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Did you know...?

Mr. Isao Hiramatsu has been selected to receive the prestigious International Morris Hershson Award of Excellence.

UPCOMING EVENTS

ICCR 2nd International Conference
June 5 - 7, 2013
Amsterdam, Netherlands

RIPA Summer Board Meeting
July 29, 2013
Chicago, IL

Petroleum Packaging Committee
August 17 - 19, 2013
Lake Tahoe, CA

IPANA Annual Conference
October 14 - 18, 2013
La Jolla, CA

RIPA Annual Conference
October 14 - 19, 2013
La Jolla, CA

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Vol. No. IV Issue III Published by RIPA

TECHNICAL CONFERENCE GETS "THUMBS-UP" FROM ATTENDEES

Over 100 RIPA members gathered in Cleveland, Ohio – "The Rock 'n Roll Capital of the World" - for the association's annual Technical Conference. The skies may have been overcast, but the weather did nothing to dampen the spirits of the attendees, who enjoyed a highly informative conference as well as an outstanding tour of the K.P. McNamara IBC reprocessing facility.

The meeting got off to a great start with the Welcome Reception, which was hosted by RIPA Supplier Members and a number of Ohio-based reconditioning and manufacturing firms. Thanks to each of these companies for their support!

The following day, each of RIPA's five Product Groups met to discuss policy and other issues of interest. The Flexible IBC Drum Product Group reviewed a survey of twenty-two RIPA members that occasionally handle these packagings. Interestingly, most members do not resell used FIBCs for reuse at this time. However, it appears there is a growing interest in the packagings.

...See "Conference" page 3

GHS DECISION ON CORROSIVE MATERIALS THREATENS IBCs AND PLASTIC DRUMS

For nearly a decade, global experts on worker safety and dangerous goods transportation have been hard at work creating an internationally standardized approach to defining and classifying chemical hazards, and communicating information on labels and safety data sheets. If successful, the new system will facilitate international trade and promote worker and transport safety.

Like all programs of such wide scope, the devil is in the details. And the new Globally Harmonized System (GHS) is no exception.

...See "GHS" page 4

IPANA/SSCI EXECUTIVE DIRECTOR MCQUAID TO RETIRE

John McQuaid, Executive Director of the Industrial Packaging Alliance of North America and the Steel Shipping Container Institute, has announced his retirement from the two organizations, effective this September. McQuaid has led the two associations since 2002.

IPANA and SSCI have initiated a search process to fill the soon-to-be vacant position. It is unclear if the two groups will hire another full-time executive or fill the position with a part-time consultant.

"John McQuaid provided a decade of strong and decisive leadership to both IPANA and SSCI," said RIPA President Paul Rankin. "He is highly respected by his association peers and by the leadership of PHMSA and other regulatory agencies with whom he works on a regular basis," noted Rankin.

Rankin said that McQuaid has advised him that he will continue to work closely with RIPA in the months leading up to his retirement to ensure a smooth transition and a successful co-located RIPA/IPANA Annual Conference in San Diego this fall.

"I have deep admiration for John's professional abilities," said Rankin, "but he is also a good friend. I wish he and Linda years of happiness."

...

PRESIDENT'S MESSAGE

In just a few weeks, the international container reconditioning community will gather in Amsterdam, Netherlands for the 2nd International Conference on Industrial Packaging. I am delighted to report that about 40 RIPA members and spouses will be joining me at this important event.

The Conference has as its policy focus, *"Our Industrial Packaging: Protecting the Earth."* Conference participants from around the world will hear presentations on packaging sustainability and how the reconditioning industry helps to improve the global environment while also providing safe and economical containers to customers. One of the Conference headliners is Elliot Pearlman, CEO, Mauser Group, who will offer his vision of the future of the global industrial packaging industry. Personally, I think this presentation alone is worth the price of admission!

