



# Shipping Container Institute

# NEWS

**January – February 2008**

## **IPANA NEWS**

### **IPANA'S 6<sup>th</sup> Annual Meeting Set for April 27-30 in Florida**

Preliminary information, including a tentative schedule of events, as well as details for making hotel reservations and registering for the Industrial Packaging Alliance of North America's (IPANA's) 6<sup>th</sup> Annual Meeting recently was circulated electronically to all Alliance members and other interested parties. The event will be held April 27-30 at the Marriott Marco Island Hotel, Marco Island, Florida.

In addition to two plenary sessions set for this meeting, IPANA's four independent affiliates – the International Fibre Drum Institute, the Plastic Drum Institute, the Rigid Intermediate Bulk Container Association, and the Steel Shipping Container Institute – will conduct separate sessions to address membership and product-specific technical and regulatory issues.

The keynote speaker for this event is Psychologist-Humorist Bruce Christopher who inspires audiences internationally by providing them real, immediate solutions and practical strategies for change and success. Among Mr. Christopher's clients are such firms as Allstate Insurance, American Airlines, American Express, A T & T, General Electric, and the U.S. Navy.

The deadline for obtaining hotel reservations at the Marriott Marco Island at the Alliance's special rate is April 7. After that date, rooms will be available on a first-come basis and the special conference rates will not apply. So, even if you are undecided at this time whether your schedule will allow you to participate, make a room reservation anyway. You can always cancel it later.

IPANA members can complete and fax their conference registration forms to the office at any time.

Subsequently, you will be billed for the registration fee. Please note that the conference registration fee increases after April 4.

Make your plans now to attend this important industry gathering.

### **IPANA Survey on Membership, Meetings to be Circulated Soon**

The Official Representatives of all member firms of the Industrial Packaging Alliance of North America (IPANA) shortly will receive notice regarding a new survey developed by staff in consultation with the Alliance's Board of Directors. This on-line survey is designed to gauge the views of members on the value, structure, content, and location of IPANA's annual and fall meetings as well as related matters.

IPANA conducted a similar on-line survey in 2004 and the Board concluded that it was time to take the measure of Alliance members on these issues once again.

An email on the availability of the on-line survey will only be sent to the designated Official Representative of record in IPANA's membership files. Look for that alert soon and try to complete the survey as soon as possible.

## **SSCI NEWS**

### **John Cutt, Lester Trilla Designated for Life Member Status in SSCI**

Two past chairmen of the Steel Shipping Container Institute (SSCI) and stalwarts of the steel packaging industry, John W. Cutt and Lester Trilla, have been designated as Honorary Life Members of the Institute by

its Board of Directors. The Board acted to bestow this special SSCI designation at its recent meeting in Washington, D.C.

Article VI, Section 3 of the SSCI's bylaws provide, "The Board of Directors shall have the power and discretion in recognition of long and meritorious service, to grant honorary life membership in the Corporation to any official representative and alternate of a company member or any active member upon his [or her] retirement from active business."

Messrs. Cutt and Trilla will be formally recognized as Honorary Life Members at the SSCI's General Membership Meeting on April 28, 2008, at the Marriott Marco Island, Marco Island, Florida.

### **SSCI Board Approves TPC Request on Data Collection by Drum Mark and Gage**

The Steel Shipping Container Institute's (SSCI) Board of Directors at its recent meeting approved a recommendation by the organization's Technical Project Committee (TPC) calling for a further collection of steel drum production data by UN markings and by drum gage and type. The TPC adopted its recommendation to the Board at its Chicago meeting in late January.

The SSCI is in the final stages of collecting and aggregating drum production data authorized by the Board in early 2007. That effort, conducted through the auspices of the independent firm Ross, Langan & McKendree, CPA, LLP, will provide data on production of tight head and open head drums for the years 2003 through 2006. It is the SSCI's first independent data collection effort since the government ceased such activities in the late 1990s. It is expected that this total tight head and open head production data finally will be circulated at the SSCI's April general membership meeting in Marco Island, Florida.

