



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

January 11, 2021

Bret Hilpiper  
Van Diest Supply Company  
1434 220th St  
Webster City, IA 50595

Reference No. 20-0091

Dear Mr. Hilpiper:

This letter is in response to your November 24, 2020, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to highway transportation load securement requirements. In your letter, you describe a scenario and provide photographs illustrating the method of securement of your intermediate bulk containers (IBCs) within a trailer. Furthermore, you state that you believe the forward pressure of the IBCs on each IBC in front of it—created by strapping the IBCs at the rear of the trailer—keeps all the IBCs from shifting side to side. Specifically, you request confirmation that this manner of load securement meets the performance standard of § 177.834(a) of the HMR.

Based on the photographs and information provided in your letter, we cannot definitively determine whether the load is secured against shifting. Section 177.834(a) states that “any package containing any hazardous material, not permanently attached to a motor vehicle, must be secured against shifting, including relative motion between packages, within the vehicle on which it is being transported, under conditions normally incident to transportation.” As illustrated by the photographs, there appear to be voids between the IBCs, and between the IBCs and the sides of the trailer, which could allow the IBCs to shift in the absence of a method of securement. The longitudinal securement of the load by strapping the IBCs at the rear of the trailer may be appropriate if it achieves the performance standard of “securing against shifting” under normal transportation conditions.

Note that specific methods for securing packages in a motor vehicle are not provided in the HMR. However, varied methods, such as tiedowns, using dunnage or other cargo, shoring bars, jack bars, or toe-boards could be acceptable to secure the IBCs from shifting within the trailer. I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a prominent initial "D".

Dirk Der Kinderen  
Chief, Standards Development Branch  
Standards and Rulemaking Division

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Hazmat Interps](#)  
**Subject:** FW: Clarification  
**Date:** Wednesday, November 25, 2020 11:21:44 AM

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Hello Alice,

Below and attached pictures are a request for official letter of interpretation.

Thanks,

Jonathon, HMIC

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**From:** Bret Hilpipre [mailto:bret.hilpipre@vdsc.com]  
**Sent:** Tuesday, November 24, 2020 12:39 PM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Subject:** Clarification

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To Whom it may concern;

On 10/20/2020, we received an "out-of-service" under the violation 177.834A. The officer description is that our IBC's weren't secured from left/right movement in the trailer. However, the forward pressure from the IBC's behind the single tanks and every IBC behind the next keeps the single IBC's from shifting side to side and they are strapped in the back from creating separations. I would agree with him if there was space/separation in front or behind the IBC's and no forward pressure on the IBC behind it. However in this example I believe the forward pressure allows for safe transportation and prevents side to side movement. We transport 1000's of these loads a year and I would like your interpretation to know if we need to change how we are hauling these loads in the future.

**Bret Hilpipre** | Director of Transportation



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