

# Reusable Industrial Packaging Association 2024 Annual Conference Houston, Texas

REGULATORY PLENARY SESSION

# **Update: EPA Empty Container Issues**

### Overview

- September 2022, EPA issues "Drum Reconditioner Damage Case Report"
- The report painted the industry in a terrible light and included numerous factual errors.
- RIPA responded with a lengthy letter in early 2023, refuting much of the report.
- In August 2023, EPA issued an Advance Notice of Proposed Rulemaking



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## **Update: EPA empty container issues**

- RIPA presented a lengthy response to the Agency, explaining how a restrictive rule could negatively impact on the industry, its customers and the U.S. economy were EPA to eliminate the empty drum rule and regulate reconditioners as TSDFs. (Nomeber 22, 2023)
- RIPA also organized a 24-member coalition of national trade groups (U.S. Chamber; NACD, NAM, ACC, ILMA, IPANA, etc.). All these groups commented and asked EPA to:
  - Keep the empty container rule
  - Not regulate reconditioners as TSDFs
- In March, Kearny Steel Drum hosted EPA for a tour of its New Jersey steel drum and IBC

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## **Update: EPA empty container issues**

- On April 24, 2024, EPA issued a "Notice" seeking public comments on a proposal to obtain information from the industry concerning reconditioner operations, including:
- Number of employees
- Use of engineering controls
- Procedures for inspecting incoming containers
- Number of heavy drums
- Employee training
- Permits
- ....and more

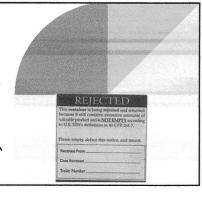
## **Update: EPA Empty Container Issues**

- On June 24, 2024 RIPA commented extensively on the proposal and pledged to work with the Agency to ensure the questionnaire is answered fully and properly.
- · Responders many be required hire professional help to adequately respond.
- RIPA may host a national video conference to explain the questions and help companies respond.

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## Handling non-RCRA empty containers and return

- All EPA regional offices are aware of the ANPRM and, therefore, members can expect heightened awareness by Agency inspectors of key operational issues, including -
- Heavy container storage practices Heavy container return practices
- Reconditioners should Ensure each load of containers is accompanied by a signed "empty container certification" form.
- Ensure employees reject all non-RCRA empty drums and IBCs
- Apply a rejection sticker to all heavy containers



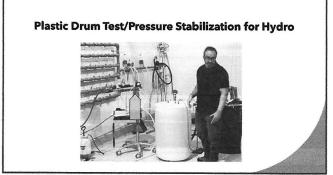
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## Handling non-RCRA empty containers and return practices

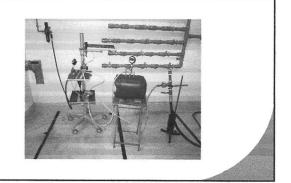
- Maintain a clearly marked storage area for heavy containers not immediately returned to the emptier
- Notify the company sending a heavy container
- Return the container as unused product as soon as possible
- · Be sure the emptier gives you appropriate shipping information for the container and product, and that the information goes back to the emptier.



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# Equilibar Leakproofness Regulator Leakproofness Pressure Reducing Regulator (Range: 0-25 LPa) Hydroxtatic Back Pressure Regulator (Range: 0-100 psi) Hydroxtatic Electronic Pressure Regulator (Range: 0-100 psi) Equilibar, LLC Equilibar, LLC Equilibar, LLC Equilibar, LLC EPR-100

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## Steel Drum & IBC Testing: Tobyhanna





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Device to ensure holes for hydro are identical



## IBC Cross Bottle Testing: 2024 - 2025

- RIPA is conducting IBC Cross-Bottle Testing
- Members <u>MUST</u> have copies of the test reports to create and sell the two cross-bottle combinations
- $\bullet$  Members  $\underline{\text{MUST}}$  sign up to receive the test reports by October 25, 2024

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## IBC Cross Bottle Testing: 2024 - 2025

BOTTLE/CAGE	CAGE & PALLET	CAPACITY	MARK	CORNER PROTECTOR
Schuetz bottle/ Mauser Cage	MauserSM13 Composite	330	Y/1.5/70	No
Schuetz bottle/ GBC G-Cube Cage	G-Cube Composite Poly Pallet	330	Y/1.5/70	No

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## **DOT Seeking Data on 10/8/10 Steel Drum Safety**

- Special Permit 21231 (2<sup>nd</sup> Revision) provides holders of the permit the right to recondition tight- and open-head steel drums with thickness markings of 1.0/0.8/1.0.
- The SP requires holders to apply a sticker on each 10/8/10 drum indicating the SP number, among other requirements.
- \* § 8(e) of the SP also requires holders to "…keep a monthly report of -
  - The number of drums reconditioned
  - If the drum is for liquids or solids and the maximum hydro pressure (if sold for liquids)

DOT Seeking Data on 10/8/10 Steel Drum Safet	DOT	Seeking	Data o	n 10/8/	10 Stee	Drum	Safet
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- DOT has advised RIPA it will start collecting this data but would prefer that we do the data collection.
- RIPA is going to send members a short questionnaire seeking -
  - gross production numbers for open- and tight-head drums (2023)
- If companies have received any reports of incidents involving these drums and the number removed from service
- If companies have heard from insurance companies about claims involving these drums.

RIPA will aggregate the numbers to hide company identifies and report to DOT

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## **Next Generation Development Program**

- Next Gen program announced in September 2024
- Goals -
- Identify, educate and empower emerging talent in the industry
- Advance the industry
- Ensure the RIPA remains vital, strong and is well led into the future

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## **Next Generation Development Program**

- Criteria for program admittance:
- Under 35 years old or new to the industry
- Possess several years of plant experience
- Nominated by company
- Authorized to spend two days away from company
- Able to attend one RIPA meeting per year
- Two-year commitment to program

## **Empty IBC Transportation**

- In October 2023, DOT issued a Special Permit (DOTSP 21478) to FDS authorizing the transportation of RCRA-empty IBCs without the need to placard the vehicle.
   This means –
- No need to use hazmat endorsed drivers
- No need for DOT shipping papers
- Companies seeking to take advantage of this SP must apply to DOT for "party-to" status.
- Companies holding the SP should look at the renewal date and re-apply if needed.

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