An important but often overlooked aspect of these Conferences is the implied support provided to the International Confederation of Container Reconditioners (ICCR). For more than two decades, ICCR has represented the global reconditioning industry in important international standards-setting and regulatory forums. The success of ICCR in these forums has been nothing short of astounding. For example, at the UN Sub-committee of Experts on the Transport of Dangerous Goods ICCR was largely responsible for writing the UN text on steel and plastic drum reconditioning, as well as IBC reprocessing. This work has been incorporated virtually unchanged into every set of major modal, regional and national regulations, including 49 CFR and the Canadian TDG.

The vital work of ICCR continues to this day. It is important, therefore, that ICCR not only be preserved, but strengthened. In a world where global decisions are the norm, the reconditioning industry must maintain a strong international presence. ICCR is that presence.

These international meetings are held but once every three years, and they are always educational and loads of fun. I encourage any RIPA member who is still thinking about making the trip to book your reservation right now. There is still room at the hotel, and I assure you the Conference will meet or exceed your expectations.

I'll see you in Amsterdam.



Paul Rankin

Paul Rankin



"Reusable Packaging Today" is published monthly by Reusable Industrial Packaging Association for its members.

Editorial contributions should be sent to:
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President.....Paul Rankin
Editor.....C.L. Pettit

The Fiber Drum Product Group discussed recently completed periodic UN-tests performed on several common drum designs used for the transportation of hazmat solid materials. The Group also received an update on an ongoing research project studying fiber drum recycling options.



Mike Stephen, Patrick May, Kyle Stavig, Cody Stavig

An update on industry efforts to prevent DOT from establishing resin as a design-type criterion was provided by C.L. Pettit. He noted that a recent final rule (HM-219) DOT addressed industry concerns in this issue. In the new rule, DOT declined to adopt an ASTM resin standard as the criteria for determining an equivalent packaging (i.e. no new testing) because they have not yet seen testing data to support the move. However, they continue to support the concept of adopting an industry standard.

Barry Wingard, Chairman of the Steel Drum Product Group, led discussions about drop test orientation as well as fall protection issues for certain container stacking operations. The Group also heard from Kay Rykowski, ICS Technical VP, about work being conducted by OSHA on combustible dust in general manufacturing operations.



Bob Olson, Cindy Lampe, Noah Flom, Mike Bank

The IBC Product Group, Chaired by IMACC's Peter Cutt, discussed details of the associations' petition for rulemaking, which asks DOT to except empty IBCs from certain regulatory requirements, including vehicle placarding and marking. (See related story on page 5.) The Group also discussed issues and recommendations arising from the recent IBC Regulatory Compliance Workshop.

That evening, members enjoyed an off-site reception at the famous Great Lakes Brewing Company. Tours of the craft brewery were conducted and members really enjoyed the chance to sample a wide range of superb beers.

PHMSA Engineering and Research Director Dr. Carole Le Blanc was the featured speaker for the Main Program on Tuesday. Dr. Le Blanc has been with PHMSA for less than a year, but comes to the Agency with a strong technical background and has been given a mandate to expand and improve PHMSA's technical and research programs.

Dr. Le Blanc talked about the Agency's "alternative validation testing" program, which allows facility owners to have packaging tested on-site. In follow-up questions, Le Blanc was advised that RIPA members remain skeptical about the value of this program because it is not limited to a couple key tests as originally proposed, nor does it ensure other containers will not be also tested by Tobyhanna.

Le Blanc noted that she is working to expand the data-points collected by Tobyhanna packaging testers and has created a list of packaging research projects to be undertaken by PHMSA. The project list includes hydrostatic test fittings placement, as well as simultaneous stack and vibration tests.



DOT / PHMSA's Carole LeBlanc, Ph.D.

Douglas Kennedy, Esq., with the Ohio law firm Roetzel and Andress, offered a superb and comprehensive overview of the Affordable Health Care Act, often referred to as "Obamacare." Kennedy discussed a range of new provisions and fees that will impact small businesses and individuals when the law takes full effect in 2014. His presentation prompted many interesting questions and lively discussion.



Douglas Kennedy, Esq.

