

2019 RIPA TECHNICAL CONFERENCE SAILS INTO HILTON HEAD, SC

With spring having finally arrived, RIPA members gathered in early April at Hilton Head Island, South Carolina for the **2019 RIPA Technical Conference**.

Attendees enjoyed a relaxed and quiet setting that offered optimal time for working sessions as well as business interactions and catching up with friends.

The conference began on Sunday evening with the Suppliers Welcome Reception. Everyone enjoyed the outdoor setting just off the beach.

Monday's sessions began with a meeting of the Steel Drum Product Group. Chair Barry Wingard led a discussion of steel markets and the outlook over the near term. The outlook generally was described as optimistic for reconditioning. It appears that high steel prices are not going away any time soon.

Members were provided updates on several RIPA petitions being considered by U.S. DOT including one to allow leakproofness testing with ultrasonic sensors and another to amend the overly strict standard for steel surface adherents after reconditioning. Progress is reportedly being made, although regulatory actions lately have been moving slower than usual, even those that would be beneficial to industry.



Hilton Head Island, South Carolina

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NO MORE DIRECT-TO-SCRAP

RIPA's Communications Committee has developed several new tools designed to educate companies about potentially negative legal and environmental problems arising from sending containers with small amounts of regulated residue to scrap yards.

The program, "No More Direct-to-Scrap," includes an animated video, a PowerPoint presentation, several technical articles and sample corporate empty residue container management policies designed to explain the issue to diverse audiences, from lawyers to plant managers. The association is also developing a video that explains in simple terms the federal empty container rule. All these materials are now or will soon be available on the association's web site (see [HERE](#)).

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CHAIRMAN'S MESSAGE Hello My Friends!

I trust you are doing splendidly and enjoying spring. Our beautiful Mother Nature has a strange sense of humor. Our recent Technical Conference in Hilton Head, SC was fantastic. I wish more RIPA members were able to take part in the event. The meeting was one of the best we've had in years. The quality of the presentations was fantastic, and the venue wonderfully located just 150 yards from the ocean. We received a tremendous amount of great feedback on this conference.

*RIPA Chair Brian Evoy*

We were honored to have Mr. William Schoonover, Associate Administrator, Office of Hazardous Materials Safety. He brought along a rising star in the Agency's rulemaking division, Ms. Shelby Geller, to take part in our meeting. It's not often that the person responsible for overseeing the entire federal hazmat program spends the day visiting with our association. Mr. Schoonover and Ms. Geller provided us with a great overview on the rulemaking process. It was reassuring to know that their Agency is fully engaged with our industry. They have an incredibly challenging task of managing our safety and recognize the value in maintaining an open dialogue with RIPA. Bill's visit was refreshing and encouraging.

Importantly, Ms. Geller and Mr. Schoonover brought us some great news. RIPA's three active petitions for rulemaking, P-1618 IBC Placarding, P-1703 Ultrasonic Testing and P-1670 Steel Drum Coating Removal, are all being actively considered. We hope to see them in a soon-to-be-released rulemaking. I sensed a bit of caution on timing as Ms. Geller showed an interesting slide describing the incredibly complicated path a proposed rule must travel to be published for public comment. I counted the number of signatures that must be obtained from DOT offices before a draft rule can even go out to the Office of Management and Budget for its review – 13! That's right, a draft rule must be agreed to by 13 DOT offices before it goes out the door! That is just part of the overall process...And we have always wondered why rules take so long? I recall hearing it described like this..."It's like a fire plug (hydrant) and everyone wants to leave their mark on it."

We also had a great presentation from our partners at FTI on how to prepare for an emergency situation at your facility. FTI is also the company RIPA hired to help with our "No More Direct-to-Scrap" program. Their presentation was highly valuable. It was a lot of fun watching Noah Flom and Paul Rankin trying to navigate a mock-emergency in real time. I am sure with at least one rehearsal their performance would have been flawless. It ended up quite hilarious and instructive. RIPA is working with FTI to put together a program on emergency management that will be made available to every member.

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We rolled out the RIPA Suppliers Panel Showcase on our first day. This is something that our Technical Director, C.L. Pettit, worked on putting together. It was a great success. I think this will be a permanent addition to our Technical Conferences going forward.

I am grateful to all who participated and to every Supplier Member. We rely heavily on your expertise and quality to help us produce the best, safest products for our customers.

