



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 28 2000

Mr. Steven Pfeiffer
Smurfit-Stone Container Corporation
450 East North Avenue
Carol Stream, IL 60188

Ref No. 00-0149

Dear Mr. Pfeiffer:

This is in response to your letter dated May 15, 2000, regarding marking of Flexible Intermediate Bulk Containers (FIBCs) or bulk bags made of woven polypropylene under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that one thousand (1,000) of these bags were marked with the incorrect proper shipping name and identification number. You asked whether the methods described below, to cover and correct the wrong markings, would be acceptable in order to make these FIBCs usable:

- 1) Cover the incorrect marking with a white ink that will completely block out this error, and then reprint the bags with the correct marking; and/or
- 2) Sew a panel of woven polypropylene fabric over the entire width and length of that side of the four sided container (that would hide the current incorrect print) and then print this "cover panel" with the correct markings. Additionally, you would be willing to block out the marking as suggested above and then sew in this cover panel, if necessary.

Method "1", described above, to correct the markings on these FIBCs appears acceptable. However, as described under method "2", sewing a panel of woven polypropylene fabric over the entire width and length of one side of the four sided container to cover these markings is not acceptable because the added fabric weight would change the structural design, and would be a different intermediate bulk container design type requiring performance testing.

For your information, there is no requirement in HMR to mark an IBC with the proper shipping name of the material being shipped, although it is not prohibited. The identification number must be marked on the FIBC as specified in § 172.331.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



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§ 173.302
00-0149

Mr. Edward Mazzullo
Office of Hazardous Material Standards
400 Seventh Street, S.W.
Room 8422
Washington, DC 20590

May 15, 2000

Dear Mr. Mazzullo:

Smurfit-Stone Container Corporation is a sales agent for Marino Technologies in Opa Locka, FL. Marino Technologies is a manufacturer of flexible intermediate bulk containers made of woven polypropylene (i.e., f.i.b.c./ bulk bags).

We recently manufactured 1,000 (one thousand) f.i.b.c.'s for Dart Container Corporation and printed the U.N. number and proper shipping name incorrectly on these bags (we printed in error UN 3077, environmentally hazardous substance...should have been UN 2211 polymeric beads, expandable) We are requesting that we be allowed to do the following to make these bags usable:

- 1) Cover the incorrect printing with a white ink that will completely block out this error. Then, reprint the bags with the correct print.

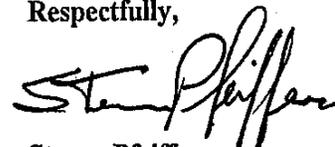
(and / or)

- 2) Sew a panel of woven polypropylene fabric over the entire width and length of that side of this four sided container (that would hide the current incorrect print) and then print this "cover panel" with the correct print. Additionally, we would be willing to block out the print as suggested above and then sew in this cover panel, if necessary.

Mr. Mazzullo, if we are allowed to make these modifications, Dart Container is requesting that we receive a letter from your agency that approves the above changes.

Thank you in advance for your expeditious review of this situation and we will await your decision.

Respectfully,



Steven Pfeiffer
Regional Manager
630-671-0712

Direct Phone#

cc: Beth Morales
Steve Straka
Ed Tytke