



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC | 1994

Mr. Fred B. Goodnight
Vice President Engineering
Amerex Corporation
P. O. Box 81
Trussville, AL 35173-0081

Dear Mr. Goodnight:

This is in reference to your letter dated November 15, 1994, requesting an amendment of 49 CFR 173.309(a)(3) to require testing and inspection of nonspecification cylinders used as fire extinguishers in accordance with the Hazardous Materials Regulations instead of the Occupational Safety and Health Administration's regulations (29 CFR 1910.157).

Your letter has been accepted as a petition for rulemaking under § 106.31 and assigned number, P-1260. If you should write to us regarding this petition, please make reference to this petition number.

Sincerely,

Verdell M. Simpkins, Regulatory
Document and Information Specialist
Office of Hazardous Materials
Exemptions and Approvals