



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

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

APR 21 2010

Mr. Clark Holden
Custom Metalcraft, Inc.
4724 W. Farm Road
Springfield, IL 65802

Ref. No.: 10-0056

Dear Mr. Holden:

This responds to your e-mail dated March 8, 2010 regarding the requirements for retest and inspection of Intermediate Bulk Containers (IBCs) under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Specifically, you ask if your understanding is correct that anyone who performs maintenance (e.g., cleaning or replacing the drum gaskets) on an IBC that has not been durably marked with the owner's state and name or authorized symbol, must durably mark the IBC every time routine maintenance is performed.

The requirements for the routine maintenance for IBCs are found in § 180.350(c). The routine maintenance of metal, rigid plastic, or composite IBCs, and plastics or textile flexible IBCs includes cleaning or replacing of body closures (including gaskets) or non-integral closures ties, as prescribed by § 180.350(c)(1)(i) and (ii) and § 180.350(c)(2)(i) and (ii), respectively.

The requirements applicable to routine maintenance of IBCs are further delineated in § 180.352(e). In accordance with this section, routine maintenance performed by a party other than the owner (whose state and name or authorized symbol is durably marked) must durably mark the IBC near the manufacturer's UN design type marking to show: (1) the country in which the maintenance was carried out; and (2) the name or authorized symbol of the party. Therefore, the cleaning or replacing of closures or gaskets on IBCs by parties other than the owner of the IBC must be durably marked on the IBC with the country and name or symbol of the party cleaning or doing routine maintenance on an IBC.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

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

Engrum
§ 180.352 (e)

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Monday, March 08, 2010 11:55 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Hazmat Information Center Feedback: Interpretations (Letters) Issued by PHMSA

IBC's
10-0056

Carolyn,
Attached is a request for written interpretation.
Thanks,
Rob

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Monday, March 08, 2010 11:13 AM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: Interpretations (Letters) Issued by PHMSA

Dear sirs,

Could you please issue a letter of interpretation on section 180.352(e). My understanding of the section is that anyone who performs routine maintenance (e.g. cleaning or replacing the drum gaskets) including the owner, (unless that have made the IBC with their state and name), must durably mark the IBC every time routine maintenance is performed.

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