



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

NOV 27 2017

Jason Furrer  
Project Engineer  
Elkhart Plastics, Inc.  
51703 Packard Drive  
Middlebury, IN 46540

Reference No. 17-0075

Dear Mr. Furrer:

This letter is in response to your June 27, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to drop testing requirements for Intermediate Bulk Containers (IBCs). Specifically, you ask whether the scenario you provide meets the criteria in § 178.810(e) for a failure of the drop test. You provide pictures showing a broken plastic fitting on a pump mounted to the top neck fill on an IBC and explain that the opening is located at least six inches above the fluid level of the package. Additionally, you explain that the test lab noted, "minor discharge, but no continued leakage."

The criteria for passing the drop test in § 178.810(e) state, "there may be no damage which renders the IBC unsafe to be transported for salvage or for disposable." Based on the scenario you provided, it is the opinion of this Office that a damaged fitting that creates an opening in the package renders the IBC unsafe to be transported.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

**Dodd, Alice (PHMSA)**

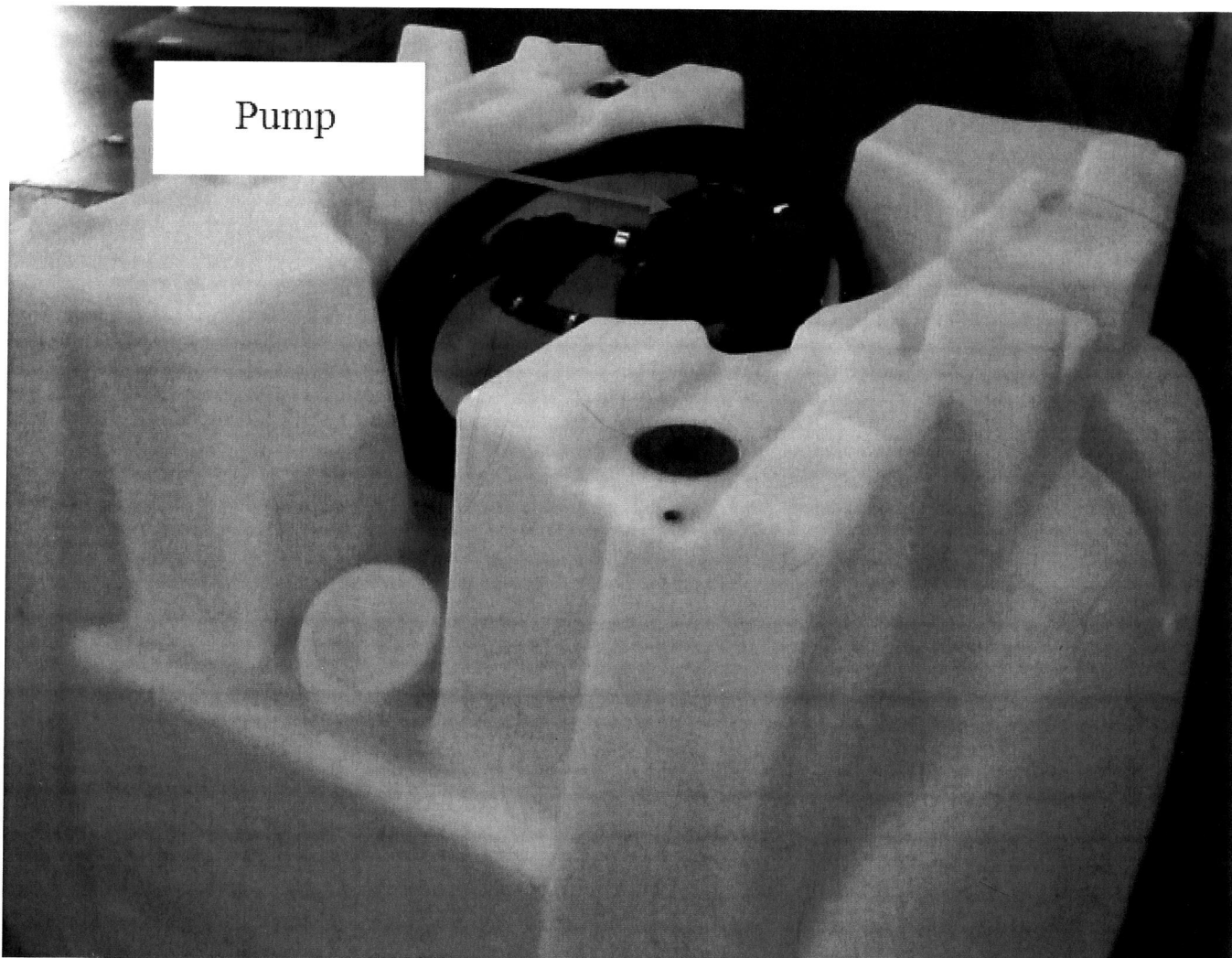
Hehman  
8175.810(3)(c)  
Packaging Specs  
17-0075