We received an update from Paul and RIPA General Counsel Rick Schweitzer on the status of our discussion with EPA on managing empty containers. A full update can be found on page 8 of this newsletter. I want you to know that we have made great progress with the Agency on this matter. We are hopeful that we can craft a nationally recognized empty container management plan that allows all reconditioners to operate in much the same manner as we do today. The US EPA staff will certainly ask us to do a bit more training of our employees. We hope that we will not be forced to handle non-compliant incoming hazmat containers as hazardous waste. We are fighting hard to keep the Empty Container Rule intact.

I want you to know that our association is healthy and in a strong financial position. We will be reviewing our dues structure this year to ensure that the massive consolidation of the past 36 months does not create future financial problems for the group. I have asked William Dworsky to chair a Dues Committee and report its findings to the Board at its July summer meeting. This process is underway, and we will be certain to deliberately manage this responsibility for the future welfare of RIPA.

I encourage all of you to take the time to read the RIPA newsletter and to set your sights on our Annual Conference scheduled for October 2 - 4 in Naples, Florida at the beautiful Naples Grande Beach Resort (in conjunction with IPANA). Thank you for your continued support of RIPA!

Wishing you all continued success and a great summer!

Best Always, Brian

RIPA 78th Annual Conference & Suppliers Exposition

October 2-4, 2019

NAPLES GRANDE BEACH RESORT

Naples, Florida

In Conjunction with IPANA Annual Conference Oct 1-3



Details on Program, Registration, Hotel Reservations and Reserving Free Supplier Exhibit Space are Coming Soon.

Meanwhile, the Basic Schedule is [HERE](#)

"Conference" continued from page 1

The IBC Product Group discussed Special Permit 16323 which allows permit holders to install brand new IBC bottles without leakproofness testing. (See the related and detailed story on page 6.)

Members were then advised of a proposal being prepared for submission to the International Electronics Commission that would establish a standard for testing the electrostatic properties of composite IBCs. Electrostatic properties are important safety concerns in certain filling and discharging situations. An electrostatic charge could ignite flowing and contained material causing a fire or explosion.

Mr. Chris Lind, former Technical and Regulatory Director at Mauser, made a presentation (see [HERE](#)) on the proposed electrostatic standard as well as developments regarding Antistatic and "Static Dissipative" IBC designs. He also described UL or FM Certified IBCs that are also NFPA (fire code) compliant.

The proceedings then moved into the Product Group Plenary session. RIPA President Paul Rankin described an effort by both RIPA and IPANA to

convince DOT that it can extend, for many proven design types, the period between the UN recertification tests. RIPA believes the current annual test cycle is wasteful and does not bring about any commensurate benefit in terms of enhanced safety. Mr. Rankin reported that DOT has been receptive to the idea, but cautious and in need of data to support such a move.



DOT's Associate Administrator for the Office of Hazmat Safety, Mr. Bill Schoonover, (foreground) takes questions.



Mr. Chris Lind



Two media experts from FTI (left) with Paul Rankin and Noah Flom conclude a media training and crisis management exercise.



“Conference” continued from page 4



Jerry Butler and Paul Rankin

Attention then turned to RIPA’s ongoing discussions with EPA on the agency’s empty container rule and attempts by certain EPA enforcement personnel to apply its provisions in unintended ways. (See the detailed story on this issue on page 8.)

Following the Product Group sessions was a special presentation from RIPA member NLB Corp entitled “Training: Productivity and Safety in Ultra High Pressure and High Pressure Water Jet Cleaning Operations” (see presentation [HERE](#)). Additionally, the program featured a “Suppliers Showcase” where several RIPA

Supplier Members took a few minutes to describe new products and services. Presenters here included Enterprise Marking Products, ICS–Stainlez and Catalytic Products International.

In the afternoon, the RIPA Board of Directors met to tend to a number of issues including meetings, finance, membership, awards, and overall policy on regulations, legislation and standards. As has been a long-standing practice, several additional RIPA members attended as observers.

The next day’s Main Program began with welcoming remarks, updates and introductions from Chair Brian Evoy. Then RIPA welcomed Mr. Bill Schoonover, Associate Administrator for DOT/PHMSA’s Office of Hazardous Materials Safety. See more on Mr. Schoonover’s visit, as well as details on the media training session that followed, in the Chair’s Column on page 2. Meanwhile you can see DOT’s presentation [HERE](#) and the crisis communications presentation [HERE](#).



FTI’s Tilden Katz leading a discussion on “media training” and crisis management.

EXPLAINING SP 16323: ELIMINATING BOTTLE TESTS FOR REPAIRED AND REMANUFACTURED IBCS

Reconditioners who want to limit or eliminate testing of new inner receptacles used in repaired or re-manufactured composite IBCs must be a party to DOT Special Permit 16323. The special permit authorizes the installation of a new inner receptacle without the need to perform a leakproofness test.

