No. 11-0272

Dear Mr. Holley:

This responds to your October 28, 2011 request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding recordkeeping requirements applicable to a person who requalifies, repairs, or rebuilds cylinders. Your questions are paraphrased and answered as follows:

Q1. Is it acceptable to have the latest editions of the required Compressed Gas Association (CGA) publications in place of the editions incorporated by reference in § 171.7?

A1. The answer is yes, if it contains the same applicable information that is in the incorporated edition. Section 180.215(a)(6) requires a person who requalifies, repairs, or rebuilds cylinders to maintain the "information contained in each applicable CGA or [American Society for Testing and Materials] (ASTM) standard incorporated by reference in § 171.7 applicable to the requalifier's activities." A more recent CGA publication may be used to satisfy this requirement provided the more recent edition contains the same relevant information that is contained in the edition incorporated by reference in § 171.7.

Q2. Should independent inspectors and enforcement inspectors be allowed to demand or suggest that the facility have the latest edition of the required CGA publication(s) if they are not the same as the cited edition?

A2. The answer is no. Unless otherwise specified in a special permit issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA), the HMR only require a cylinder requalifier to have the information contained in the applicable CGA publications incorporated by reference in § 171.7.

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

Sincerely,

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division



SAFETECH – HOUSTON

1230 Wilson Court
Humble, Texas 77396
CRS# WV1R599K

Eichenlaub
§171.7
Applicability
11-0272

October 28, 2011

Hattie Mitchell, Chief
Office of Hazardous Materials Standards
Regulatory Review and Reinvention
400 7th Street S.W.
Washington, DC 20590

Subject: Request for written interpretation on CGA pamphlets under §171.7

Please provide a written interpretation on the above referenced subject as it pertains to cylinder re-qualifiers.

It has now come to my attention that the enforcement group of OHM is asking our facilities to see the latest editions of these pamphlets as well as the cited editions.

I am requesting a written response to these questions:

- 1) Is it acceptable to have the latest editions of the required CGA pamphlets in place of the cited editions in §171.7 if the latest edition is not cited in the edition?
- 2) Should Independent inspectors and enforcement inspectors be allowed to demand or suggest that the facility have the latest edition of the required CGA pamphlet(s) if they are not the same as the cited edition?

Thank you in advance for your attention to this request. I look forward to your reply.

Kind regards,

Robert Holley
Vp/Quality