

OSHA Instruction STD 3-8.2
March 11, 1981
Office of Compliance Programming

SUBJECT: 29 CFR 1926.350(a)(9) Securing of Compressed Gas Cylinders

- A. **Purpose.** This instruction emphasizes that the OSHA standard, 29 CFR 1926.350(a)(9), applies to transporting, moving and storing compressed gas cylinders at construction sites only.
- B. **Scope.** This instruction applies OSHA-wide.
- C. **Action.** OSHA Regional Administrators and Area Directors shall assure that CSHO's do not apply 29 CFR 1926.350(a)(9) to the manufacturers and distributors of welding gases based on the following:
1. The construction standard, 29 CFR 1926.350(a) (9), or any comparable maritime standard, does not apply to welding gas supply manufacturers or distributors who do not secure compressed gas cylinders in an upright position on their premises.
 2. The general industry standards, 29 CFR 1910, Subpart Q--Welding, Cutting, and Brazing, (Source Standard is in NFPA-51-1969) do not contain any standard comparable to the construction standard, 29 CFR 1926.350(a)(9).
 3. 29 CFR 1910.101(b) references, through CGA Pamphlet P-1-1965 article 3.3.1, the source standard, NFPA No. 51-1969 paragraph 1023, which states: "This Standard does not apply to the manufacture of gases and the filling of cylinders."
- D. **Federal Program Change.** This instruction describes a Federal program change which affects State programs. Each Regional Administrator shall:
1. Ensure that this change is forwarded to each State designee.
 2. Explain the technical content of the change to the State designees as requested.
 3. Ensure that the State designees are asked to acknowledge receipt of the Federal program change in writing, within 30 days of notification, to the Regional Administrator. This acknowledgment should include a description either of the State's plan to implement the change or of the reasons why the change should not apply to that State.
 4. Review policies, instruction and guidelines issued by the State to determine that this change has been communicated to State program personnel. Routine monitoring activities (accompanied inspections and case file reviews) shall also be used to determine if this change has been implemented in actual performance.

OSHA Instruction STD 3-8.2
March 11, 1981
Office of Compliance Programming

- E. **Background.** The National Welding Supply Association has brought to our attention that citations were issued to its manufacturer and distributor members in various parts of the country by compliance officers who are attempting to apply the standard, 29 CFR 1926.350(a)(9), to the activity of these manufacturers and distributors. The intent of the standard applies to gas welding or cutting on a construction site; it does not apply to the manufacturers and distributors of welding gases prior to delivery at the construction site. In addition, manufacturers and distributors have personnel experienced in the handling of the cylinders, who cap, carefully rack, and store the cylinders in an upright position. Continual chaining and unchaining, for example, of hundreds of cylinders as they are moved out of the plant and off the loading docks may produce other hazards.

Bruce Hillenbrand
Deputy Director, Federal Compliance and State Programs

DISTRIBUTION: National, Regional and Area Offices All Compliance Officers
State Designees NIOSH Regional Program Directors