Meanwhile, the TPC has developed an Excel-based template that will be used to obtain the more specific drum production data by UN mark and gage. The purpose of this effort is to measure the universe of drum marks produced by SSCI members and is aimed at providing further data related to the Institute's efforts to encourage customers to shift away from so-called "macho mark" drums that analysis shows are not required for a large percentage of the hazardous materials being transported in steel packaging.

It is expected that this latest data initiative will not get underway until later in the spring – following the IPANA/SSCI annual meetings in Florida and the end of tax season. Further details on the data collection effort, including concerns related to confidentiality, will be provided in the ensuing weeks.

### **SSCI Meets with Marketing, Public Relations Firms**

Four members of the Steel Shipping Container Institute's Board of Directors, along with a representative of its Associate members, met in mid-February in Washington, D.C. with officials of three marketing/public relations firms to explore opportunities for working together to foster market growth for steel drums and pails.

The SSCI's representatives at these sessions were: Chairman Doug Brooks, Leonard H. Berenfield, President/CEO of Berenfield Containers, Inc.; John F. Herrick, Jr., President, Cleveland Steel Container Corp.; Kyle R. Stavig, Chief Executive Officer, Myers Container, LLC; Laura Beechwood, Chief Operating Officer, CDF Corporation; and, John A. McQuaid, Executive Director.

The SSCI Board authorized this panel to explore opportunities for broadening the market for steel drums and pails as the industrial packaging of choice by promoting the safety, durability, and environmentally sustainable features of these products to a diverse audience with differing interests in their attributes.

The SSCI group met with three marketing/public relations groups separately for one and one-half hours each to explore the opportunities outlined in a conceptual framework talking paper prepared by SSCI staff. The purpose of the meetings was to gauge the interest level of each firm in developing a more formalized proposal for the SSCI group's consideration in advance of the April Board meeting to be held in connection with IPANA's 6<sup>th</sup> Annual meeting in Marco Island, Florida.

Each of the groups agreed to reply by March 15 with their respective proposals which the marketing group will evaluate considering both the creativeness of content and associated costs. The marketing group, then, will decide on a proposal it will recommend to the Board. The chosen marketing/public relations firm,

then, would make a formal presentation on its proposal to the full Board in Florida.

### **SSCI Assumes ICDM Secretariat; Board Meeting Scheduled for April**

The Steel Shipping Container Institute (SSCI) on January 1 assumed responsibilities as Secretariat of the International Confederation of Steel Drum Manufacturers (ICDM) for a three-year period. ICDM is comprised of three regional organizations representing manufacturers of steel drums and pails – the SSCI, the European Association of Steel Drum Manufacturers (known by the French acronym SEFA), and the Association of Asia-Oceanic Steel Drum Manufacturers (AOSD). The Secretariat rotates among the member organization every three years. The SSCI will retain the Secretariat until December 31, 2010.

The ICDM Board, headed by SSCI's Chairman Doug Brooks, will conduct its next meeting on Saturday, April 26, at the Marriott Marco Island, Marco Island, Florida, in conjunction with IPANA's 6<sup>th</sup> Annual Meeting and the SSCI's 64<sup>th</sup>. Among the agenda items for that meeting will be an update on international regulatory issues impacting steel drum and pail manufacturers as well as planning for the 2<sup>nd</sup> International Packaging Conference to be held in Beijing, China in the Fall of 2009. The ICDM has endorsed the 2009 meeting and will participate, along with its member organizations.

## **REGULATORY NEWS**

### **Carl Johnson Sworn in as Second PHMSA Administrator**

The Secretary of the U.S. Department of Transportation on March 6 will host a public swearing in of Carl T. Johnson as administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA) in a ceremony at DOT's Washington, D.C. headquarters. However, Mr. Johnson has been on the job since being officially sworn in the day after Christmas.

Mr. Johnson retired in 2006 as president of the Compressed Gas Association. Previously, he served as special assistant to Representative Amory Houghton of New York. Earlier in his career, he served as director of federal government relations at Corning Glass Works.

At PHMSA, Mr. Johnson joins Ted Willke, who last year was appointed as associate administrator of the Office of Hazardous Materials Safety. Bob Richard continues as deputy associate administrator at OHMS.

