

REUSABLE PACKAGING TODAY

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UPCOMING EVENTS

Petroleum Packaging Council

March 14—16, 2010
The Woodlands, TX

Chemical Packaging Committee

February 15-17, 2010
Sarasota, FL

RIPA Technical Conference

Date TBA
Little Rock, AR

RIPA 2010 Annual Conference

October 20-23, 2010
Orlando, FL Ritz Carlton

CLIMATE CHANGE UPDATE

Although prospects for a final U.S. climate change bill this year are gone, you would not know it by looking at the Senate, where action continues following the UN Climate Change Conference in Copenhagen. Key Senate leaders, including Senators John Kerry (D-MA) and Joe Lieberman (I-CT) are taking matters into their own hands and are drafting legislation that would serve as a substitute to a bill put forward by Environment Committee Chair Barbara Boxer (D-CA). Sen. Boxer recently lost a key staffer with expertise on climate change issues, and is now viewed as a secondary player in the climate change debate.

RIPA efforts to ensure parity with recyclers took a step forward recently following a meeting with representatives of the recycling industry and several staff members from Senator Thomas Carper's office. Senator Carper (D DE) is Chair of the Senate Recycling Coalition, and the person responsible for developing a recycling amendment in the climate change legislation.See "Climate" page 4

DOT HAZMAT OFFICE TEMPORARILY REORGANIZED

RIPA has learned that DOT's Office of Hazardous Materials Safety (OHMS) will soon announce temporary reorganization plans involving several senior staff positions. The 120-day reorganization follows the appointment of Cynthia Quarterman as the new PHMSA Administrator.

According to our sources, Ms. Susan Gorsky will move from her current position in the Standards Office, to become a policy advisor to Acting Associate Administrator Magdy El-Sibaie. Mr. Ryan Paquet will move from his position as Assistant Director, International Standards, to the position of Deputy Director of the Office of Special Permits and Approvals.

Mr. Charles Hochman will leave his position as Director, Office of Hazardous Materials Technology, to become Technical Advisor to Mr. El-Sibaie. Mr. Dave Sargent will move from his current position as Director, Office of Hazmat Initiatives and Training to take on new training initiatives related to special permits and approvals. Ms. Tonya Schreiber will move into a leadership position in the HazMat Training office.

INDUSTRY COALITION SEEKS IMPROVED SPECIAL PERMITS PROCESS

A group of fifteen industry associations, including the Reusable Industrial Packaging Association (RIPA), recently sent a letter to Deputy Secretary of Transportation John Porcarri seeking changes to the agency's Special Permits and Approvals "action plan." The "action plan" was developed by PHMSA staff in response to heated criticism of the Special Permits and Approval program by Congress and the DOT Office of Inspector General.

The associations want Mr. Porcarri to support additional funding for the program, press for speedier incorporation of long-standing Special Permits and Approvals into the hazardous materials regulations, and press PHMSA to initiate a rulemaking that clarifies the key terms such as "fitness" and "equivalent level of safety."

.....See "Special Permits" page 4

Chair's Message

As I write this column – my last as RIPA Chair – I can't help but wonder where the time went. It seems almost like yesterday that I was thanking the Board of Directors for electing me to this honored position. Perhaps the old adage is true – time really does fly when your having fun.

As I look back over the past 24 months, the first thing that comes to mind is how gracious and welcoming are the men and women who comprise the reconditioning industry. What other industry has a tradition of regularly opening its plants to competitors? I know of none. Yet, every year, both at home and around the world, any member of RIPA is welcomed for a plant visit. For example, last year while attending an ICCR meeting in Osaka, Japan, I was given an opportunity to visit a wonderful reconditioning plant owned by Mr. Nakamura. Not only did my host allow me to see the entire facility, they were gracious hosts as well. As you know, my experience is not unique. No matter where RIPA members travel, they are welcomed by colleagues from Japan to Europe.

My experience as Chair also gave me an insiders' seat at the table set by the International Confederation of Container Reconditioners. This group, which is comprised of the national and regional reconditioning bodies representing North America, Europe, Japan and Australasia, is simply exceptional. Not only does ICCR do a superb job representing our industry in various international regulatory and standards forums, it serves as the focal point for planning and executing our international conferences. It is difficult to overestimate the importance of this organization for our industry, and I am honored to have had the opportunity to see it function from the inside.

At home, RIPA is strong, dynamic and healthy and its members are intently engaged and truly immersed in their business and industry. The intensity of the members is what differentiates this association from others. As an association we have accomplished much and are positioned well to continue our successful work in the future. Although as Chairman I get some of the credit for this fact, the truth is that I had a wonderful group of officers, Board members and volunteers who contributed mightily to our success. I hope everyone takes a moment to thank Jeff Bey, Mike Chorpash and Dennis Long for all they did to move RIPA forward these past two years. Dennis, of course, has agreed to serve as your Chairman for the next two years, and I know he will do a great job.

