U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

MAY 1 0 2005

Mr. John N. Thompson
Matheson Tri-Gas
4 Vermont Square
Edgewater Park, NJ 08010

Dear Mr. Thompson:

Your March 29, 2005 application for exemption (14191-N) is returned herewith because it failed to meet the requirements of 49 CFR 107.105 for the following reason:

> Your application did not demonstrate a level of safety that is at least equal to that required by the HMR (see § 107.105(d)). Specifically, an exemption from the provisions of 49 CFR 172.400a to authorize use of the CGA label (1 inch x 1 inch) on full size packages other than cylinders would not provide for a level of safety equivalent to that provided by the existing regulations and is not in the public interest.

If you have any questions, please do not hesitate to contact Diane LaValle of my staff at (202) 366-4535.

Sincerely,

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions and Approvals