

Transportation/Hazardous Materials Regulation: July 10 Interpretive Letter Addressing Intermediate Bulk Containers



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The United States Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a July 10th interpretive letter the application of the Hazardous Materials Regulations (“HMR”) to intermediate bulk containers (“IBC”).

PHMSA was responding to a December 23, 2018, request for an interpretation from Mr. David T. Hird of Baker Petrolite, LLC (“Baker”).

The Baker request addressed Section 7 of the United States Department of Transportation Special Permit (DOT-SP) 12412. Two questions were posed as to how this Department of Transportation Special Permit applies to IBCs.

First, Baker asked whether the safety control measures in DOT-SP 12412 apply to all IBCs. PHMSA answers in the negative stating:

The safety control measures prescribed in DOT-SP 12412 apply only to the IBC specifications listed in paragraph 7.a of that special permit: UN 31A, UN 31B, UN 31N, UN 31H1, UN 31H2, and UN 31HZ1.

Second, Baker asked whether an IBC (references as UN 31A) meeting the bottom outlet requirements in § 178.275(d)(3), as specified in DOT-SP 12412, is also subject to the remaining bottom outlet requirements stipulated in § 178.275(d).

PHMSA again answers in the negative, stating:

IBCs conforming with DOT-SP 12412 are not subject to the remaining requirements prescribed in § 178.275(d). The rationale for this conclusion is they only apply to portable tanks with bottom outlets only.

A copy of the July 10th interpretive letter can be downloaded [here](#).