### **SSCI, RIPA, DOT Representatives See Ultrasonic Tester in Operation**

Ennis Containers, Inc., Auburndale, Florida, recently hosted representatives from the Steel Shipping Container Institute (SSCI), the Reusable Industrial Packaging Association (RIPA), and the Pipeline and Hazardous Materials Safety Administration (PHMSA) interested in observing the steel drum manufacturer's in-line ultrasonic leakproofness tester. Ennis uses the ultrasonic tester as a secondary leakproofness check on newly manufactured 55-gallon drums.

The SSCI's Executive Director, John McQuaid, coordinated the visit with Ennis on behalf of RIPA's technical staff as well as engineering and enforcement representatives from PHMSA. RIPA is in the process of writing a request that will be submitted to PHMSA seeking agency approval for the use of ultrasonic leakproofness testing as an alternative to currently authorized methods. SSCI will join with RIPA in submitting the request and only members of the two groups would be authorized to rely on the approval if one is subsequently granted.

Darrell Ennis, President of Ennis Containers, and Monica Allen, who serves in the firm's senior management, and as is its representative on the SSCI's Board of Directors, hosted the visitors who transited to Auburndale from the Chemical Packaging Committee's meeting in near-by Sarasota. Jeff Brozio, operations manager at the plant, coordinated the demonstration of the in-line ultrasonic leakproofness tester, including the testing of a drum with a hole in its bottom and another with a cut in the chime. The ultrasonic equipment detected both defective drums and kicked them out of the line.

All of the observers were impressed with the efficacy of the equipment as well as the speed with which it operated in the production line. Both the PHMSA engineer who, ultimately will be responsible for reviewing the approval submission, as well as the three enforcement representatives present appeared to be impressed with the operation of the ultrasonic leakproofness testing equipment.

It is expected that the request to PHMSA will be completed within the next several weeks and will be

submitted to the agency following approval by the SSCI and RIPA Boards.

### **No Reply Yet to SSCI's Closure Instructions Request**

The Pipeline and Hazardous Materials Safety Administration (PHMSA) continues to mull over the SSCI's informal October request seeking approval for the electronic transmission of packaging closure and assembly instructions from manufacturers to customers.

The SSCI, using the agency's on-line electronic portal, requested that PHMSA reconsider its current limitation that precludes the use of electronic media (other than a CD-ROM) to provide container closure notification information in accordance with Section 178.2(c). In support of its request, the SSCI noted 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 the industry's and PHMSA's mutual goal of enhancing the safe transport of hazardous materials.

The SSCI's request further noted that PHMSA and other agencies within DOT, and throughout the Federal government, make extensive use of electronic communications in furtherance of their mandates to serve and protect the public.

Informally, PHMSA officials have advised that the SSCI request is under active consideration at the agency. However, there is a question as to whether the agency can administratively make this change without the opportunity for public comment.

### **SSCI Continues Educational Efforts with PHMSA on UN Drum Marks**

Building on the development and dissemination of several brochures aimed at educating steel drum and pail buyers on the importance specifying the properly marked UN packaging for the product being transported, the SSCI is cooperating with PHMSA's Office of Hazardous Materials Enforcement (OHME) and the agency's Initiatives and Training Office in the development of an additional educational piece on the important of specifying the proper package.

This newest effort is aimed at developing informational guidance that would be posted on the DOT's Web Site with both the agency's and the SSCI's logos, indicative of the cooperative arrangement that produced the piece.

Both the SSCI's brochure entitled, *Certifiable UN Marks for Steel Drums and Pails* and its subsequent guide for packaging, *Buyer's/Shipper's Checklist for Packaging Regulated and Non-Regulated Materials*, have been valuable tools for SSCI member firms in educating customers about their responsibilities in specifying and purchasing the proper packaging for the products being transported. This whole effort is aimed at shifting customers away from specifying aggressively marked packagings that are unnecessary.

The newest SSCI/PHMSA initiative is currently in development and will not be finalized for several months.

### **FMCSA Proposes New Truck Driver Training Requirements**

The Federal Motor Carrier Safety Administration (FMCSA), DOT, has proposed comprehensive new rules for individuals seeking new commercial driver's licenses (CDL) that would require both classroom and behind-the-wheel training from an accredited educational program or institution.

