



THE MARK OF
PROFESSIONAL SERVICE

NATIONAL ASSOCIATION OF FIRE EQUIPMENT DISTRIBUTORS INC.

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February 2, 1994

U.S. Department of Transportation
Research and Special Programs Administration
Administrator
Docket Unit
400 Seventh Street, S.W.
Washington, D.C. 20590

SUBJECT: Petition for Rulemaking
Amendment to 49 CFR § 173.309(a)(3)(iv)
NAFED Reference No. 49FR94.3

Gentlemen:

Pursuant to the December 15, 1993 meeting at DOT headquarters, the National Association of Fire Equipment Distributors hereby petition the Department of Transportation, Research and Special Programs Administration to amend the Code of Federal Regulations, Title 49, Section 173.309(a)(3)(iv).

The revision that we request is to change this section to read; "For any subsequent shipment, each fire extinguisher must be in compliance with the retest requirements of the Occupational Safety and Health Administration Regulations of the Department of Labor, 29 CFR 1910.157."

The proposed revision would simply eliminate the reference to paragraph (e) of 29 CFR § 1910.157. The reason for this request is that paragraph (e) is the section of the OSHA regulations that concerns the inspection and maintenance of portable fire extinguishers and does not address the hydrostatic retest frequency and test method for non-specification cylinders used as fire extinguishers.

Thank you for your consideration in this matter.

Sincerely,

Norbert W. Makowka
Technical Director