



U.S. Department of Transportation

**Pipeline and Hazardous  
Materials Safety Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590-0001

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**NOTICE OF SUSPENSION OF DOT-SP 13957**

Date Issued: May 10, 2007

Issued to: The Lite Cylinder Company, Inc.  
112 Alpha Drive  
Franklin, TN 37064

c/o: Lawrence W. Bierlein  
McCarthy, Sweeney, & Harkaway, P.C.  
Suite 600  
2175 K Street, NW  
Washington, DC 20037

Dear Mr. Bierlein:

This letter informs The Lite Cylinder Company, Inc. (TLCCI) that its authorization under special permit (DOT-SP 13957) to manufacture a non-DOT specification, liner-less, fully-wrapped fiberglass composite cylinder is hereby **SUSPENDED**, effective immediately upon service of this Notice of Suspension.

On February 3, 2006, TLCCI was granted a special permit by the Pipeline and Hazardous Materials Safety Administration 's (PHMSA) Office of Hazardous Materials Special Permits and Approvals to manufacture, mark, sell and use a non-DOT specification, liner-less, fully-wrapped fiberglass composite cylinder for the transportation in commerce of the following hazardous materials:

Compressed gas, flammable, n.o.s., 2.1, UN1954;  
Compressed gas, non-flammable, n.o.s., 2.2, UN1956;  
Liquefied gas, flammable, n.o.s., 2.1, UN3161  
Liquefied gas, n.o.s., 2.2, UN3163;  
Liquefied gases, *non-flammable charged with nitrogen, carbon dioxide or air*, 2.2,  
UN1058;  
Petroleum gases, liquefied, 2.1, UN1075

On or about January 16, 2007, to January 18, 2007, TLCCI manufactured, marked and sold, among other sizes, 33-lb. water capacity (WC) liner-less, fully wrapped fiberglass composite cylinders under DOT-SP 13957. The cylinders were subsequently sold to TLCCI's customers. On April 4, 2007, filled with propane and stored at Heritage Propane in Miami, Florida, one 33-lb. cylinder ruptured. A second cylinder ruptured on April 10, 2007; three more cylinders ruptured on April 13, 2007. The serial numbers of the ruptured cylinders were 14674, 14750, 14757, 14866, and 14881. The Florida Bureau of LP Gas Inspections notified the Office of Hazardous Materials Enforcement (OHME), Southern Region, of the incident. Based on this notification, investigators from OHME's Special Investigations Division conducted an inspection of TLCCI on April 25, 2007.

PHMSA takes this action today based upon the rupture/failures of five 33-lb. cylinders combined with what appear to be deficiencies in the manufacturing process, in accordance with 49 C.F.R. § 107.121(b)(1). I find that a change in circumstances has occurred and this special permit would no longer be granted if applied for at this time as the manufacture of these cylinders would not meet the criteria that cylinders produced under this special permit are consistent with the public interest and are adequate to protect against the risks to life and property inherent in the transportation of hazardous materials in commerce (49 C.F.R. § 107.113(f)(2)). This notice of suspension does not extend nor prohibit the use of 20-lb. WC cylinders manufactured, marked, and certified prior to May 10, 2007. This suspension prohibits the continued use of any DOT-SP 13957 33-lb. WC cylinders and new manufacture of any cylinder size or type under DOT-SP 13957 after May 10, 2007.

What actions are required under this Notice of Suspension? TLCCI must first cease the production, manufacture, and sales of all cylinders under DOT-SP 13957. TLCCI must notify all of its 33-lb. WC cylinder customers of this suspension notice within 24 hours of receipt of this letter, conveying that the continued use of such cylinders in hazardous materials service is prohibited. In addition, for all cylinders manufactured under DOT-SP 13957, TLCCI must provide the following information:

- (1) Total number of cylinders manufactured, categorized by type (10-lb., 20-lb., and 33-lb.), indicating date of manufacture;
- (2) Number of cylinders sold, categorized by type;
- (3) Number of cylinders remaining in inventory, categorized by type;
- (4) List of serial numbers, categorized by type;
- (5) Customers to which cylinders were sold;
- (6) If cylinders sold to a retail/wholesale organization, whether customer information may be obtained.

How do I respond to this Notice of Suspension? Although this SUSPENSION is effective immediately upon service by a PHMSA Investigator, you may, in accordance with the provisions of § 107.121(c)(1) file a written response to this Notice of Suspension.

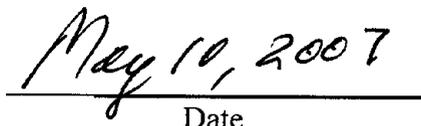
When is my response due? You must respond within thirty (30) days from the date of service of this Notice of Suspension. Your response must be in writing and must be addressed to:

Associate Administrator for Hazardous Materials Safety  
Office of Hazardous Materials Special Permits and Approvals  
Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Avenue, SE  
East Building, E21-304 (PHH-30)  
Washington, DC 20590

What happens if I fail to respond? You waive your right to be heard further on this matter and the Associate Administrator will make a permanent finding based on the current facts and circumstances surrounding this Notice of Suspension.



Theodore L. Wilke  
Acting Associate Administrator  
for Hazardous Materials Safety



Date

**VIA PERSONAL SERVICE**