The Special Permit does not prevent reconditioners from periodically testing inner receptacles for quality assurance purposes, but it does allow reconditioners to eliminate testing if they so choose.

It is important to remember that companies operating under SP 16323 must apply a sticker showing the SP number on each IBC sold.

Many RIPA members have become a “party-to” this special permit, a task that requires nothing more than sending a simple application letter to DOT. The review process usually takes less than a month and does not include a plant inspection or even a visit by the agency. A sample application letter for a first-time applicant can be obtained

[HERE](#).

Members who already have been granted “party-to” status by DOT need to make sure that their authorization is still valid. DOT grants this authorization for an initial period of two-years, after which the holder must re-apply for four-year extensions. A sample *renewal* letter can be obtained [HERE](#). If you are uncertain about your renewal date, be sure to review your permit or authorization. If you are still not certain, RIPA has a list of SP holders and their renewal dates. Call the office for more information



*Eric Bernath (L), and Bent Bernath (R)
Ctr: Steve Zamin and fiancée Milena Medakovic*



*L - R: Adam Pluskota, Mike Bank,
Matt Newcomb and Steve Lennox*



“Scrap” continued from page 1

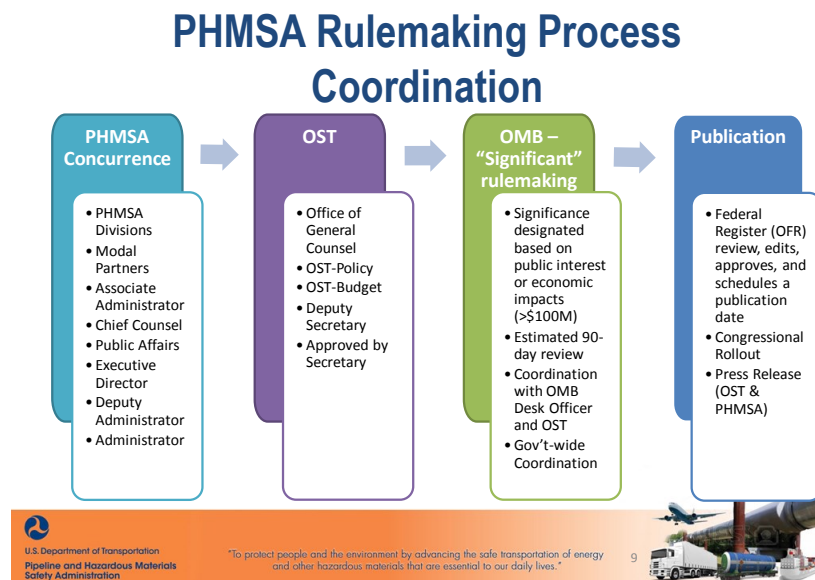
“These materials have been created for use by member companies, particularly their sales staff,” said RIPA President Paul Rankin. “We hope that when a sales person runs across a company that is sending its empty residue containers to a scrap yard, they will knock on the door and show them these materials,” noted Rankin. “Hopefully, these firms will recognize that scrapping residue drums or IBCs is not just bad for the environment, but also needlessly exposes the firm and its officers to a range of civil and environmental liabilities.”

RIPA has also established itself on key social media platforms (e.g. *LinkedIn*) to expand the association’s visibility nationally on this and related issues. President Paul Rankin introduced the program at a recent national conference (Industrial Pack 2019) and is planning to speak to several legal practices in Washington, DC that represent Fortune 1000 companies on environmental issues.

THE REGULATORY PROCESS IN ONE SLIDE (EXHIBIT A) !

As was noted in the Chair’s Column (page 2), DOT / PHMSA personnel came to the Technical Conference and presented a lot of valuable information on their current rulemakings and information on the overall process. They said the process is slow and complicated, presenting the following slide that describes the process in detail.

We give you Exhibit A, which does not mean regulations are always done *right*. They’re just done *slowly*.



REGION V EPA STANDS FIRM ON EMPTY CONTAINER TRANSPORT ISSUES

Enforcement officials representing Region V EPA are not backing off their aggressive reading of regulations affecting the transportation and management of residue containers that fail to meet the RCRA empty standard.

Agency officials have made it clear they believe all non-compliant residue containers that are transported to a reconditioner should be regulated as hazardous waste. Such regulation would include the use of a hazardous waste manifest, certified drivers and specialized management practices by reconditioners. RIPA believes non-compliant containers are shipped rarely and inadvertently and should be identified and handled by the reconditioner as holding excess product.