Conference participants got a short but thorough seminar on OSHA compliance from Rob Medlock, a former director of the Ohio OSHA enforcement office. Medlock focused attention on key issues affecting reconditioners, including hazard communication, respiratory protection, fork lift training, and more.

The Conference concluded with a visit to K.P. McNamara Company's IBC reprocessing plant. Attendees saw a well designed, modern IBC plant that smoothly handles a wide range of 275 and 330 gallon IBCs. Special thanks to Kerry McNamara and Melanie Schwanek for planning and hosting the tour.

STEEL SHIPPING CONTAINER INSTITUTE RE-BRANDS

The former Steel Shipping Container Institute (SSCI) has a new name, logo and web site. The 69-year old association will henceforth be known as the Industrial Steel Drum Institute (ISDI). The new name is expected to clarify both the scope and business activities of ISDI member companies.

"Industrial packaging has evolved a lot since SSCI was founded," said Kyle R Stavig, Chairman of ISDI and CEO of Myers Container LLC. More than 110 years after its creation the steel drum remains an industrial packaging mainstay, even in the face of evolving technologies that have created alternative options."

Stavig is confident the new name and brand will clarify the group's mission, which is to promote steel drums as an affordable, safe and sustainable option for the transportation of a wide range of products, from food additives to high-hazard chemicals.

"We are particularly excited about our new online resource," said John McQuaid, ISDI's Executive Director. "We serve as the industry's advocate before federal agencies and the U.S. Congress, act as liaison with other industry groups and individual corporations, and play an active role with international organizations. The website now helps us provide these key audiences with the best information."

The new website can be accessed at www.whysteeldrums.org.

NEW FEES PROPOSED FOR SPECIAL PERMITS AND APPROVALS

In what has become something of an annual budgetary ritual, DOT has asked Congress to establish new user fees for companies seeking Special Permits or Approvals from PHMSA. The Agency has estimated the fees would raise approximately \$12 million annually.

The fee schedule is:

- New special permits:	\$3,000
- Modifications of special permits	\$3,000
- Special permit renewals	\$1,000
- New approvals	\$3,000
- Approval modifications	\$700

The DC industry coalition Interested Parties sent a letter to Representative Tom Latham, who chairs a key appropriations subcommittee, asking him to oppose the DOT initiative. The IPs believe that DOT has vastly overstated its budgetary needs for the SP/A program, that the fees will unduly impact small businesses, and, importantly, that fees will limit the development of new and innovative hazmat transportation technologies.

"I believe this proposal will not be adopted," said RIPA President Paul Rankin. "However, it will be necessary to work closely with our friends on Capitol Hill to ensure its demise," he added.

...Continued from Page 1 "GHS"

Despite the best efforts of UN transport experts, the new classification system defines most corrosive materials (Class 8; i.e. high or low pH materials like acids, etc.) as highly dangerous substances and assigns them to Packing Group I for transportation. For decades these materials have been classified as PG II or PG III, which allows them to be packaged in commonly available IBCs and plastic drums.

However, with few exceptions, PG I materials cannot be legally transported in composite IBCs, and RIPA has learned that few plastic drums are rated at this high level.. Consequently, the new GHS system, if fully implemented, would lessen greatly the use of composite IBCs and plastic drums for this class of materials.

The global chemical industry is accustomed to using composite IBCs to transport many of these materials and is concerned that the new classification would greatly increase shipping costs. UN Experts do not agree with the GHS classifications because they do not believe that these materials present an ultra-high hazard in transportation. Manufacturers and reconditioners of IBCs and plastic drums are concerned that they would lose significant business opportunities if the new classifications were allowed to be implemented.

Currently, the UN Committee of Experts and concerned Observer Groups are working to find a compromise that would enable the continued transport of corrosive materials as previously classified. RIPA will keep members apprised of this issue.

RIPA FILES PETITION FOR EMPTY IBC TRANSPORT

RIPA filed a petition for rulemaking with PHMSA on April 24, 2013, which seeks relief from placarding and marking requirements for IBCs containing residues of Class 3, 4.1, 5.1, 6.1 PG III, 8, or 9. The Agency has acknowledged informally receipt of the petition.

