

Performance Packaging Program Update

Plastic Shipping Container Institute

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Safety Administration



What to Expect When PHMSA Calls

- **Inspection will be unannounced**
- **In-brief**
 - **Presentation of Business Card and Agency Chart**
 - **Reason for Inspection (with limitations)**
 - **Request for information about activities**
 - **Packaging types, performance certifications, component specifications, test reports, production records and closure instructions**
 - **SPs and CAAs documents**
 - **Training records**



What to Expect When PHMSA Calls

- **Training**
 - **General Awareness, Function Specific, Safety and Security Awareness**
 - **Function specific must cover must operations**
 - **Security awareness required for manufacturers**
 - **Training, testing and certification every three years or more often for HMR or operational changes**
 - **Certifications can be sign-in sheets, but must record areas covered and certifying party**



What to Expect When PHMSA Calls

- **Packaging Review for Packaging Manufacturers**
 - Designs are not produced when out of test
 - No unauthorized design changes without DQ testing
 - DQ and periodic testing was proper
 - Test report has required minimum details
 - Assembly and closure repeatable, matches report and is transferred to customers IAW retest timetable
 - Production leak test for liquid-rated containers
 - Quality control standards
 - Performance mark lower than or equal to testing
 - Name and address for M number or third party mark
 - Markings are permanent
 - SP, CAA or W mark when required



What to Expect When PHMSA Calls

- **Packaging Review for Self-certifiers and Third Party Labs**
 - **Equipment and tools**
 - **Personnel qualifications**
 - **Testing methodologies**
 - **Good laboratory practices**
 - **Testing IAW HMR, including pass/fail determination**
 - **Reports meet or exceed HMR minimum requirements**
 - » **CAA standard for third party labs**
 - » **Design drawings for labs**
 - » **Identifies all packaging components and specs**
 - » **Calculations are correct for drop and stack**
 - » **Assembly and closure is detailed and repeatable**



What to Expect When PHMSA Calls

- **Conclusion**
 - **Exit briefing document will identify issues**
 - **If no violations, nothing will follow from PHMSA**
 - **If probable violations, 30 days to correspond**
 - » **Substantiated claims of corrective action**
 - » **Mitigating circumstances**
 - **Possible actions including Warning Letter, Ticket, Case, Compliance Orders and Safety Notices**
 - **Penalty Guidelines in 49 CFR, Part 107**
 - **WLs and Tickets issued by Regional Director**
 - **Cases processed by PHMSA Counsel - NOPV**



Package Testing Summary

- **Recent and current projects:**
 - **Seven, 31HA1 275-gallon composite IBCs**
 - **Three, 11G 275-gallon fiberboard IBC**
 - **Four, 1H1 55-gallon virgin resin tighthhead drums**
 - **Three, 1A1 55-gal steel (2 new, 1 remanufactured)**
 - **Two, 3H1 5-gallon plastic jerricans**
 - **Two, 1A2 5-gallon steel drums**
 - **Two, 1G fiber drums**
 - **One, 1H2 85-gallon plastic salvage drum**
 - **One, 1H2 55-gallon recycled-resin openhead drum**
 - **One, 1A1 5-gallon steel drum**
 - **One, 4G fiberboard combination package (not for air)**



Package Testing Summary

- **6 AVT projects offered to industry since November 2009**
 - **Recon 1A2 (declined after demonstration failures at plant)**
 - **New 1A1 (cancelled during test due to safety concerns)**
 - **New 1H1 (offer accepted then withdrawn – change in resin)**
 - **All three designs failed LOGSA testing**
 - **New 1G (offered accepted pending TPL acceptance)**
 - **2 New 11G fiberboard IBCs (accepted pending TPL)**
- **PHMSA will not offer AVT when -**
 - **Qualification testing was not proper**
 - **Unauthorized design changes made**
 - **Test report does not provide sufficient detail**
 - **Complaints, accidents or incidents**
 - **AVT testing not in accordance with HMR**



Other Activities

- **2010 Packaging Academy at LOGSA September 2010**
 - **15 investigators/24 total students**
 - **Basic qualification for testing and reporting oversight**
 - **Attended by Dr. El-Sibaie, AAHMS**
- **Packaging Team Advanced Training at LOGSA January 2010**
 - **5 team members – EA, SO, CE, SW and WE regions**
 - **Focus on best practices and industry recognized protocols**
 - **AVT offer process and procedures and testing oversight**
 - **LOGSA and industry testing methodologies –demo testing**
 - **Inspection and testing project priorities**
- **PHMSA's Packaging Database Project Restarted August 2010**
 - **All past and future projects will be entered**
 - **AVT data entry by packaging team in field**
 - **PHMSA will share data with industry (not mfr. info)**
 - **Analytical capability will help to drive testing program**



LOGSA Highlights

- **Informational Video Project**
 - **Testing program overview including LOGSA facility, equipment and methodologies**
 - **Why we test, what we test, how we test, process, etc.**
 - **Video clips for posting on PHMSA's website**
 - **DVD distribution during outreach, inspections, website order**
- **Melt-Index Testing Capability at LOGSA November 2010**
- **LOGSA new static load fixture mechanism January 2011**
- **LOGSA conducted round robin testing for conditioning study**
- **LOGSA staffing**
 - **2 engineers from 2007 to 2009; 3rd engineer added late 2009**
 - **5 DOD engineers on PHMSA program by October 2010**
 - **12 week project completion goal now being met**
- **Plans for more research testing projects in 2011**



Resources

- **Resources from PHMSA's website: \ \hazmat.dot.gov**
 - **Low cost and free training materials and publications**
 - **Past interpretations and ability to request clarification**
 - **International Standards – events, public meetings**
 - **On-line registration for Section 107.601**
 - **Security requirements and information**
 - **Incident data and statistics**
 - **Risk management**
 - **Special Permit and Approvals search and applications**
 - **Enforcement notices, penalty actions, operations manual, strategy documents and action plans**
 - **Searchable HMR**



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