EPA “SMARTWAY” PROGRAM IMPACTS NEW TRUCKS AND TRAILERS

In 2004, U.S. EPA launched a program called “SmartWay” — a program that “certifies” trucks and trailers offering environmentally cleaner, more fuel efficient designs and equipment.

In its simplest form, the SmartWay “brand” identifies trucks and trailers that reduce transportation-related emissions. Fleet owners can purchase SmartWay trucks and trailers that have the cleanest, most fuel-efficient equipment available. Carriers know they are getting a qualified truck or trailer by looking for the special designation mark affixed on the inside of the tractor cab or trailer.

Some states may soon make mandatory the future use of SmartWay trucks and trailers as part of efforts to reduce emissions of “greenhouse gases”.

PETER DEWITT WINS 2011 MORRIS HERSHSON AWARD

Peter DeWitt, co-owner and Vice President of DeWitt Barrels Inc., is the 2011 winner of the prestigious Morris Hershson Award of Merit. The Award is given to an individual who has made outstanding long-term contributions to the reusable industrial packaging industry.

DeWitt has been an active contributor to RIPA over the years. He has served on the Board of Directors for seven years, and was the group’s Treasurer for two years. Most recently, he completed a two year term as Association Chairman.

DeWitt is proud to be part of the 5th generation operating the family business, DeWitt Barrels, Inc. Pete works alongside his brothers Michael and Tim, along with 6th generation family member Peter Jason DeWitt.
CHAIR’S MESSAGE

If you are in almost any part of the U.S., you probably know that this has been a very hot summer! Records have been broken in places like Washington, DC where there’s already enough hot air to make you wilt. Still, even in these hot and humid “dog days”, when many people are enjoying their vacations, RIPA has official business to conduct.

RIPA’s Board of Directors convened in Chicago, IL July 26th for its annual summer meeting. The Product Groups filed reports on various projects including the ongoing approval process for ultrasonic leakproofness testing. The Board also heard plans to re-certify certain fiber drum design types, as well as plans to conduct an IBC Compliance Workshop on September 15, 2011 in St. Louis, MO. Invitations to the IBC Workshop have been sent to all members.

The Board was pleased to see that 2011 budget expectations were being met, and that RIPA had retained almost all members from the previous year. Additionally, at the time of the meeting, a new member was being inducted: RnR Industrial Services in Kaufman, TX.

Staff provided an update on work to build and launch a new website for the association. A prototype of the new website was presented. Staff indicated that the new site would present a more environmentally ‘green’ theme that stems from packaging reuse. Also, the site will be easier to manage, and more useful as a resource for members’ customers, policymakers and those simply interested in the issues.

The Board discussed the shape of future conferences, including proposed plans to co-locate a conference in 2012 with IPANA. RIPA’s Annual Conferences in 2009 and 2010 were “co-located” with IPANA and the response was generally positive. Both groups conducted their separate business meetings and committee meetings, but shared in the main speakers’ program and several social events. For this year, the two associations are not co-locating for logistical reasons. However, the Board acknowledged a desire to coordinate a location for 2012.

The Board discussed future plans for an international conference, acknowledging that the 2011 international conference in Japan had to be cancelled in the wake of events there. RIPA President Paul Rankin will be traveling to Japan in August for the ICCR Annual Board Meeting, and to make plans for the next international conference in 2012.

The Board bestowed upon Mr. Peter DeWitt of DeWitt Barrels, Inc. the 2011 Morris Hershson Award of Excellence. (See the related story elsewhere in this edition of “Reusable Packaging Today”.) In the past, Peter has served as RIPA’s Chair, as well as RIPA’s Treasurer. More recently, he has been very active – and quite successful -- in lobbying U.S. DOT to issue approvals for the ultrasonic leakproofness test method. Peter’s award will be officially made at the 2011 Annual Conference October 12-15 in St. Petersburg, FL. Congratulations to Peter!

And speaking of the annual conference, I hope all members will make the trip in October to the luxurious Vinoy Resort in St. Pete. As in past years, there will be a Suppliers Exhibition, an Accompanying Persons Tour, a golf outing, a welcome reception, a topical speakers’ program, the Product Group meetings, the Hershson Award, and a slew of other opportunities to meet and greet your colleagues and friends.

