



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 20, 2023

Mr. Charles Gilson
Branch Manager
Heil Trailer
3808 Bells Lane
Louisville, KY 40211

Reference No. 22-0058

Dear Mr. Gilson:

This letter is in response to your June 23, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the repair of an intermediate bulk container (IBC). In your letter, you describe two methods to repair a cracked threaded “nipple” used to attach service equipment to an IBC. The first method would involve removing all but one-half inch of the existing threaded “nipple” and welding a 90-degree threaded elbow pipe in its place. The second method would differ only in that the original threaded “nipple” would be removed entirely. You ask whether either proposed method would be considered a repair or constitute a “different IBC design type” as defined in § 178.801(c)(7) of the HMR.

Based on the information and pictures provided in your letter, it is the opinion of this Office that both of your proposed repair methods would constitute a “different IBC design type” and furthermore, the IBC would be required to be retested in accordance with Part 178, Subpart O (Testing of IBCs). Section §178.801(c)(7)(iv) authorizes the replacement of service equipment without it qualifying as a design change. Because the welding of the 90-degree threaded elbow makes a once-removable fitting a permanent part of the packaging, the repair is considered a different IBC design type in accordance with 178.801(c)(7).

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

Letter of Interpretation To Whom It May Concern,

My name is Charles Gilson, and I am the branch manager for our Heil Tank Service location in Louisville Kentucky. We currently hold an R stamp (cert number 3154), we hold a Hazardous Material Certificate of Registration (reg. no 061621001033D), and are registered to perform multiple functions listed with your department under USDOT 1177618, CT Number 61.

We have a customer that has many IBC totes locally that we perform testing and is wanting us to start making minor repairs on cracks. The minor repairs mainly being on the valves and some cracks in the barrels. This customer has had a big issue with the threaded nipple "cracking" where the elbow threads on, coming from the bottom of the tank. It appears the threaded nipple is a weak spot in the discharge line, as it carries the majority of the weight of the apparatus.

In the pictures attached, you can see the "current style" written on the photo, which is what the set-up is on the units now.

We have two proposed method's that we have run through our engineering team for consideration, but we would like to confirm with the DOT itself on if this would be a simple repair/ mod to the discharge, or considered a New Package. Either way is fine, and we are happy to treat it as a "New Package" and go through the steps required if necessary.

-First method would be to cut the nipple leaving $\frac{1}{2}$ " and attaching a weld on 90deg fitting as you can see in the picture that says "proposed method option". The picture shown though would not be the actual repair type as the picture shows the weld on 90deg elbow welded directly to the tote bottom. We would weld on only the leftover threading going into the barrel.

-Second method would be to remove the threaded nipple all together and weld on the 90deg elbow as shown in the picture that says "proposed method option", and it would reflect the same as the picture shows, welded directly to the bottom of the barrel.

In our research and consultation with our engineers, these two codes seem to read that either method we are proposing, would be considered a repair and not a "new package". As mentioned earlier I would like to get actual confirmation from your office on the correct path, as would our engineering team to confirm.

178.801(c)(7)(iv) says that a change in service equipment is not a change in design type and 180.352(d)(3) allows for replacement of service equipment provided the functioning and leak tightness are verified.



Can you please respond for both method's as we may run across different situations where one or the other may need to be done in that fashion depending on the location of the crack.

Charles Gilson

3808 Bells Lane, Louisville, KY 40211

502-528-3024

~~Crack~~
on Nipple (Backside)



current style



Proposed method option

