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December 26, 2012

Docket Operations M-30  
U.S. Department of Transportation  
West Building, Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

Re: Docket No. PHMSA-2012-0301; Notice No. 12-10  
"Assessment of Hazardous Materials Incident Data Collection, Analysis, Reporting, and Use"

To Whom It May Concern,

The Reusable Industrial Packaging Association (RIPA) is the U.S.-based trade association for businesses involved in the reconditioning, manufacturing, reuse and recycling of industrial containers such as steel drums, plastic drums, and composite IBCs. RIPA's membership accounts for the vast majority of the U.S. container reconditioning industry, as well as a substantial share of packaging manufacturing firms.

These comments are offered in response to PHMSA's request for input on the reporting and use of hazardous materials incident data (77 Fed. Reg. 69925). PHMSA is seeking input on the methods used to collect, analyze, report, and use incident data.

As a general matter, RIPA believes incident data should be the primary initiator of PHMSA packaging inspection cases, not – as is generally the case today - random visits to companies or the result of tests conducted by LOGSA / Tobyhanna. Greater reliance on incident data would help the agency prioritize investigations and optimize the use of scarce resources and personnel.

Also, RIPA believes that incident reports should more accurately describe the failed packaging. For example, using the current incident report form, a person reporting the failure of a steel or plastic drum today would not be asked to provide information on head or body material thickness, despite the fact that this information is a marked design-type determinant for these containers. Given that PHMSA's own data show "forklift accident" (i.e. puncture) to be a leading cause of drum failure, and also include a number of other similar failure causes (e.g. abrasion, cracking, crushing), thickness data is likely to be a key

factor in any incident assessment. To this end, RIPA strongly recommends the incident report form be revised to include a line-item for material thickness, where applicable.

RIPA also recommends that the Agency make an effort to simplify and clarify the various "Failure Codes." For example, within Codes 101 – 161 ("What Failed") PHMSA offers 14 options for valve-related failure (not including cylinders). Code 501 ("How Failed") indicates failure because a packaging was "dropped," while Code 515 ("Causes of Failure) indicates a packaging failed due to "human error." Which would be the appropriate Code to select in the event a packaging failed because a worker dropped it while unloading a vehicle?

Similarly, RIPA is not certain why the Agency maintains separate codes for "How Failed" and "Causes of Failure." Code 301 ("How Failed") indicates a packaging failed because it was "Abraded." Code 501 ("Cause(s) of Failure") indicates packaging failure due to "Abrasion."

Even packaging experts would have difficulty selecting the appropriate Code from among this vast array of often conflicting options. Therefore, as noted above, RIPA suggests the Agency work with interested parties to rationalize the Failure Codes list.

Question 26(b) on the Report Form (F 5800.1) asks for descriptive data in the event a packaging mark is incomplete or unavailable. Two options are offered, i.e. "Single Package or Outer Packaging," and "Single Package or Inner Packaging (if any)." RIPA believes only the term "Packaging" should be used in this line item.

RIPA appreciates the opportunity to comment on issues related to PHMSA data collection efforts and improvements to the reporting form used for this purpose. We look forward to working with the Agency on these matters in the future.

Sincerely,



C.L. Pettit  
Director, Regulatory and Technical Affairs

cc: S. Walker  
L. Bierlein