Where else can you get all that in one place? Hope to see you there!
Other Conference highlights include the social events, the Suppliers and Associates Exhibition, the Accompanying Persons Tour, the Product Group meetings and the Board of Directors meeting. Also, as seen in the related story here, the Morris Hershson Award ceremony will be conducted Friday evening October 14th - - this year featuring honoree Mr. Peter DeWitt of DeWitt Barrels, Inc. in Marne, MI.

A conference registration form will be sent soon to all members. Also, sign-up sheets for Suppliers and Associates to reserve their free display tables will be sent soon. Finally, information on making room reservations will be provided shortly.

Meanwhile, circle those dates and plan on being at the wonderful Vinoy Resort in St. Pete!

In 1999 the firm earned the “Clean Corporate Citizen” designation from the State of Michigan and has maintained it ever since. Last year, the firm was selected by the US Small Business Association as the Jeffrey Butland Family Owned Business of the Year for the State of Michigan.

DeWitt is highly active in civic and community affairs. He is a life member of the Grand Rapids Jaycees, a trustee on the Grand Valley State University Foundation Board, and earlier this year was appointed to the Dean’s Advisory Board of the Seidman College of Business at Grand Valley State University.

“Peter DeWitt is highly deserving of this important award from his association,” says RIPA Chairman Dennis Long. “Pete has given, and continues to give, a great deal of his time to the association, all in an effort to improve the industry. I am looking forward to the Award ceremony where all RIPA members can thank Pete for all he has done for RIPA over the years.”

Peter DeWitt will receive the Morris Hershson Award of Merit on October 14, 2011 at the 70th RIPA Annual Meeting in Florida.

PHMSA REVISES SPECIAL PERMIT PROCEDURES

The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued correcting amendments to a previously issued final rule clarifying certain application procedures for Special Permits. The requirements, found in HM-233B, clarify that applicants must provide information about a range of company operations, including all operating locations covered by the special permit, a DUNS number, the name of a corporate official with operational responsibility, and estimates regarding the quantity of hazmat planned for transportation.

Industry commentators uniformly criticized the new rule, arguing the reporting requirements would be costly, administratively burdensome and largely unnecessary as a matter of safety. With a few minor exceptions, PHMSA rejected nearly all industry comments.

Special permit applicants must supply the following to DOT:

- Name, mailing address, physical address, e-mail address and telephone number of all known sites where the SP will be used;
- Name of the company CEO or ranking executive officer;
- Dunn and Bradstreet Data Universal Number System (DUNS) identifier; and,
- Estimated number of hazmat shipments affected.

Although this rule does not directly address Approval applications, it is likely that these same reporting requirements will apply to Approvals in the near future. A copy of the rule is available from RIPA.
Equipment manufacturers have developed unique specifications detailing equipment requirements for an EPA-designated SmartWay truck or trailer. Basic qualifications for an EPA-designated SmartWay truck include:

- Engine is model year 2007 or later;
- Integrated sleeper cab with high-roof “fairing” (a “fairing” is a drag-reducing element added on to “smooth” the outline);
- Tractor-mounted side fairing-gap reducers;
- Tractor fuel-tank side fairings;
- Aerodynamic bumper and mirrors;
- Options for reducing periods of engine idling (e.g., auxiliary power units, generator sets, direct-fired heaters, battery powered HVAC systems, and automatic engine start/stop systems); and
- Options for low rolling resistance tires (single wide or dual), with aluminum wheels encouraged but optional.

New long-haul trailers can be ordered, and existing trailers can be upgraded, to qualify as EPA-designated SmartWay trailers provided that they are equipped with:

- Side skirts;
- Weight-saving technologies;
- Gap reducers on the front or trailer tails; and
- Options for low rolling resistance tires (single wide or dual), with aluminum wheels encouraged but optional

According to EPA’s analysis, these add-on technologies can pay for themselves in about three years, saving fuel expenses anywhere from a few hundred to a few thousand dollars each year. Actual savings will depend on the technology chosen, local fuel costs and the annual mileage. Also, EPA has a program to assist with financing purchases or leasing of SmartWay vehicles and trailers.