Recently, RIPA hosted a meeting of prospective industry partners to update them and discuss issues arising from U.S. EPA Region V enforcement policies. The meeting included representatives of several major trade groups including National Association of Chemical Distributors; American Chemistry Council; Chlorine Institute; National Tank Truck Carriers; and American Coatings Association.

RIPA President Paul Rankin presented an overview of the container filling, emptying and reconditioning process and a summary of the empty container regulation. He also described the history of the Region V EPA enforcement issue and a summary of last year's meeting with U.S. EPA enforcement administrator Susan Bodine.

Rankin advised the group that RIPA will not ask EPA to issue a rulemaking on any non-compliant container management issue. The association believes that some type of "best practices" document that is approved by EPA and national in scope is the appropriate way to resolve the issue.

Not long after the meeting, RIPA was given a summary of a document presented to CLCM by Region V EPA that represents a first step towards resolving the non-compliant container issue. RIPA has reviewed the summary and, while it is deeply flawed in many ways, it also contains several key statements that suggest EPA appreciates that the empty container management practices now employed by RIPA members are environmentally sound and reasonable.

RIPA and its industry partners plan to meet with EPA in the near future. RIPA will keep all association members apprised of all related matters.



SCHUETZ SEEKS INTERNATIONAL STANDARD FOR TESTING ELECTROSTATIC PROPERTIES OF COMPOSITE IBCS

Earlier this year, Schuetz petitioned the International Electronics Commission (IEC) to create a global standard for testing the electrostatic properties of composite intermediate bulk containers. Since even small sparks arising from charges created during the fulling and emptying of composite IBCs can ignite flammable materials in an IBC, the company believes an international standard would harmonize testing procedures and, thereby, improve safety.

The proposed standard, “DE NC; “Electrostatics – Part 4-xx: Standard test methods for specific applications – Testing of electrostatic properties of composite IBC” - 2019-01-20 - would affect both new and reconditioned IBCs. For this reason, the International Confederation of Container Reconditioners (ICCR) has asked to be made a part of the group helping to create the standard.

The draft standard presents new definitions for reprocessed IBCs which do not fully agree with those appearing in the UN Model Regulations or U.S. regulations. These definitions will have to be revised to ensure that any new electrostatic test procedures can be applied properly and fairly across the globe, says ICCR Chair Paul Rankin.

The proposal also would establish “regular” but unspecified reviews under a quality assurance program to ensure that appropriate safety standards are being met. Such tests are proposed for new IBCs “after the first filling” and “no later than 30 months after the date of manufacture.” Similar testing procedures are required for reprocessed composite IBCs.

In addition, the proposed standard would mandate that a test report be prepared for each new or reconditioned composite IBC that is tested in accordance with the standard.

Mr. Chris Lind, formerly the Director of Technology and Regulatory Affairs for Mauser, made an excellent and detailed presentation on the proposed standard, including comments on the safety benefits it might have given the rapidly increasing numbers of composite IBCs being used for flammable liquids.





Drum It Up!

