



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

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

MAR 31 2009

Mr. Keith Hauser
Technical Manager
Challenge, Inc.
7950 Georgetown Road
Indianapolis, IN 46268

Ref. No.: 09-0034

Dear Mr. Hauser:

This responds to your January 27, 2009 request for clarification of requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking of reconditioned drums. Specifically, you ask whether a sticker is sufficient to mark reconditioned drums in accordance with § 178.503(c).

The answer is yes. Marking a reconditioned drum with a permanent label printed with permanent ink to meet the requirements of § 178.503(c) is acceptable provided the marking also meets the requirements specified in § 178.3 for adequate accessibility, permanency, contrast, and legibility.

Note, however, that, as specified in § 173.28(b)(4), metal and plastic drums used as single packagings or the outer packagings of composite packagings are authorized for reuse *only* when they are marked in a permanent manner with the nominal or minimum thickness of the packaging material. This marking must be capable of surviving the reconditioning process; embossing is one acceptable method. See § 178.503(a).

I hope this answers your inquiry.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

Challenge Inc.

7950 Georgetown Road, Suite 200
Indianapolis, Indiana 46268
(317) 875-5068
(317) 876-1103 - Fax
E-mail: mktg@challenge-inc.com
WEB Site: www.challenge-inc.com

Boothe
§ 173.28(b)(4)
Reuse
09-0034



Certified to ISO 9001

January 27, 2009

Mr. Edward Mazzullo
Director OHMS
US Department of Transportation
East Building, Second Floor
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Mr. Mazzullo,

Pursuant to a phone conversation with Adam on the DOT Helpline, he recommended I write for clarification on 49 CFR 173.28 (b)(4) regarding marking reconditioned / retested non-bulk packaging.

We are considering using reconditioned drums at the request of one of our toll blend customers. One of the drum suppliers we are reviewing utilizes a sticker on reconditioned drums to indicate they have been retested according to specifications. The marking on the sticker is a registered RA number with the DOT. However, the regulation states that packages are only authorized for reuse when they are "marked in a permanent manner." The only example offered is embossing. Is the sticker an acceptable method to mark these containers?

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We appreciate your clarification of this matter.

Best regards,

Keith Hauser

Technical Manager
Challenge, Inc.
7950 Georgetown Road
Indianapolis, IN 46268
Office: 317-875-5068
Direct: 317-415-2036
Fax: 317-876-1103
khauser@challenge-inc.com

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Cc: Michael Thomas

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Angela Sparks

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