EPA-designated SmartWay tractors can be ordered currently through the following manufacturers:

- Daimler
- Navistar International
- Kenworth
- Mack
- Peterbilt
- Volvo

EPA-designated SmartWay trailers can be ordered directly from the following manufacturers and their dealers:

- Great Dane Trailers
- Hyundai Translead
- Manac Inc.
- Stoughton Trailers LLC
- Trailmobile Canada Limited
- Utility Trailer Manufacturing Company
- Vanguard National Trailer Corporation
- Wabash National Corporation

Many trailer dealers will sell upgraded trailers that have been designated SmartWay. Contact your local trailer dealer to see if it offers new and retrofit equipment that meets SmartWay specifications.
EPA PROPOSES RULES TO IDENTIFY “LEGITIMATE” HAZ’ WASTE RECYCLING

U.S. EPA has proposed a sweeping set of rules aimed at separating “legitimate” hazardous waste recycling from operations that actually should be regulated as hazardous waste management. In the process, EPA examined container reconditioning to assess whether non-regulated residue management practices might have “drifted” in some cases into waste management. RIPA assured officials this was not the case.

In determining whether a recycling operation is “legitimate”, the material recycled must contribute an ingredient to a new product, substitute for an existing ingredient, or be recovered or regenerated by the process. Also, the recycling process must result in a “valuable” product. Specifically, a product is “valuable” if it is sold to a third party or is used by the recycler as an effective substitute in an industrial process.

The end product of the recycling process must not exceed concentrations of toxics that otherwise occur in analogous raw materials. Also, the product must not exhibit a hazardous characteristic that analogous raw materials do not exhibit.

Persons performing recycling for the purpose of obtaining exemptions from the hazardous waste regulations must maintain documentation onsite. Documentation must be either a written description of the recycling process or a copy of a “legitimacy variance” received from the state or local implementing agency. Documentation must be maintained for three years after the recycling operation has ceased.

Significantly, as EPA was preparing the current proposed rules, a line of inquiry was made into drum reconditioning. RIPA was contacted for information on the reconditioning process and the status of incoming residues. In the distant past, several drum reconditioning facilities were not properly managed and the facilities ended up as Superfund sites or “abandoned” sites, all needing significant cleanup. Apparently, there has been for a while some suspicion by environmentalists that drum users look at reconditioners as a conduit for hazardous waste, hoping to avoid costly waste management requirements.

In several conversations and one face-to-face meeting, RIPA explained how residues are handled, and referred the researchers to their agency’s own “empty container rule” (40 CFR 261.7). RIPA explained how reconditioners do not accept “heavy” drums but rather return them as unused product under the DOT’s regulations for safe shipment.

Significantly, the agency’s new proposals for wastes and recycling do not include any discussion of reconditioning nor any changes to the empty container rule. Nevertheless, reconditioners should be prepared to explain precisely how emptied containers and their residues are not hazardous waste when the containers meet the empty container rule. Additionally, it is vital that emptiers understand that the so-called “one-inch” rule does not universally allow up to an inch of residue. The one-inch allowance applies only to very viscous materials that are not emptied by all normal means. In other words, containers should be “drip dry”.

For copies of RIPA’s “Drum and IBC Emptying Poster”, contact the RIPA office. This poster is useful to send to customers, reminding their workers how the emptying of a drum and IBC should be completed.

pack2pack ACQUIRED BY GREIF, INC. SUBSIDIARY

A leading reconditioning company in Europe, pack2pack, has been acquired by Greif subsidiary EarthMinded Life Cycle Services. The purchase was completed and announced on August 3, 2011.

Greif is a world leader in industrial packaging products and services, producing steel, plastic, fiber, corrugated, flexible and multiwall containers and related products. EarthMinded LCS is a Greif business that collects, reconditions, remanufactures and recycles used industrial containers.

According to pack2pack Group Commercial Leader Rudy Green, “Greif’s significant resources and its core focus on industrial packaging make the company ideally suited to help pack2pack continue to grow and develop products and services that benefit its customers.”

pack2pack operates 9 reconditioning and storage sites in 7 different countries and is headquartered in Rumbeke, Belgium. The company employs 650 people and generates annual sales of approximately €130 million (US $185 million).
“Intermediate Bulk Container Compliance Workshop”
Hyatt Regency Hotel
St. Louis, MO
September 14 – 15, 2011

Workshop overview
The Reusable Industrial Packaging Association IBC Seminar is designed to provide members with a thorough understanding of regulations, standards and industry practices affecting the transportation, acceptance, processing, testing and marking of Intermediate Bulk Containers (IBCs). The primary focus of the workshop will be on composite IBCs, although the same general rules apply to all reprocessed IBCs.

