

# Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Flexible Intermediate Bulk Containers



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The Pipeline and Hazardous Materials Safety Administration (“PHMSA”) responded in a September 12th letter to a question seeking clarification of the Hazardous Materials Regulations (“HMR”) applicable to the testing requirements for flexible Intermediate Bulk Containers (“IBCs”).

PHMSA was responding to May 6th letters from the Packaging Management Council Coordinator (“PMCC”) in Knoxville, Tennessee.

Three questions were posed.

First, PMCC asks what a manufacturer can do to demonstrate that a flexible IBC design type packaging is “capable of withstanding” the vibration test in accordance with § 178.819(a) other than actually performing the vibration test.

PHMSA concludes that the manufacturer must use its discretion to meet the requirement. It notes in part:

... Determining whether a flexible IBC is capable of withstanding the vibration test may be based on institutional knowledge, prior experience, modeling, or other data. Ultimately, it is the manufacturer's responsibility to ensure the flexible IBC can meet the requirement, which may include performance of the vibration test, or another method.

Second, PMCC asks whether the methods outlined in § 173.461(a) may be used for other packagings specified in the HMR.

The answer to the question above is referenced. However, PHMSA further states that for a flexible IBC design type packaging, using one of the methods listed in § 173.461(a) may satisfy the requirement.

Finally, PMCC asks whether Part 173, Appendix C is referenced in the HMR.

Appendix C is stated to not be specifically cited. However, it is noted to have been included in Part 173 because of the reference to the vibration test required for non-bulk packagings in § 173.24a(a)(5).

A copy of the September 12th letter can be downloaded [here](#).