



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

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

NOV 09 2011

Mr. John George  
Foster Fuels Inc.  
P.O. Box 190  
Brookneal, VA 24528

Reference No.: 11-0220

Dear Mr. George:

This responds to your email requesting clarification of Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking requirements for Department of Transportation (DOT) specification cylinders. Specifically, you ask if the Retester Identification Number (RIN) must be marked on DOT specification cylinders that have been given an external visual inspection in accordance with § 180.209(g) if the cylinders are used exclusively on private property and are not offered for transportation.

Cylinders that are filled and used exclusively on private property and are not offered for transportation in commerce are not directly regulated under the HMR. However, these cylinders are subject to the Occupation Safety and Health Administration (OSHA) Standards. In accordance with OSHA standard 29 CFR § 1910.101, each employer shall determine that compressed gas cylinders under their control are in a safe condition to the extent that this can be determined by visual inspection conducted in accordance with the HMR. As stated in 49 CFR § 180.205(b), no person may mark a cylinder to represent that it meets a DOT specification unless all applicable requirements of 49 CFR Subpart C of Part 180 have been met. A cylinder that is marked to certify that it conforms to HMR requirements must be maintained in accordance with applicable specification requirements in the HMR whether or not it is in transportation in commerce. This includes the marking of the RIN on DOT specification cylinders meeting the requirements specified in § 180.209(g). If the owner of the DOT specification cylinder wishes to continue to use the cylinder but does not wish to re-qualify the cylinder as a specification cylinder and mark the RIN to denote compliance with § 180.209(g), the owner must obliterate or cover any specification markings whether or not it is being used to transport hazardous materials in commerce.

I hope this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Charles E. Betts  
Director  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Benedict  
≈ 180.209 (g)  
≈ 180.213

**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, September 06, 2011 10:02 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Cylinder Requalification  
**Attachments:** image001.jpg

Cylinders  
11-0220

Hi Carolyn,

We received the following request for a letter of interpretation.

Thanks,  
Victoria

Victoria Lehman  
Hazmat Information Center (HMIC)  
<http://phmsa.dot.gov/hazmat/info-center>  
(202) 366-1035

**From:** John George [<mailto:john.george@fosterfuels.com>]  
**Sent:** Wednesday, August 31, 2011 4:39 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Cylinder Requalification

Request written interpretation for subject matter.

Request clarification on section 180.209(g) and 180.213 as to the marking requirement of the RIN number by a propane distributor when requalifying a DOT cylinder (by external visual only) at a consumer's home, cylinder is not in transportation.

Background: NFPA 58 2008 edition states under section 5.2.2 Cylinders: that the RIN number is not required to be marked on the cylinder when the cylinder is requalified utilizing the external visual inspection because the cylinder is not in transportation.

Based on our application and letter from the Pipeline and Hazardous Materials Safety Administration to Foster Fuels Inc. (RIN #V112258) it seems the RIN is required on all DOT cylinder requalification's.

I hope you can add some clarity.

With Regards,  
John George, Foster Fuels



**Celebrating 90 Years of Service Excellence... 1921-2011**

**John George**  
Safety Director

**FOSTER FUELS, INC.**

P.O. Box 190 | 16720 Brookneal Hwy | Brookneal, VA 24528

Office 434.376.2322 | Fax 434.376.5969

[www.fosterfuels.com](http://www.fosterfuels.com)

This email may contain confidential information belonging to Foster Fuels Inc and its affiliates. Review, distribution and/or forwarding without express permission are strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.