



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

NOV -9 2004

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

Mr. Russell Keith
Engineering
Wrangler Corporation
65 First Flight Drive
Auburn, ME 04211

Ref. No. 04-0024

Dear Mr. Keith:

This is in response to your letter regarding the designation of Intermediate Bulk Containers (IBC) under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you request clarification on the designation of your packaging.

According to your letter, your packaging is constructed with a flexible plastic inner liner that is bonded to a rigid fiberboard. The inner liner terminates after being hemmed over the top edge of the fiberboard. The outer plastic body is bonded to the rigid fiberboard and inner lining, forming an integral unit. The outer packaging covers the bottom, sidewalls, and top of the container. Two flaps on adjacent top edges are used for closure. Tie straps are inserted through the lace holes provided in the closure flap and tied in a knot to secure the cover flaps. The container is completed with no separate loose articles, and is filled, stored, shipped and emptied as a unit. You also submitted a sample of your packaging to this Office for further examination. Your letter requests whether your packaging as described above can be marked with the designation, "11HH2."

The answer is no. Based on the description of your packaging and subsequent assessment of the sample you submitted, your packaging does not conform to the specification for a rigid plastic IBC, and, thus, may not be marked with the IBC code designation "11HH2." As specified in § 178.706(b), rigid plastic IBCs consist of a rigid plastic body, which may have structural equipment, together with appropriate service equipment. The woven plastic outer sheet of your packaging acquires its rigidity only when bonded to a rigid fiberboard. It is our opinion that a flexible plastic material bonded to fiberboard is not a rigid plastic material as addressed in § 178.706. Also, the woven plastic outer sheet of your packaging which covers the bottom, sidewalls and top of the container as described in your letter does not exhibit strength relative to its capacity and the service it is required to perform. In conclusion, it does not appear that your packaging conforms to the UN 11HH2 specification or other IBC specifications. If you believe your packaging provides a level of safety equivalent to the UN 11HH2 specification, or another



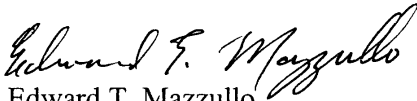
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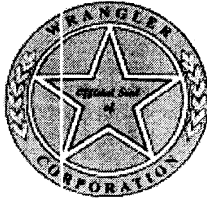
IBC specification, and you can demonstrate this, you may wish to apply for an exemption for your packaging. The procedures for applying for an exemption are found in § 107.105 of the HMR.

I hope this information is helpful.

Sincerely,

A handwritten signature in cursive script that reads "Edward T. Mazzullo".

Edward T. Mazzullo
Director, Office of Hazardous
Material Standards



Foster
8178.707
IBC
04-0024
WRANGLER CORPORATION
65 First Flight Drive
P.O. Box #1970
Auburn, Maine 04211
Tele: 207-777-3100 Fax: 207-777-3178
www.wranglerzone.com

February 9, 2004

To: Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/RSPA (DHM-10)
400 7th Street SW,
Washington, DC 20590-0001

Subject: Interpretation of construction of a Composite IBC for solids

Dear Mr. Director:

The definition of composite 171.8 "*Composite packaging* means a packaging consisting of an outer packaging and an inner receptacle, so constructed that the inner receptacle and the outer packaging form an integral packaging. Once assembled it remains thereafter an integrated single unit; it is filled, stored, shipped and emptied as such."

The container is constructed with a flexible plastic inner liner that is bonded (glued) to a ridged fiberboard. The inner liner terminates after being hemmed over the top edge of the fiberboard. The outer plastic body (as described in 178.700(c)(1)) is also bonded to the ridged fiberboard and inner liner forming an integral unit. The outer covers the bottom, the sidewalls and top of the container.

Closure is achieved via two flaps on adjacent top edges. Securing the cover flaps is a matter of inserting tie straps through the lace holes provided in the closure flap and tying a not. The container is complete with no separate loose articles and is filled stored shipped and emptied as such.

The description of IBC's section 178.700(b)" ... The first letter indicated the material of the IBC's inner receptacle. The second indicates the material of the outer IBC." Would the appropriate marking for this container as described be 11HH2.

Sincerely,

Russell Keith
Engineering
Wrangler Corporation
Email: rkeith@wranglerzone.com