



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 10 2015

Ms. Laura Buholca
Technical Manager
Columbus Chemical Industries
N4335 Tempkin Road
Columbus, WI 53925

Ref. No. 15-0047

Dear Ms. Buholca:

This responds to your March 12, 2015 email requesting clarification on the recertification requirements for intermediate bulk containers (IBCs) under §§ 180.350 and 180.352 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if recertification is required every 2.5 years starting from the date of manufacture or the date of first fill.

In your letter, you state that it is your understanding that recertification must take place 2.5 years from date of manufacture; however, you have received feedback from colleagues that it is required 2.5 years after the date of first fill. Additionally, it is your understanding that the inner container (liners) must be replaced some period of time after the date of manufacture (as identified by the manufacturer), not after the first fill.

Your understanding is correct. The retest and inspection periods are based on the date of manufacture, not the date of first fill. Specifically, § 180.352 requires that retests and inspections be performed on IBCs based on the date of manufacture or the date of repair in accordance with paragraphs (b) and (d) of this section. However, in accordance with § 180.350(c)(2), routine maintenance on plastics or textile flexible IBCs is the routine performance of operations such as: (1) cleaning; or (2) replacement of non-integral components, such as non-integral liners and closure ties, with components conforming to the original manufacturer's specification; provided that these operations do not adversely affect the containment function of the flexible IBC or alter the design type. Therefore, for non-integral liners, you may rely on the manufacturer's guidance for replacement timeframes.

I hope this answers your inquiry. If you need additional assistance, please call this Office at 202-366-8553.

Sincerely,

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

Dodd, Alice (PHMSA)

Boothe
§180.350 Applicability
and definitions
§180.352 Requirements for
retest and inspection of IBCs

15-0047

From: Ciccarone, Michael CTR (PHMSA)
Sent: Friday, March 13, 2015 9:52 AM
To: Hazmat Interps
Subject: FW: Requesting formal letter of interpretation

Shante/Alice,

Please submit this for a formal letter of interpretation. I spoke with Ms. Buchola the other day.

Thanks,

Mike

From: Laura Buholca [<mailto:lbuholca@columbuschemical.com>]
Sent: Thursday, March 12, 2015 4:52 PM
To: INFOCNTR (PHMSA)
Subject: Requesting formal letter of interpretation

Good afternoon,

I would like to request formal letter of interpretation regards 49 CFR 180.350 and 352 – IBC recertification and IBC inner bottle replacement. Is recertification required 2.5 and 5 years from date of manufacture or date of first fill. My understanding is is that recertification has to take place 2.5 yrs from date of manufacture, however, I've received feedback from my colleagues that it is date of first fill. Also – inner container(liner) – my understanding is that liner needs to be replaced after x month after manufacture (as identified by manufacturer), not x mont afer first fill. Could you please clarify.

Best regards,

Laura Buholca
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920-623-2140 ext. 114