I would be remiss if I did not thank our wonderful staff – Paul Rankin, C.L. Pettit, Aisyah Maskiell and General Counsel Larry Bierlein - for their great work. Believe me, I was surprised to learn just how much work our staff does to keep RIPA on the cutting edge of legislative, regulatory and standards work at home and around the world. These four people plan and execute all our conferences, staff the Product Groups, work with Congress and DOT, participate in a range of international activities and, well, the list goes on and on. I truly enjoyed seeing these professionals do their jobs so well.


There is an old saying that as a volunteer you get out what you put in to the job. I can say without hesitation that I got much more from my tenure as Chairman than I put in. I had opportunities to meet industry colleagues from around the world, gain insight into the complexities of the legislative and regulatory processes, and learn more about the business that I love.

Thank you, from the bottom of my heart, for allowing me to serve as your Chairman these past two years. It's been a great ride.



Calvin Lee

A handwritten signature of Calvin Lee in black ink, written in a cursive style.



REUSABLE INDUSTRIAL PACKAGING ASSOCIATION

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EPA ISSUES GREENHOUSE GAS PROPOSAL—BUSINESS IMPACT SUBSTANTIAL

On September 30, 2009, the U.S. Environmental Protection Agency (EPA) announced its proposed “tailoring rule” and outlined its regulations for greenhouse gas (GHG) emissions from large industrial facilities. EPA plans to issue permits under its so-called “Prevention of Significant Deterioration” program. Large facilities, such as manufacturing plants, power plants and refineries would be required to demonstrate they are using the best technologies to minimize GHG emissions.

This proposed rule is EPA’s first step toward regulating carbon emissions from large stationary sources that emit more than 25,000 tons of CO₂. It also allows the EPA to immediately begin considering lowering the threshold of GHG emissions at their discretion, further expanding the organization’s scope to regulate small manufacturing companies, including reconditioners, hospitals, and even commercial buildings.

The EPA’s legal authority to initially limit the scope of this rule to large facilities is questionable as current law requires the agency to regulate companies emitting between 100 and 250 tons of CO₂ equivalent. Organizations representing the business community are deeply concerned about the new rule because it begins the process of imposing costly economy-wide regulation of “stationary sources.”

Furthermore, EPA is on course to finalize a GHG rule for cars and trucks in March 2010, which will trigger broader regulations of millions of “stationary sources.”

All of this follows in the wake of EPA’s “endangerment proposal,” which creates the framework for EPA to issue specific rules that regulate GHG emissions across the board.

“RIPA believes the appropriate place for the debate over greenhouse gas regulation to take place is in the Congress, not EPA,” said Association President Paul Rankin. EPA has indicated it will begin drafting regulations early next year, if Congress does not enact a climate change law.

RIPA “ANSWERS COLUMN”

RIPA typically receives several questions each week from members seeking answers on various regulatory and technical issues. Sometimes staff knows the answers right away, and other times an answer requires extensive research. Often, the questions “flush out” issues of broad concern that are then reported to the entire membership.

For these broader questions, there exists a wealth of information that could prove useful to anyone in the business. Therefore, future issues of *“Reusable Packaging Today”* will periodically feature an **“Answers Column”** wherein RIPA will highlight one or more of the questions we are asked.

Question: Do the U.S. hazmat regulations specify an interval for the periodic calibration of torque wrenches?

Answer: The U.S. Hazardous Materials Regulations (HMRs) do not specify a time period for the periodic calibration of a torque wrench used in closing packages. Similar to numeric torque values themselves, requirements for calibration of wrenches only come into play if the packaging provider includes them in his/her closure instructions (*aka* Closure Notifications). Of course, many closure instructions include numeric closure **torque values** and, thus, enforcement personnel would expect there to be a torque wrench located near filling and closing stations. A good operating practice would be one that periodically calibrates the wrench to ensure accuracy.

MEMBERSHIP REPORT

RIPA is pleased to announce the formal acceptance of an application for membership from:

Qualawash Holdings, LLC
P.O. Box 1777
Mango, FL 33550
www.qualawash.com
Mr. Michael Bauer, CEO
800-835-6252

RIPA looks forward to working with Qualawash on the many important issues facing the industry today and in the new year.

The letter noted that Special Permits and Approvals are an essential part of the hazardous materials regulatory system because they allow the agency to keep current with changing times and not limit the process of technical innovation.

Several of the associations are worried that the ongoing Congressional and OIG investigations have brought to a near standstill the SP & A programs. According to RIPA President Paul Rankin, "There is now an unprecedented backlog of pending applications for both Special Permits and Approvals. And, while we in industry have been told that help is on the way, we have not seen any programmatic improvements in recent weeks."

The associations are seeking a meeting with Mr. Porcarri to talk about these issues and strategize about ways to improve transportation safety while speeding the review process. "We hope this meeting will open the door to mutually productive dialog on these important issues. We cannot jeopardize American jobs in an already heavily regulated industry with a superior safety record by imposing unnecessary burdens with marginal or questionable safety returns," said the coalition.

