



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

OCT 18 2007

Mr. H. Perry Hock
President and Technical Director
gh Package & Product Testing and Company
4090 Thunderbird Lane
Fairfield, OH 45014

Ref. No.: 07-0159

Dear Mr. Hock:

This is in response to your letter dated May 31, 2007 and subsequent telephone conversation with Ben Supko of my staff in regard to the IBC testing provided by the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification of the term "filled," as used in § 178.819(b)(1).

In preparation for the vibration test, § 178.819(b)(1) requires an IBC to be filled and closed as for shipment. The term "filled" represents the maximum permissible gross mass of the package – that is, an IBC marked with a 500 kg maximum gross mass must weigh 500 kg when subjected to the test. The requirement for performance of the vibration test on a "filled" package applies even if the end user plans to offer the package for transportation below its maximum permissible gross mass.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

Edward T. Mazzullo
Director
Office of Hazardous Materials Standards



070159

178.819(b)(1)



**gh Package
& Product
Testing and
Consulting, Inc.**

ISO17025
accredited

4090 Thunderbird Lane
Fairfield, OH 45014

Phone (513) 870-0080
Fax (513) 870-0017

335 W. Melinda Lane
Phoenix, AZ 85027

Phone (623) 869-8008
Fax (623) 869-8003

May 31, 2007

To: Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/RSPA (DHM-10)
1200 New Jersey Ave. S.W.
Washington, DC 20590-0001

Supkco
§178.810
§178.819
Testing
07-0159

From: Mr. H. Perry Hock
President and Technical Director
gh Package & Product Testing and Company
4090 Thunderbird Lane
Fairfield, OH 45014

Subject: Filling requirements of intermediate bulk packagings pursuant to CFR 49,
§178.810, §178.819

Dear Mr. Mazzullo,

I am in need of a clarification on the regulations pertaining to the filling requirements for rigid IBC's in §178.810 and §178.819.

In 178.810, the requirement is to 98% capacity for liquids and 95% capacity for solids. Is the reference to capacity the gross capacity of the IBC? If not, please explain.

In 178.819, the requirement is to fill and close [the IBC] as for shipment. Would this imply to test the IBC at 100% net capacity? If not, to what capacity should the IBC be vibration tested?

If you have any further questions, please do not hesitate to call me at 513.870.0080 x 103. I look forward to your prompt response.

Yours Truly,

H. Perry Hock
President and Technical Director
gh Package & Product Testing and Consulting, Inc.