



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

JUL 10 2019

Mr. David T. Hird
North America Transportation Manager:
Health, Safety & Environment
Baker Petrolite, LLC
2001 Rankin Road
Houston, TX 77073

Reference No. 19-0005

Dear Mr. Hird:

This is in response to your December 23, 2018, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to safety control measures in Section 7 of the Department of Transportation Special Permit (DOT-SP) 12412. Specifically, you ask two questions concerning how this special permit applies to intermediate bulk containers (IBCs). We have paraphrased your questions and answered them in the order presented.

- Q1. You ask whether the safety control measures in DOT-SP 12412 apply to all IBCs.
- A1. The answer is no. 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.
- Q2. You ask whether an IBC (e.g., a UN 31A) that meets 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).
- A2. The answer is no. IBCs conforming with DOT-SP 12412 are not subject to the remaining requirements prescribed in § 178.275(d) because these apply to portable tanks with bottom outlets only.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division