The petition was filed for two primary reasons. First, RIPA members collect large numbers of empty IBCs and often find that the emptier is not capable of providing to carriers appropriate shipping information, including shipping papers, placards and marks. Second, in many instances, RIPA members collect IBCs that previously contained a range of different hazardous commodities from one or several emptiers and must attach a multitude of placards and UN numbers to the vehicle. These vehicle markings are confusing to emergency responders and RIPA believes they could hinder rather than promote a safe response in the event of an incident.

The petition covers the transport of rigid steel, plastic and composite IBCs that have capacities no exceeding 2000 liters (500 gallons) that are certified by the shipper as being empty, i.e. containing not more than 0.3% by weight residue (about 0.8 gallons in a 275 gallon IBC).

In lieu of vehicle placarding or UN numbers, trucks carrying specified IBCs containing residue would carry a shipping paper with the following statement:

“This vehicle is carrying emptied intermediate bulk containers that may contain residues of hazardous materials in Classes 3, 4.1, 5.1, 6.1 PG III, 8, and 9. The IBCs contain no PG I or toxic inhalation hazard material residues. Also, the IBCs contain no Class 1, 2, 4.2, 4.3, 5.2, 6.2, or 7 material residues.”

Shippers would assure that the IBCs do meet the above noted RCRA-empty standard. Companies dealing with RIPA members would be able to sign a commonly-used “Empty IBC Certificate.”

PHMSA INCREASES PENALTIES FOR HAZMAT VIOLATIONS

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has increased substantially the maximum and minimum fines for violations of the federal hazardous materials transportation law (HMTA) and associated regulations.

Effective immediately, the maximum penalty for knowing violations of the HMTA or the HMR rise from \$55,000 to \$75,000. If the violation results in death or severe injury, the maximum penalty rises from \$110,000 to \$175,000.

Minimum penalties have been eliminated with the exception of a penalty issued for failure to properly train employees. The minimum fine for such violations will be \$450.

OBAMA NOMINATES ANTHONY FOXX FOR SECRETARY OF TRANSPORTATION

President Obama announced Anthony Foxx as his nominee for the next Secretary of Transportation. Foxx is currently the mayor of Charlotte, North Carolina, a position he has held since 2009.

Foxx is known as a strong leader with a deep interest in infrastructure improvements. Since Anthony took office, Charlotte has started work on a new streetcar project that's going to bring modern electric tram service to the downtown area, expanded the international airport, and made plans to extend city's light rail system.

Current Secretary of Transportation Ray LaHood plans to leave his position as soon as Foxx is cleared by the Senate, which could happen as soon as early summer.

Foxx is not expected to make major changes in programs affecting hazardous materials transportation. He will, however, have to deal with reduced funding as a result of sequestration and some expected budget cuts imposed by Congress.



