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| Effective today, Monday, January 23 2017, the requalification period for DOT specification cylinders has changed.  The Pipeline and Hazardous Materials Safety Administration (PHMSA) changed the requalification period for DOT specification cylinders detailed in 49 CFR 180.209(e) of the hazardous material regulations as follows:* **The initial requalification period for DOT cylinders following volumetric expansion testing changes from 12 years to 10 years;**
* **The requalification period for DOT cylinders following a proof pressure test changes from 7 years to 10 years.**

NPGA Actions to Overturn This:* Prior to the formal actions listed below, NPGA was in contact with PHMSA at the staff-level via phone and e-mail.  We attempted to pursue a staff to staff level change; however, when DOT failed to respond appropriately, we began formal action.
* On January 13, 2017, NPGA filed a formal petition for a stay of the rule.  The filing asserts PHMSA did not follow the prescribed legal process outlined in the Administrative Procedure Act, is inconsistent with previous PHMSA directions, and has negative consequences for small businesses and consumers.  PHMSA has received the petition but has not formally responded to any inquiries.
	+ NPGA has highlighted to PHMSA the error in the agency's actions that implement these changes to DOT cylinder requalification requirements.  The changes were part of a broader PHMSA rulemaking (HM-233F) that incorporated nearly 100 special permits into the federal hazardous materials regulations.  Nowhere, in either the proposed rule or final rule, did PHMSA provide any rationale or substantiation for the changes or address them in any form.
* NPGA is having conversations with Members of Congress on the relevant oversight Committees and urging intervention.  These conversations have been productive and has already resulted in Congressional communications to the agency regarding this issue.
* NPGA is working with the DOT Transition Team to determine whether this rule is included in the Executive Order to postpone the effective date of pending regulatory actions by 60 days.
* NPGA is working with PERC to update the relevant training and testing materials.  Please contact Stuart Flatowfor inquiries related to safety materials.

If you have any questions, please feel free to contact Mike Caldarera at mcaldarera@npga.org or Sarah Reboli at sreboli@npga.org. |

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