



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 5 2005

Mr. Gustavo Cuevas
Plant Manager
Bonar Plastics
1005 Atlantic Drive
West Chicago, IL 60185

Ref No. 05-0040

Dear Mr. Cuevas:

This is in response to your letter dated February 14, 2005 requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to testing and marking of Intermediate Bulk Containers (IBCs). Specifically, you state that your company manufactures IBCs certified for use with materials of 1.2 specific gravity that have recently been re-certified for use with materials of 1.5 specific gravity without undergoing a design change. You ask whether your IBCs currently in use may be re-marked for use with materials of 1.5 specific gravity without being re-tested.

As specified by § 178.801, it is the responsibility of the IBC manufacturer to assure that each IBC is capable of passing the prescribed tests in Subpart O of the HMR. In addition, the application of the certification mark by the manufacturer constitutes certification that the IBC design type passed the prescribed tests in Subpart O of the HMR, including the periodic design requalification test. Provided your IBCs currently in use meet the testing and certification requirements as specified in the HMR, you may re-mark them to indicate that they are authorized for use with materials of 1.5 specific gravity without retesting.

I hope this information is helpful.

Sincerely,

Susan Gorsky
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



050040

173-24a(b)(3)

Foster
§173.24a(b)(3)
Non Bulk Packaging
05-0040

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February 14, 2005

U.S Department of Transportation
Research and Special Programs Administration
Attn: DHM-10
400 7th Street S.W.
Washington D.C. 20590

Subject: IBC Remarking

To whom it may concern:

Bonar Plastics has produced an IBC for several years that was certified for use with a 1.2 specific gravity material. Recently this same container was re-certified for use with a 1.5 specific gravity material. There were no changes of any kind made to the design of this unit to get the new certification. What we are wondering is, can existing units currently marked with the old U.N. number, out in the field, be remarked with the new U.N. number without undergoing any retesting, or will the old units have to be retested before being remarked?

We would like to thank you for your assistance with this issue and look forward to hearing your response. If you require any further information, I can be reached at (630)-293-0303.

Sincere regards,



Gustavo Cuevas
Plant Manager

Cc: John Cali
Rick Raz
Ken McKenzie
John Bielby

www.bonarplastics.com

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