



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

DEC 22 2008

1200 New Jersey Ave., SE
Washington, DC 20590

Mr. Bill Lovelace
Lovelace Gas Service, Inc.
10606 East Colonia Drive
Orlando, Florida 32818

Ref. No.: 08-0243

Dear Mr. Lovelace:

This responds to your letter dated September 19, 2008, regarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) that apply to the placement of hazard warning labels on propane cylinders.

You state that as a propane marketer and refiller of 20 pound cylinders, your company has placed over 900 "Flammable Gas" labels on propane cylinders. The cylinders at issue have never had the Flammable Gas label affixed to the cylinder (neck) for transportation, although they had contained Propane prior to customers bringing them in for refilling. You ask if your understanding is correct that a cylinder containing Propane should have a Flammable Gas label permanently affixed to the cylinder (neck), rather than on a removable "plastic sleeve" placed around the body of the cylinder that displays the Flammable gas label among advertisements.

It is unclear whether you are addressing the placement of the Flammable Gas label on the neck of a cylinder that contains propane or cylinders that have been emptied and no longer represent a flammable gas hazard in transportation, but are brought to your company for refilling. Generally, a hazard warning label must be printed on or affixed to a surface (other than the bottom) of the package or containment device containing the hazardous material, and located on the same surface of the package and near the proper shipping name marking, if the package dimensions are adequate.

As prescribed in § 172.400a(a)(i) and (ii) of the HMR, a hazard warning label is not required on a cylinder containing a Division 2.1, 2.2 or 2.3 material that is not overpacked and durably and legibly marked in accordance with CGA Pamphlet C-7, Appendix A; that is, a neck ring label may be used on a cylinder in place of a hazard warning label.

A hazard warning label may be printed on or placed on a securely affixed tag, or may be affixed by other suitable means to a: 1) package that contains no radioactive material and that has dimensions less than those of the required label; 2) cylinder; and 3) package with such an irregular surface that a label cannot be satisfactorily affixed. Therefore, a removable "plastic

sleeve" affixed to, or placed around the body of the cylinder that displays the Flammable Gas label for Propane is acceptable (See § 172.406).

Cylinders that are emptied and cleaned and purged of residue and that no longer pose a hazard in transportation must be shipped in accordance with the empty packagings requirements prescribed in §173.29.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

LOVELACE GAS SERVICE, INC.
10606 East Colonial Drive
Orlando, Florida 32818

Engram
\$ 172.400
\$ 172.4009
\$ 172.406.
Labeling
08-0243

September 19, 2008

Office of Hazardous Materials Standards
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Ref: Labeling of DOT 4BA, 20# Propane cylinders

To Whom It May Concern:

We are a Propane Marketer and refiller of 20# propane cylinders. In the last several months we have had to place over 900 DOT UN1075 Flammable gas labels on propane cylinders. Those cylinders have never had the label affixed to cylinders for transportation, even though they had contained propane prior to customers bringing them for a refill.

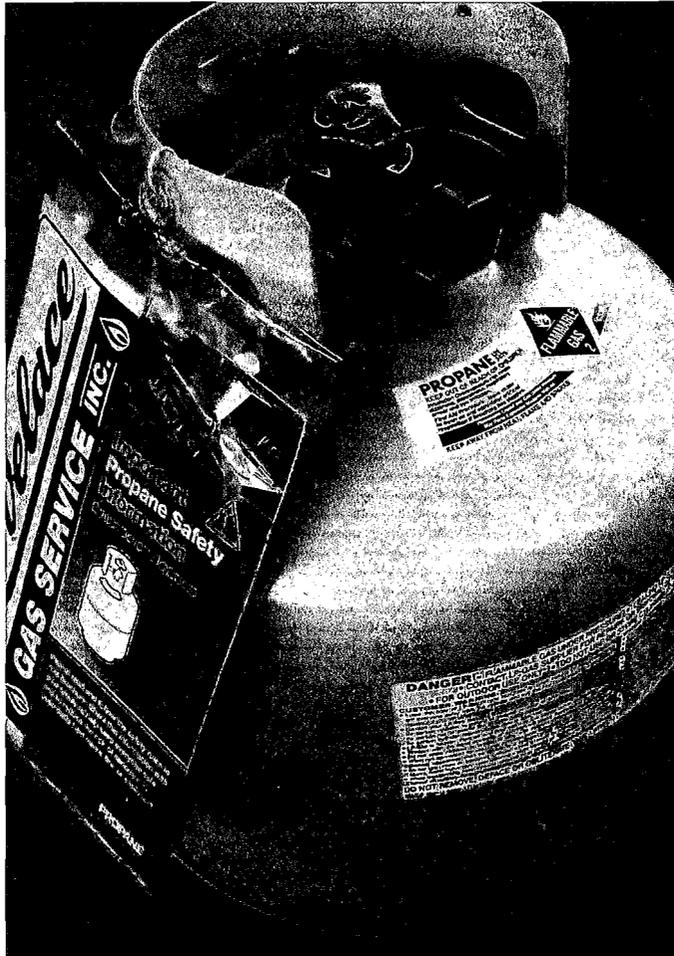
It is my understanding those labels should be permanently affixed to cylinders, so they cannot be easily removed and be readily visible to the consumer. However, others seem to believe it is not necessary to have the label affixed to cylinder, if plastic sleeves have printing of a label among the advertisement on sleeves. Plastic sleeves are not durable and a hindrance for visual inspection of cylinders before refilling. Therefore, must be removed for cylinder inspection. We have found when plastic sleeves have been added to 20# cylinders containing propane, there is substantial evidence that rust can form on cylinders caused by the plastic sleeves. This does not occur to cylinders, when plastic sleeves have never been on them.