Attendees will learn:
• Key IBC terms and definitions
• Empty IBC management policies
• Marking, testing and recordkeeping requirements
• Replacement bottle practices

Who should attend?
- Company owners
- Regulatory compliance managers
- Plant managers
- All key professionals involved in overseeing your plant’s IBC operation

Meeting information
When: September 14 – 15, 2011
Where: Hyatt Regency Hotel  Downtown at the Arch
315 Chestnut Street,
St. Louis, MO  63102

Schedule:
9/14  6:00 p.m. – 7:00 p.m.  Welcome Reception
9/15  9:00 a.m. – 4:00 p.m.  Workshop (breakfast and lunch provided)

Cost: $225.00

Register today. Fill out the attached registration form and fax or e-mail it to RIPA along with payment. Fax: (301/577-6476)  e-mail: admin@ripaus.com

Important: Attendees must make their own reservations at the Hyatt.
Call:  (314) 655-1234 and ask for the RIPA room rate ($119.00)
REGISTRATION FORM for
RIPA IBC Compliance Workshop
September 14th – 15th, 2011 Hyatt Regency, St. Louis, MO

Company Name: ____________________________________________________________

Company Address: ___________________________________________________________________

Your Email: ____________________________ Phone: ______________ Fax: ______________

Cancellation Policy: No refunds after September 2nd
Registration forms received after September 2nd will be charged a $50.00 administrative fee.

REGISTRATION INFORMATION:

Registrant’s Name _____________________________ Email: ___________________________

Registrant’s Name _____________________________ Email: ___________________________

Registrant’s Name _____________________________ Email: ___________________________

Registrant’s Name _____________________________ Email: ___________________________

REGISTRATION FEES:

Total Attendees: _______ (x $225.00) $____________

TOTAL: $____________

METHOD OF PAYMENT:

RETURN FORM WITH YOUR CHECK TO:  CHARGE TO MY CREDIT CARD AND FAX OR MAIL TO THE RIPA OFFICE:

RIPA IBC Compliance Workshop  Master Card    Visa
51 Monroe Street, Suite 812  Credit Card #: _______________________________________
Rockville, MD 20850

Phone: 301.577.3786  Expiration Date: _______________________________________
Fax: 301.577.6476   Signature: ________________________________________________
US DOT is Offering Free HazMat Training Sessions

PHMSA will offer free, two-day seminars to educate hazmat employers and employees on the DOT Hazardous Materials Regulations (HMR). Each seminar begins with a general session that provides an overview of the DOT's Hazardous Materials Program. The remainder of the seminar consists of sessions based on participants' level of experience and includes hazmat basics, as well as additional safety and compliance guides for more experienced hazmat workers. Compliance with the HMR is essential for all employers and employees where dangerous goods are present, or if the business interacts with a hazardous materials shipment. The sessions will be held in Los Angeles (July 12/13) and Dallas (August 9/10). Further details can be found here.

— Howard Skolnik

Saccharin No Longer Considered Hazardous

PHMSA recently amended the Hazardous Materials Regulations by removing saccharin and its salts from the list of hazardous substances and reportable quantities. The Comprehensive Environmental Response, Compensation and Liability Act, requires PHMSA to list and regulate all hazardous substances designated by statute or by the U.S. Environmental Protection Agency (EPA). EPA recently removed saccharin and its salts from their list of hazardous substances through notice and comment rulemaking. This final rule simply harmonizes the lists to better enable shippers and carriers to identify the affected hazardous substances, comply with all applicable regulatory requirements, and make required notifications if the release of a hazardous substance occurs. Until now, that box of sugar substitute you were buying at Costco and any local supermarket was transported as dangerous goods!