According to the agency's proposal, beginning three years after the effective date of a final rule, all applicants for a CDL or upgraded CDL would be required to provide a valid certificate from a truck driving program or institution accredited by the U.S. Department of Education or the Council on Higher Education Accreditation. The rule would not affect current CDL holders.

For a "Class A" CDL (tractor-trailers), the proposed rule requires a minimum of 75 hours of classroom instruction and 44 hours of behind-the-wheel training – a total of 120 hours. For a license to operate large box or van trucks ("Class B") or drive certain passenger-carrying vehicles and to transport hazardous materials ("Class C"), the proposed rule would require a minimum of 58 hours of classroom instruction and 32 hours behind-the-wheel training – a total of 90 hours.

The training curriculum includes CDL safety regulations as well as instruction on vehicle operation and safe operating practices.

The agency acted in docket number FMCSA-2007-27748 published in the December 26 *Federal Register*. Comments on the proposal are due March 25, 2008.

### **EPA to Set Green Standards for Copiers, Other Imaging Devices**

The U.S. Environmental Protection Agency (EPA) recently hosted a two-day roundtable the purpose of which was to kick-off the development process for the new environmental standards for copiers and other imaging devices.

The forum brought together representatives from manufacturers, suppliers, public and private sector purchasers, public interest groups, and experts in electronics design to define the scope of the products to be covered, look at other standards and labels, and begin to develop potential environmental performance criteria for the new standards. This effort is designed to build on the success of EPEAT – an on-line tool to help institutional buyers identify and buy greener electronic equipment.

EPEAT – the electronic product environmental assessment tool – was launched in 2006, focusing on desktop and laptop computers and monitors. It includes a set of environmental criteria and a system for registering and verifying equipment that meets those criteria. EPEAT-registered computers have reduced levels of toxins, are more energy efficient, are easier to upgrade and recycle, and use more sustainable packaging than conventional equipment.

EPA supported the development of EPEAT, but is it now a largely self-sustaining system operated by the Green Electronics Council.

## **OTHER NEWS**

### **Classification Board Sets New LTL Freight Class for Steel Drums**

The Commodity Classification Standards Board (CCSB), successor to the National Motor Freight Traffic Association (NMFTA), voted recently to establish a new density-based freight classification – 150 up from 92.5 – applicable to new and reconditioned steel drums transported in less-than-truckload service by its member motor carriers. This 60 percent change in classification will result in higher shipping costs

The CCSB was formed following the Surface Transportation Board's decision last year to strip the NMFTA of its limited antitrust immunity that allowed its members to collectively establish commodity classifications that are the basis for establishing so-called motor carrier class rates. These rates provide the basis from which individual carriers and their customers negotiate shipping costs. In essence, the CCSB continues some functions of the defunct NMFTA, but on a more limited scale due to its lack of antitrust immunity.

The Reusable Industrial Packaging Association (RIPA), whose members rely on motor carriers in transporting steel packagings, has been heavily involved in the CCSB hearings on this matter. While a RIPA proposal that the CCSB establish a bifurcated classification system for palletized open-head and tight-head steel drums was rejected on procedural grounds, the Board invited RIPA to further develop the concept and re-submit it at a later date for consideration.

In the meantime, though, the CCSB did approve a RIPA request to delay until August 2008 implementation of the new density-based classification to allow its members to develop new pre-printed bills of lading, train sales and office staff, and re-program computers, in addition to alerting customers to the new regime.

## **CALENDAR OF EVENTS**

**MARCH 9 – 11**

Petroleum Packaging Council  
2008 Spring Meeting  
Tampa, Florida

**MARCH 9 – 12**

Council on the Safe Transport of Hazardous Articles  
2008 Annual Forum  
St. Petersburg, Florida

**APRIL 6 – 8**

Reusable Industrial Packaging Association  
2008 Technical Conference  
Anaheim, California

**APRIL 27 – 30**

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

**JUNE 2 – 4**

Chemical Packaging Committee  
Fall- and Sub-Committee meetings  
San Antonio, Texas