



## SSCI NEWS

### SSCI Requests Change in Limits on Delivery of Closing Instructions

The Steel Shipping Container Institute (SSCI) has filed a request with the Pipeline and Hazardous Materials Safety Administration's (PHMSA) Standards Office seeking a further interpretation of the agency's current limitation precluding the use of electronic media as a means of providing packaging customers with container closure notification information.

In a filing with the Office of Hazardous Materials Standards, the SSCI maintained that providing closure notification information via e-mail or other electronic media, while maintaining compliance with the one-year retention requirement, will foster greater awareness of the required information and, therefore, promote "our mutual goal of enhancing the safe transport of hazardous materials."

The SSCI noted that a series of agency interpretations currently prohibits the delivery of closure notification information by any means other than, as PHMSA stated in one letter, "written (i.e. hard copy)" form. PHMSA provided this interpretation in response to a 2003 inquiry from a firm that requested a change to the notification requirement to include a provision that would allow such information to be provided in electronic format on a CD-ROM. In denying the request, PHMSA stated that "An electronic format, such as a CD Rom [sic], may be used as a supplement to the written notification."

In support of its current request, the SSCI argued that "allowing the dissemination of closure notification information via electronic media is in keeping with the Federal government's commitment to more efficient and informed governance." Moreover, the SSCI continued, the "use of e-mail and/or other electronic media for providing closure notification should be recognized as fulfilling the requirement that such information be provided in 'written' form."

Finally, the SSCI continued, "the use of electronic media for notification allows the manufacturer or other person certifying compliance with § 178.29(c) to provide the required information to a broader number of affected recipient. Thus, assuring that the closure notification information is communicated to those individuals best positioned to ensure its use in the proper closing of packagings for transport."

### SSCI Representatives Have Constructive Visit to Tobyhanna

More than a dozen representatives from SSCI member firms and staff journeyed to the Logistics Supply Agency (LOGSA) at the U.S. Army Depot in Tobyhanna on October 10 to tour the unit's Packaging, Storage, and Containerization Center (PSCC) that, under contract, conducts packaging testing for the Pipeline and Hazardous Materials Safety Administration, DOT.

During the visit, SSCI representatives witnessed demonstration testing of steel drums and pails provided to Tobyhanna for these purposes, with an emphasis on the drop and hydrostatic tests. The samples provided for the testing passed both of these tests. An essential part of the visit was to observe the testing methodology that is used by the PSCC in conducting its testing for PHMSA. Charlotte A. Lent, an industrial engineer at LOGSA, who supervises the testing lab, noted the facility follows ASTM testing standards. She commented, though, that ASTM does not have procedures for the leakproofness, stacking, and hydrostatic tests and inquired as to whether it would be possible for the PSCC and industry to develop a set of rules or procedures that could be adopted voluntarily for these tests.

In addition to observing demonstration testing, the SSCI group also held a dialogue with Ms. Lent and Anthony Lima, PHMSA's Program Packaging Manager, on several test-related and enforcement concerns.

Among the latter issues was concern about the proliferation of so-called “macho marked” drums that continue to be problem. The SSCI outlined its recent proactive stand in addressing this issue, noting the development and dissemination of several brochures addressing “macho marks” and several other packaging safety and integrity-related issues.

PHMSA’s so-called design test report form templates that have been developed and recently imposed on third-party laboratories as part of their continued agency certification also were discussed. The agency has been encouraging self-certifiers to embrace these templates in their own design testing activities. SSCI members expressed concerns about the breadth and scope of the data sought in the templates, particularly related to concerns about possible proprietary information that is being sought in the reports.

Both the PHMSA representative and his LOGSA colleague indicated that there are procedures in place that would protect proprietary data from exposure to the public through any Freedom of Information Act (FOIA) requests. Moreover, PHMSA’s Mr. Lima said that the agency likely would move ahead with efforts to incorporate the expanded design test report form templates into the regulations, but that such an initiative is some years away.

The SSCI representatives concluded that the Tobyhanna visit was beneficial and concluded to make future periodic visits to the facility.

### **Grebe Named Chairman of TPC; Massa Recognized for Service**

SSCI Chairman Doug Brooks, President, CP Louisiana, Inc., recently named Joseph Grebe, Director, Product Technical and Regulatory Support, Greif, Inc., as chairman of the Institute’s Technical Projects Committee (TPC). Mr. Grebe succeeds Jerry Massa, who served four years at the TPC chair and was recognized recently at a plenary session at IPANA’s Fall Conference for his contributions over that term.

Mr. Massa, Manager – Quality Assurance, at CP Louisiana, Inc., was instrumental in leading the SSCI’s efforts to develop a series of brochures to provide current and prospective purchasers of steel drums and pails with a broad range of information necessary to make informed decision when specifying packaging. He

also guided to completion the production of the SSCI’s revised paint chart of 20 recommended colors, updating an Institute color palette dating from the early 1990s.

More recently, the TPC completed work on a *Buyer’s/Shipper’s Checklist*, a document that includes elements of some of the prior information pieces in a comprehensive document designed to be used by the sales staffs of SSCI member manufacturers to assist customers and prospects in specifying the correct package for the commodity to be shipped.

In recognizing Mr. Massa at the recent Fall Conference for his contribution to the success of the TPC, SSCI Chairman Brooks presented him with a Certificate of Appreciation which states, in part, “For his dedicated leadership and technical skills” in leading the Technical Projects Committee, 2003-2007.

