U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAY 16 2012

Mr. Dan Dengler
MD Packaging Solutions LLC
11 Olde Mill Run
Medford, NJ 08055

Ref. No. 12-0056

Dear Mr. Dengler:

This responds to your February 6, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the requirement for retest and inspection of intermediate bulk containers (IBCs). Specifically, you ask if you may rely on the leakproofness test and internal visual inspection conducted by the original manufacturer to satisfy the requirement in § 180.352 when repairing an IBC or replacing the inner receptacle of a composite IBC.

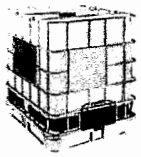
Yes. As specified in § 180.352(d)(1), each repaired IBC must be subjected to a leakproofness test as specified in § 178.813, an internal visual inspection and must be marked with the date of the test. The inner receptacle of a composite IBC may be leakproofness tested without the outer packaging provided the test results are not affected (§ 178.813(b)). If you choose to rely on the leakproofness test conducted by the manufacturer of the inner receptacle to satisfy this requirement, you must have evidence to establish that the leakproofness test was performed in accordance with § 178.813 and the internal visual inspection was performed before the IBC is filled and offered for transportation (§ 180.352(g)). The evidence of these tests/inspections should be from the manufacturer of the inner receptacle and identify your company as able to use this certification.

I hope this information is helpful. If you have further questions, please contact this office.

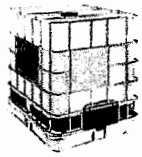
Sincerely,

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division

Leary
3180.352
IBC
12-0056



MD Packaging Solutions, LLC



11 Olde Mill Run Medford, NJ 08055 Phone (609) 499-1311, Fax (866) 439-1713

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH–10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590–0001

To whom it may concern:

I am seeking clarification/interpretation of section 180.352 "**Requirements for retest and inspection of IBCs".**
By definition section 180.350 defines a "REPAIRED IBC" as among other things, *the replacement of the rigid inner receptacle of a composite IBC with one from the original manufacturer.*

Question seeking interpretation: In the process of Repairing an IBC or replacing the rigid inner receptacle of a composite IBC with one from the original manufacturer, does the manufacturer's (of the new inner receptacle) original leak proof test satisfy the required leak proof test per 178.813 for the repaired IBC? Does it matter if the previous outer cage was not damaged and the reason for the REPAIR is simply because the previous inner receptacle could not cleaned? Any assistance that you could provide in this matter would be greatly appreciated. Please do not hesitate to contact me with any questions.

Dan Dengler
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MAUSER USA, LLC

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Christopher Lind, Director
Technology and Regulatory Affairs

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Fax: 732.353.7074

Chris.Lind@Mausergroup.com

East Brunswick 3/5/2012

Mr. Mike Porreca
President
National Container Group

Subject: IBC Inner Receptacles

The inner receptacles for IBCs or replacement bottles are visually inspected for defects prior to valve installations. After valve installation the bottles are leakproofness tested in accordance with Sec. 178.813 to insure the bottom seam and valve are intact and leak free, capped and security sealed.

The bottles are molded with the marks required by 49 CFR 178.703 (b) (6) (i):

> **(6) For each composite IBC, the inner receptacle must be marked with at least the following information:**
>
> **(i) The code number designating the IBC design type, the name and address or symbol of the manufacturer, the date of manufacture and the country authorizing the allocation of the mark as specified in paragraph (a) of this section;**

That is 31HA1/M number /Date/USA. The current M numbers for Mauser USA LLC factories producing the bottles are M4118 (Mt Vernon), M4119 (Anniston), M4601 (Houston), and M4602 (Rancho Cucamonga).

Please feel free to contact me if we can provide any additional information or assistance.

Sincerely,

Christopher Lind

Schuetz Container Systems Inc.
200 Aspen Hill Road
North Branch, NJ 08876

SCHÜTZ

March 14, 2012

To: ICS

Re: Testing of inner bottles for IBCs

To Whom It May Concern:

The inter receptacles for IBCs or replacement bottles you purchase from us are visually inspected for defects prior to valve installations. After valve installation the bottles are leakproofness tested in accordance with Sec. 178.813 to insure the bottom seam and valve are intact and leak free, capped and security sealed. In addition, the bottles are molded with the marks required by 49 CFR 178.703 (b) (6) (i).

Sincerely,

Tatiana Smoleeva
Technical Service
Phone: 908-526-6161 x 1126