It would appear to me, the Hazardous Materials Regulations "Transportation" should be interpreted as requiring a permanent type label affixed on 20# cylinders for transportation when containing propane. This is because a 20# cylinder can be refilled many times and last several years. Therefore, I question, the logic of substituting permanent labels for temporary labels on nondurable plastic sleeves. The "transportation," label printed on plastic sleeve, is not visible from the front of cylinder where the consumer would normally view it during use.

I would appreciate your assistance helping me to properly interpret the regulations in this matter.

Sincerely,


"Bill" Lovelace, Sr.



This is one example, of why the “cylinder exchange world” would not end without plastic sleeves on cylinders. As you can see, the warning and label for “Transportation,” are visible for consumer to see, no obstructions on cylinder, leaves it easy for a visual inspection and it has no plastic sleeve on it to result in rust.

- LEAKING LP-GAS MAY CAUSE FIRE OR EXPLOSION IF IGNITED
- CONTACT LP-GAS SUPPLIER FOR REPAIRS OR DISPOSAL OF THIS CYLINDER OR UNUSED LP-GAS
- DO NOT STORE THIS CYLINDER IN A BUILDING, GARAGE OR ENCLOSED AREA



**LIQUEFIED
PETROLEUM GAS**
UN 1075



- Know the odor of LP Gas. If you hear, see or smell leaking LP Gas, immediately get everyone away from the cylinder and call the Fire Department. Do not attempt repairs.
- Caution your LP Gas supplier to:
 - Be certain cylinder is purged of trapped air prior to first filling.
 - Be certain not to overfill the cylinder.

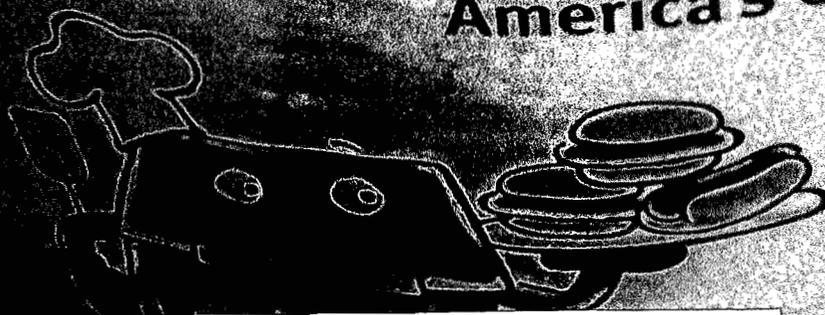
- Read and follow instructions on label
- WHEN CONNECTING cylinder, use only in compliance with applicable codes and regulations
- Consult manufacturer's instructions for proper cylinder connection
- Before regulator is attached, turn off all valves
- To Connect: See instructions on label
- Attach Appliance to Connector ()
- Tighten with wrench. If Connector is loose, test for leaks. If there is a leak, test again for leaks
- Never check for leaks with flame
- Light appliance when ready
- When appliance is used, turn off all valves

FOR ASSISTANCE

!

AmericaGas

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**Cylinders
Exchange**

ercambio del cilindros

**USDOT LABELS FOR "TRANSPORTATION"
ARE NOT AFFIXED TO CYLINDERS**

PLEASE READ ALL INSTRUCTIONS AND SAFETY PRECAUTIONS
FOR THE USE OF THIS PRODUCT.