### **SSCI Board Approves 2008 Budget; Dues for Manufacturers to Rise 3 Percent**

As part of an omnibus IPANA dues and budget package, the SSCI Board of Directors at its recent meeting in Arlington, Virginia, tentatively approved the Institute’s 2008 budget and reaffirmed its previously-adopted policy of imposing a three-percent increase in the dues for steel drum and pail manufacturers.

Recently, the 2008 dues schedule was disseminated to all members, along with a letter advising them of the IPANA bylaw requirement on notice regarding the discontinuation of membership for next year.

## **IPANA NEWS**

### **Dates, Locations Set for 2008-2009 IPANA Annual Meetings**

The IPANA Board of Directors recently authorized staff to proceed with signing contracts with hotels in connection with the 2008-2009 Annual Meetings of the Alliance and its independent affiliated organizations.

The 2008 Annual Meeting will be held April 27-30 at the Marriott Marco Island, on Florida’s southwestern Gulf Coast.

The 2009 Annual Meeting will be held April 26-29 at the Hilton Head Marriott, Hilton Head Island, South Carolina.

The Board concluded to book facilities several years in advance to provide for more venue options and a bit better negotiating leverage. Similar efforts are underway with respect to the 2008 and 2009 Fall Conferences, and those results should be determined within the next several months.

For its annual meetings, IPANA operates on a rotation that results in these sessions being in the southeastern U.S. in two successive years followed by one meeting in the southwest. Under this arrangement, the yet-to-be-scheduled 2010 IPANA Annual Meeting likely will be at a locale in Arizona.

## **REGULATORY NEWS**

### **Willke Named to Associate Administrator Post at PHMSA**

Ted Willke no longer is serving in an acting role as Associate Administrator of PHMSA's Office of Hazardous Materials Safety (OHMS), having recently been named to the post on a permanent basis.

Prior to his appointment, Dr. Willke served as PHMSA's Acting Associate Administrator for Pipeline Safety and Deputy Associate Administrator for Pipeline Safety. In these roles, he led PHMSA's establishment and enforcement of pipeline safety regulations for operations and maintenance, and spill response planning for the nation's 2.3 million miles of natural gas and hazardous liquids pipelines.

Previously, Dr. Willke was the director and chief executive officer of the Carnegie Mellon Research Institute in Pittsburgh. He also spent 15 years with the Gas Research Institute in Chicago.

### **New HazMat Shipping Paper Requirements Take Effect**

Beginning October 1, hazardous materials shipping papers must include the number and type of packages being transported (e.g., 4 drums, 5 boxes, 3 cylinders), either before or after the proper shipping description

sequence, the Dangerous Goods Advisory Council (DGAC) reports.

Section 172.202(a)(7) states: "The total quantity of the material covered by one description must appear before or after, or both before and after, the description required and authorized by this subpart. The type of packaging and destination marks may be entered in any appropriate manner before or after the basic description. Abbreviations may be used to express units of measurement and types of packagings."

This requirement is in addition to the existing requirement to list the total quantity of hazardous materials (by mass or volume). This requirement also applies to shipping papers covering the transportation of hazardous materials in tank trucks, which must include the words "1 cargo tank" on the shipping paper (even if there are different materials being hauled in separate compartments).

### **DGAC/PHMSA Form Best Practices Partnership on HazMat Training**

The Dangerous Goods Advisory Council (DGAC) recently completed work with the Pipeline and Hazardous Materials Safety Administration (PHMSA) to develop a partnership on hazmat transportation instructor best practices. The partnership Agreement will be signed at the DGAC Annual Conference in Santa Fe, November 14-16, 2007.

DGAC and many of its member companies conduct training programs designed to ensure persons involved in various activities related to hazardous materials transportation are properly trained in the application and use of the Hazardous Materials Regulations. The purpose of the partnership is to develop voluntary best practices and guidelines for instructors of hazmat training programs to move the industry towards a performance oriented program that demonstrates the effectiveness of hazmat training.

The scope of the project includes (1) a review of the factors that enhance the training experience and make it effective, (2) development of voluntary best practices for a training program, (3) assessment of basic course materials needed, and (4) identification of scope and benefits of different testing methods applicable to intended competencies of students for knowledge learned.

DGAC and PHMSA will host a public workshop on November 14 in Santa Fe to discuss the partnership and begin work on the instructor best practices. The

workshop is free, open to the public, and will be held in conjunction with DGAC's 29<sup>th</sup> Annual Conference and Hazardous Materials Transportation Exposition.

## **CALENDAR OF EVENTS**

### **NOVEMBER 14 – 16**

Dangerous Goods Advisory Council  
29<sup>th</sup> Annual Meeting & Hazardous Materials Exhibition  
Santa Fe, New Mexico

### **DECEMBER 1 – 5**

National Association of Chemical Distributors  
36<sup>th</sup> Annual Meeting  
Scottsdale, Arizona

### **DECEMBER 3—7**

United Nations COE Meeting  
33<sup>rd</sup> Session  
Geneva, Switzerland

### **FEBRUARY 13—15**

Chemical Packaging Committee  
Full and Sub-Committee Meetings  
Sarasota, Florida

### **MARCH 9—11**

Petroleum Packaging Council  
Spring Meeting  
Tampa, Florida

### **APRIL 27—30**

Industrial Packaging Alliance of North America  
6<sup>th</sup> Annual Meeting  
Marco Island, Florida

### **JUNE 2---4**

Chemical Packaging Committee  
Full and Sub-Committee Meetings  
San Antonio, Texas

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