— Howard Skolnik

City Winery Brings Wine-On-Tap to Chicago

Regular readers of our newsletter know that we are big fans of the "wine on tap" movement. What started off slowly in Northern California is now taking the nation by storm. Used primarily in restaurants and wine bars, these unique re-useable stainless steel wine kegs are replacing the traditional glass bottle and cork. When you drink wine from a keg, you pay for the wine, not the bottle, the label, the box and the whole mess of marketing that surrounds bottled wine. Wine on tap is all about the juice. And without all that packaging, the environmental impact of a single glass of wine is a lot less. Our own City of Chicago is set to see another major "wine on tap" facility open during the winter of 2012. City Winery in Chicago, will be the first spin off of the New York Winery in downtown SoHo. The owner, music producer Michael Dorf, as well as winemaker David Lecomte, felt that our great city was an obvious choice to begin their expansion with. The 21,000 square foot facility will feature 18 tap lines of wine, two wine bars, and two private dining rooms with glass walls, displaying the winery's fermentation tanks and drums. Skolnik is proud to have been at the forefront of the "wine on tap" movement, with our stainless steel wine barrels in use by top producers around the country.

— Jason Snow
HazMat News

PHMSA Launches Online Database of HazMat Incident Reports

The U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) has launched an online database of hazardous materials incident summary reports. The annual and 10-year summary reports include the number of incidents related to specific causes, the number of injuries or fatalities, as well the cost of damages. For instance, while California, Texas, Illinois and Ohio have the most incidents of the 50 states, Texas is #1 for having the most deaths or major injuries, the most hospitalized injuries and the most non-hospitalized injuries. By far, most HazMat transportation incidents that result in injury occur at the unloading portion of the transport experience. Users of this database can download up-to-date, useful information from the database because it is updated on a nightly basis and the data can be sorted based on the details of the incident. The creation of this database streamlines the delivery of this information to the public and continues PHMSA’s commitment to increased Government transparency. Click here to access the database on the PHMSA website.

Criminal HazMat Fines Lodged in Three Incidents

Authorities filed charges against a Michigan man they said stored about 500 barrels of hazardous chemicals on his property, leading to a $1.3 million federal and state cleanup. The 52-year-old was arraigned in district court on two counts of knowingly releasing or causing the release of a hazardous substance. The charges stem from a 2008 fire at the suspect’s house, which is about 10 miles southwest of Kalamazoo. Firefighters responding to the fire said they found hundreds of barrels of hazardous waste in the woods behind the house. Environmental cleanup crews said the barrels contained substances that included herbicides, pesticides, mercury, and flammable materials. In another incident, owners of two old industrial sites are under investigation for improperly storing dangerous chemicals. Located in South Carolina, there are two separate investigations. One is at the former American Screw and Rivet plant and the other is the old Flex-A-Form plant, coincidently about a mile away from American Screw and Rivet. Investigators said these facilities operated without permits for years. The U.S. Environmental Protection Agency (EPA) said clean-up at the two sites could cost taxpayers around $2 million. At the Flex-A-Form site, South Carolina Department of Health and Environmental Control documents show the owner told investigators, “We used to pour the chemicals out the door.” The EPA said they will try to get money from the property owners to clean-up these sites. Both sites could be in violation of the state pollution and hazardous waste management acts. The owners of the properties could be fined up to $25,000 for each day of violating the law, and they could spend up to 2 years in prison, if charges are made, and if they are found guilty.

Wine Making News

Don’t Sleep it Off, Sleep “IN” a Wine Barrel!

Located in the coastal town of Stavoren in Holland, the Hotel de Vrouwe van Stavoren is one of the most original places to stay in the world because the rooms are situated inside large wooden wine barrels. The wine barrels are of Swiss origin and used to contain more than 14,500 liters of wine. There are four barrel rooms, each created from drums that used to contain Beaujolais wine from the French chateau area. The beds stand inside the wine barrel and the round wooden walls give a very cozy and secure feeling, like in the hull of a ship. The ceiling of the wine barrel is high enough, that you can stand up in it. At the back of each barrel a doorway is made, leading to the sitting room with shower and toilet. This out of the box idea seems to be the ultimate example of using recycled materials to build an Eco friendly hotel. We thought that sleeping in a wine barrel was just, flat out, cool! Click here to see the hotel’s web site.

— Dean Ricker

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