



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

MAY 24 2004

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

Ms. Kimberly D. Glover-Brown
Eastman Chemical Company
2801 Lynwood Road
Lynwood, CA 90262

Ref. No. 04-0018

Dear Ms. Glover-Brown:

This is in response to your January 23, 2004 letter requesting clarification regarding the marking of IBCs under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a tag showing the retest date affixed near the serial number plate of an IBC would comply with the HMR.

The answer is no. Section 180.352(e) states that the date of the most recent periodic retest must be marked as provided in § 178.703(b). Section 178.703(b)(2) states, in part, that for each metal IBC, the marking must be included on a metal corrosion resistant-plate. Therefore, a tag showing the retest date affixed near the serial number plate of an IBC does not conform to the above referenced requirements.

I hope this information is helpful. If you have additional questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



040018

178.703

Betts
§ 178.703

INFOCNTR

From: Glover-Brown, Kimberly D - Eastman [kimbrown@eastman.com]
Sent: Thursday, January 22, 2004 4:21 PM
To: INFOCNTR
Cc: Truelsen, Barbara A - Eastman; Sutkowski, Richard - Eastman
Subject: RE: Recertification dates on IBCs

IBC
04-0018



Picture 058.jpg

The above picture shows how we are currently marking the recertification date on our IBC's. According to the 49 CFR we believe we are in compliance but there is a question, hence the need for clarification.

Please forward a formal letter of clarification to:

Kimberly Glover-Brown
Eastman Chemical Company
2801 Lynwood Road
Lynwood, CA 90262
USA
(310) 884-5522

Thank you very much for your assistance.

-----Original Message-----

From: INFOCNTR [mailto:Infocntr@rspa.dot.gov]
Sent: Thursday, January 22, 2004 10:47 AM
To: Glover-Brown, Kimberly D - Eastman
Subject: RE: Recertification dates on IBCs

Dear Ms. Glover-Brown,

We have received your inquiry about the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The HMR are available at the following URL: <http://hazmat.dot.gov/rules.htm>.

Section 180.352(e) requires the most recent test date to be marked as provided in § 178.703(b). Section 178.703(b) specifies that each IBC must be marked in a place near the manufacturer markings.

If you require further assistance, our Hazardous Materials Information Center is staffed with regulatory specialists who can quickly answer your questions by phone. Please do not hesitate to call, as the Information Center is open Monday through Friday, 9 am - 5 pm E.S.T. at (800) 467-4922 or (202) 366-4488.

Sincerely,

Kevin Leary, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://hazmat.dot.gov/infocent.htm>

-----Original Message-----

From: Glover-Brown, Kimberly D - Eastman [mailto:kimbrown@eastman.com]

Sent: Wednesday, January 21, 2004 1:07 PM
To: INFOCNTR
Subject: FW: Recertification dates on IBCs
Importance: High

> -----Original Message-----

> From: Glover-Brown, Kimberly D - Eastman
> Sent: Wednesday, January 21, 2004 10:05 AM
> To: 'infocntr@rispa.dot.gov'
> Subject: FW: Recertification dates on IBCs
> Importance: High

> -----Original Message-----

> From: Glover-Brown, Kimberly D - Eastman
> Sent: Wednesday, January 21, 2004 9:58 AM
> To: 'infocenter@rispa.dot.gov'
> Subject: FW: Recertification dates on IBCs

> -----Original Message-----

> From: Glover-Brown, Kimberly D - Eastman
> Sent: Wednesday, January 21, 2004 9:52 AM
> To: 'infocentr@rispa.dot.gov'
> Subject: Recertification dates on IBCs

> I have just finished a telephone conversation with the info center of
> DOT and they advised to send this email to obtain a written response
> to the following question. Would an affixed tag showing the
> recertification date near the Serial number plate be sufficient for
> DOT? I was told by the operator of the info center that it would be
> fine according to 180 subpart D of the 49CFR, quality and maintenance
> of Intermediate Bulk Containers. However I think it is best to have a
> written response. Thank you in advance.

> Kimberly Glover-Brown
> Eastman Chemical
> 2801 Lynwood Road
> Lynwood, CA 90262
> USA
> (310) 884-5522