April 2019

PACKAGING NEWS		WINEMAKING NEWS
Move Over! It's the Law.	Decoding the UN Marking on a Drum	Thinking "Outside the Bottle", the Growth of Boxed Wines
<p>If your car has ever broken down or you have had a flat tire, being stranded on the side of a road, can be very dangerous. Cars and trucks speeding by just inches away leaves too little margin for error and could easily result in a disastrous crash. America's first responders – police, fire, EMT's – face this peril every day in the line of duty. Also at risk are tow truck drivers, highway workers, utility workers and others whose jobs sometimes require that they park their vehicle on the roadway or the side of the road.</p> <p>More than 150 law enforcement officers have been killed since 1997 after being struck by vehicles along America's highways. In fact, traffic-related incidents, including vehicle crashes, are one of the leading causes of death for law enforcement officers. In 2017, 47 officers lost their lives in traffic-related incidents, with nine officers struck and killed outside their vehicles. Already in 2019, responder fatalities include 7 law enforcement officers. From 2007 to 2017, 39 percent of law enforcement officers killed in the line of duty were lost in traffic-related incidents. Many have been seriously injured. This is a tragedy and completely preventable.</p> <p>To keep people from being killed or injured in these situations, all fifty states now have mandatory "Move Over" laws. Details vary, but assume that if you see a vehicle with emergency lights or flashers on, you are required to move over a lane and slow down.</p> <p>The National Highway Traffic Safety Administration will continue to raise awareness of this important issue through its ongoing safety campaign: Move Over. It's the Law.</p> <p>Every driver has a part to play in keeping first responders safe. When you see a first responder or other vehicle with flashing lights, please slow down, move over, and give them space to stay safe. "Move Over" is not only the law in all fifty states, but is also the courteous thing to do. And when you safely move over, you are signaling to the drivers behind you that they should follow your lead.</p> <p>—Howard Skolnik</p>	<p>Every UN certified drum has a "birthmark" but few shippers know the meaning of these markings. In accordance with UN recommendations, certified markings indicate the performance rating and test information about a steel drum and must be applied in accordance with CFR 178.3(a)(3). For drums over 100 Litres (26 US Gallons) there are a number of ways that the marking can be applied including stamping, embossing, burning and printing. For these size drums, there must be one complete set of durable marks on the side or non-removable top head of a closed head drum, and a second, partial mark, embossed permanently on the bottom head. The purpose of having the two marks is that once filled, the drum will sit, primarily, on its bottom head, and the UN test information needs to be readily viewable for the user at the side or top mark. The permanent partial bottom mark must conform to the application options indicated earlier. However, the side or top mark is required to be durable rather than permanent. Therefore, it is common and acceptable for the durable mark to be printed on a self-adhesive label, which is attached to the side of the drum. The characters on the label and the permanent embossment are subject to the size and sequence requirements as specified in 178.3(4) and 178.503(a)(1) through (a)(6) and (a)(9)(i). For a breakdown of the individual marks, you can link to the following: Open Head Solid Marking, Open Head Liquid Marking, Closed Head Marking, Seamless Marking.</p> <p>—Howard Skolnik</p>	<p>Writing in "Shanken News Daily", Danny Sullivan reports that "Premium boxed wines have become an increasingly potent force in the U.S. market, with multiple boxed brands earning Impact "Hot Brand" awards this year. The two largest players in the category— Constellation-owned Black Box and Bota Box from Delicato Family Wines— combined to sell nearly 14 million cases last year, according to Impact Databank." The growth in boxed wines is driven by their ease of use, ability to keep wine longer once opened, and a growing environmental concern about the use of glass bottles.</p> <p>Black Box, a fixture on the Hot Brands list, delivered over 7 million cases last year, up from 6.6 million cases in 2017. The brand, which features 12 expressions, has grown by 2.6 million cases over the past three years. "Consumers are increasingly aware and accepting of alternative pack formats," says Jim Sabia, Constellation's CMO. "As a result, we're seeing growth on 3-liter and 500-ml. packs. We've also expanded our offerings with the recent launches of Black Box Rosé and Black Box Sangria."</p> <p>Competitor Bota Box has also been on a long-term growth curve, earning its 11th consecutive Hot Brand award. The brand has expanded by nearly 3 million cases since 2015 and looks set to blow past the 7-million-case mark this year. Bota Box currently counts 15 wines in its arsenal. Bota's Dry Rosé leads the 3-liter rosé category, according to Jon Guggino, executive Vice President of marketing at Delicato. "The 3-liter and alternative packaging categories continue to grow and gain acceptance, and our marketing efforts will focus on our quality and leadership position in the category."</p> <p>Another domestic wine, Washington-sourced House Wine, also has been making gains in the boxed segment. Owned by Seattle-based Precept Wine, House Wine's 3-liter boxed format was up 5% to 181,000 cases in 2018, accounting for just over half of the brand's total volume. Retailing in line with Bota Box and Black Box</p> <p>cont. on page 2</p>

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SKOLNIK IS A BUSINESS TO BUSINESS MANUFACTURER OF NEW CARBON STEEL DRUMS AND STAINLESS STEEL DRUMS FOR HIGHLY VALUED CONTENTS. FROM CUSTOM WINE BARRELS TO DRUMS FOR HAZARDOUS MATERIALS (HAZMAT) AND DANGEROUS GOODS, WE ARE A LEADER IN SPECIALTY PACKAGING.

SKOLNIK Industries, Inc		1-800-441-8780 US	1-773-735-0700 Outside the US
Drum It Up!		April, 2019	
		Thinking “Outside the Bottle”, the Growth of Boxed Wines (cont.)	
		<p>at around \$20 a 3-liter, House Wine’s boxed portfolio includes a Chardonnay, Moscato, Pinot Grigio, Riesling, Sauvignon Blanc, Rosé, Pinot Noir, Red Blend, Malbec, Merlot, Cabernet Sauvignon, and Dark Sauvignon. Overall, House Wine has expanded by more than 50% since 2015, reaching 341,000 cases last year.</p> <p>Using bottles or boxes to package your wine? Here at Skolnik Industries, our stainless steel wine barrels are reusable, easy to clean, and recyclable at the end of their service life.</p> <p>Check out the full line of our Stainless Steel Wine Drums here.</p> <p>—Jon Stein</p>	

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