**From:** Jones, Jodi CTR (PHMSA)  
**Sent:** Wednesday, July 26, 2017 11:29 AM  
**To:** Hazmat Interps  
**Subject:** FW: Request for Interpretation

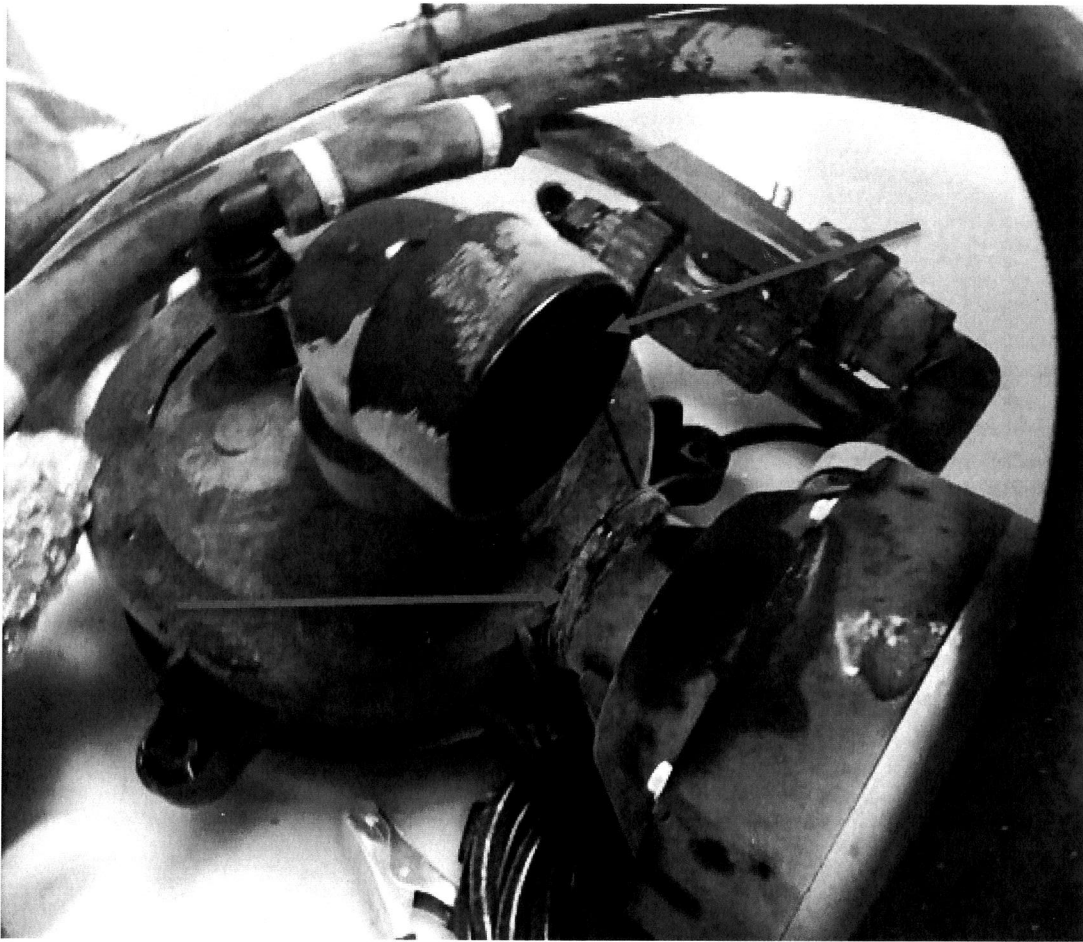
**From:** Jason Furrer [mailto:jason.furrer@epi-roto.com]  
**Sent:** Tuesday, June 27, 2017 9:35 AM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Cc:** Chuck Huston <Chuck.Huston@epi-roto.com>; Cullen Jones <cullen.jones@epi-roto.com>  
**Subject:** Request for Interpretation

DOT Hazmat specialists,

We have a 220 gallon IBC tank with a 12VDC pump mounted on the top fill neck as shown below.



During the drop test at a third party test lab, the plastic fitting next to the pump broke as shown below.



According to the test lab, "there was a minor discharge, but no continued leakage." The concern would be whether or not this would be unsafe to be transported for salvage or disposal (per 178.810 (3) (e)). I spoke with Eamonn on the DOT hotline and he was unable to address this "performance" standard.

Since the open fitting is over 6 inches above the fluid level, would this be considered unsafe for transport?

Thank you,

**Jason Furrer, P.E.**

Project Engineer

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