Association President Paul Rankin, General Counsel Larry Bierlein and advisor Brian Fitzgerald were able to reach a tentative agreement with Senator Carper on a number of important revisions to the Senator's recycling/reuse amendment, including nearly all of the key changes that would ensure recycling and reuse parity in a final climate change bill. Among the agreements are (a) creation of a federal recycling and reuse program in EPA, (b) establishment of a stand-alone "reuse" provision; and, (c) assurance that grant money given to a manufacturing facility could be used for both reuse and recycling efforts. This latter point is vital because it heads off concerns that money could be given to manufacturers to create "flush and crush" operations.

"We still have a lot of work to do on this amendment," said RIPA President Paul Rankin. "Currently, the funding provisions of the bill continue to be tilted in favor of recyclers, and we would like to obtain an agreement on a definition of the term "reuse," he said.

Senator Carper has indicated that he wants to conclude discussions on the amendment soon, and provide a finished recycling and reuse amendment to Senators Boxer and Kerry before the holiday break.

IN MEMORIAM

RIPA has lost several friends in recent days. Our thoughts are with the families of the departed.

Sally Pearlman, wife of Phil Pearlman, and mother of Jordon and Elliot Pearlman, has passed away. Many of you knew Sally as a vivacious and wonderful person who for years attended every RIPA event with her husband, Phil. In fact, Sally attended the first RIPA Annual Convention, which was held in her home town of Chicago in 1943.

Jerry Belfer father of Paul and Scott. Jerry was co-founder of George Belfer Drum and Barrel Company, Grand Rapids, MI.

Fred Greene, Jr., F.M. Greene Manufacturing Co.



HazMat News

Wine Making News

Skolnik Closure Instructions Get a Clean Up

Effective November 13th, 2009, we updated our Closing Instructions from Revision B to Revision C. There were no major changes, everything was clerical and does not affect the actual closing of the product (as stated in Important Notes 1). The following is a list of changes / corrections: 1) making all Closure Instruction formats (printed and web) identical; 2) printing to a landscape format so that the weather resistant closing instructions are identical; 3) one version of Rev. B was called QAP / PQ 080 another was QEP / PQ 080. QAP and QEP have been removed; 4) one version of Rev. B had the word "CAUTION" another had "IMPORTANT" in a box that was located to the right of the table for the fitting torques. This box has now been removed and the information within it has been placed into important note #2; 5) one version of Rev. B said "Ring ends must not touch" another had "Max. Gap" in figure #6. Rev. C now has the correct verbiage of "Ring ends must not touch"; and 6) The formatting of Figure #7 and #8 was not identical in all versions of Rev. B. All of the refinements noted in Rev. C are valid to close all product manufactured under Rev. B. Once again, the revisions are clerical and do not affect the closing of the product. Also, Rev. C is available in English and Spanish. It is critical that you retain Closure Instructions that were in effect when a product was purchased.
— Matt Dick

Why We Respect the Hazardous Materials Regulations

An offset to our industrial culture is that we live among hazardous materials. We need to protect ourselves, our families, our friends and the general population from the adverse effects of hazardous materials. Government regulations are very specific about what and how hazmats need to be safely stored and transported. Following the regulatory requirements can be difficult, sometimes confusing, sometimes open ended, but if you don't follow these regulations, you are endangering all types of life, and risking regulatory fines, litigation, and even incarceration. During our current economic climate, with companies looking to reinvent themselves, I urge you to not lose sight of the importance of regulatory compliance for dangerous goods storage and shipments. Budgets are tight, most profits are down, and this is not the time to cut corners on compliance. Verify that any hazmat packaging supplier is providing appropriate, compliant containers. Like anything else, there are minimum specifications to be met and be sure that your suppliers are delivering the mil-thickness and quality of the steel that was ordered. Know your suppliers, tour their facilities, and be confident in their product integrity. In other words, find someone you can trust and stick with them – it will pay off in the long run. — Howard Skolnik

Pinot Noir — More Than Prevalent

After many years of experimentation, Pinot Noir has unquestionably carved itself a nice little niche in the wine world. Clearly the "red" of choice in Oregon, winemakers are now starting to compete in many California regions as well. Recently, we learned that a current Skolnik customer located in northern California, who in the past would not consider aging wine in stainless steel, has been experimenting with both our [30 gal and 55 gal stainless steel drums](#). Much to his surprise, the new aging technique that he developed has been extremely positive, and even led to sizeable sale to a high-end San Francisco caterer. It seems the best Pinots are coming from smaller wineries, which are willing to take the time and care to work with such a fragile grape. Because of its thin skin, Pinot Noir is more susceptible to frost and other weather damage. Furthermore, when some of a crop is compromised, unlike other wine types, it's not as easy to compensate with other grapes. Demand for the Pinot Noir is very strong and consumers are finding it to be a rather versatile wine, and very food friendly.— Jason Snow

A Holiday Message From Howard Skolnik

2009 has passed like a speeding bullet. I am blessed to lead a company that changes every day in order to keep our customers and vendors happy, a company that is looking for new opportunities and continuously reinventing our business model of excellence. I am blessed to work with uniquely talented colleagues who show their dedication to our company, and industry, every day. I am blessed for my family. In a year where so many have lost so much, I hope all our readers can be grateful for the blessings in their lives. Wishing you a Happy and Healthy 2009 Holiday Season. — Howard Skolnik

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Looking for ANSWERS?



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