Steel Drum News, Trends, and Issues
May 2013

HazMat News		Wine Making News
<div>Risk Analysis Moves DOT<p>The winds of change are blowing through DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA). At a recent Council of Safe Transportation of Hazardous Articles (COSTHA) conference in San Diego, DOT was well represented by Bill Schoonover, Deputy Associate Administrator of Field Operations; Ryan Paquet, Director of Approvals and Permits; Charles Betts, Director of Standards and Rulemaking and a Skype appearance by PHMSA's Associate Administrator, Dr. Magdy El Sibaie. In their numerous presentations, all four representatives stressed that DOT was focused on their new mission, "To protect people and the environment from the risks inherent in the transportation of hazardous materials."</p><p>They stated that DOT is now looking at risk analysis to determine the needs of regulatory direction, as well as adoption of standards and new policies. They have had to rethink how they will achieve this mission. One example of the emphasis of their focus has been seen by the increased number and speed with which special permits are now being approved. Only a few years ago, these permits ground to a halt and strangled many viable shipments. Another refocus of PHMSA has been for the purpose of their validation testing lab, LOGSA (aka: Tobyhanna).</p><p>With a reduction in Federal funding, Tobyhanna has been moved from Enforcement to Research with the mission to pair in-field risk with testing validation of hazardous materials packagings. Under enforcement, packagings that were sent to Tobyhanna validated the packaging marks and the end result was either a pass, or fine for failure of any aspect of the performance tests. The information learned from the wealth of these tests was not shared with industry to improve safety. Under the new policy, DOT will establish a "risk analysis" formula for selecting packagings which indicate an elevated in-field risk, and these packagings will then be validated. After testing, DOT will present, online, the testing standards, process, results and protocol that will be useful in understanding actual packaging performance. These results will allow industry to understand and benefit from the test process, thus meeting DOT's mission to improve public safety. Furthermore, even though fines for failure will still exist, PHMSA will work closely with industry to reach the objective of the mission which is to link testing to improving public safety. It will be a goal of the PHMSA administrators to be able to state that "packagings tested at the LOGSA test lab are successfully passing at a rate of 100%!"</p><p>—Howard Skolnik</p></div>	<div>Call W.E. Train and Eliminate Possible Fines for HazMat Violations!<p>The Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) has issued a final rule that, effective April 17, 2013 revises the references in its regulations to the maximum and minimum civil penalties for a knowing violation of the federal hazardous material transportation law or a regulation, order, special permit or approval issued under that law. As amended in the Moving Ahead for Progress in the 21st Century Act (MAP-21), effective Oct. 1, 2012, the maximum civil penalty for a knowing violation was increased from \$55,000 to \$75,000, and from \$110,000 to \$175,000 for a violation that results in death, serious illness or severe injury to any person or substantial destruction of property. This rule also reflects the removal of the \$250 minimum civil penalty and the increase to \$450 of the minimum penalty for violations relating to training. In addition to costly fines, undeclared hazmat shipments, especially those shipped by air, pose a great public safety risk. If you are not sure whether or not you are shipping, mailing, or in any way transporting a hazardous material, we have made special arrangements with Mr. Gene Sanders, of W.E. Train Consulting in Tampa, FL to address these questions. At no initial charge, Gene will assist Skolnik customers, and potential customers, for up to 15 minutes to determine if the product they are shipping is a regulated product and thereby subject to the shipping requirements of the CFR. If it is a regulated product, Gene will then charge to assist in package selection and determinations of documentation requirements. The small upfront cost for properly shipping hazardous materials can save you from receiving huge penalties for violation of these regulations. To contact Gene Sanders, you can reach him directly at: 813-855-3855 or gene@wetrainconsulting.com.</p><p>—Howard Skolnik</p></div>	<div>Using the Right Tools for the Job<p>We have written here before about the importance of caring for the exteriors of stainless steel wine barrels, like avoiding direct contact with uncoated carbon steel, preventing deep scratches and the occasional need for re-passivation. But just as important as it is to care for the exterior, the interior can be even more important, especially when using open head wine barrels for the small lot processing of grapes. The tools you use are key to care of the stainless wine drums. Most importantly, avoid carbon steel shovels, pitchforks and scoops as they can scratch the stainless steel. The best tools to use are those made of food grade polypropylene. These hygienic tools were specifically created for the handling of grapes, must and pomace and they are light-weight and easy to clean. These tool allows you to quickly move grapes and must, and they won't damage or scratch stainless steel barrels, tanks or vats. Made of high-grade polypropylene which is virtually unbreakable and immune to rust or rot, they are approved under FDA regulations for direct food contact. They are also light-weight and can help vineyard and winery owners increase productivity and reduce labor costs by moving and processing grapes faster and more efficiently than ever before. Using shovels, rakes and pitchforks with tapered and star-profiled tines enable easy piercing and gathering of grapes and pomace. The material -facing surface of the tines are flat, not round, so they won't scratch or damage your stainless steel wine barrels. One of the primary benefits of using stainless steel wine barrels is their longevity, but they must be cared for and one of the best ways to do this is to use the right tools.</p><p>—Dean Ricker</p></div>

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