

To: Dockets Management System  
U. S. Department of Transportation  
PL 401  
400 Seventh Street SW  
Washington, DC 20590-0001

RE: Docket No. RSPA-2000-6827 (12412-N)

Dear Sir:

Hawkins Chemical would like to address the concerns and recommendations put forth by the National Truck Carriers, Inc. (RSPA-2000-6827-190).

Item 1

The phrase "so-called "Intermediate Bulk Containers (IBC's)" appears to be an attempt to question the status or use of this package. We would like to point out that this is a UN-approved package, with regulations concerning their construction, testing, and use specifically spelled out in 49 CFR 171-180.

Item 2

IBC's are required to go through rigorous testing and certification, as described in 49 CFR 178.803, including performance tests for vibration, bottom lift, top lift, stacking, leakproofness, hydrostatic and drop tests. Clearly these tests make the package safe for normal transportation. Their size and shape make it possible for a visual inspection, both internal and external, before filling, or when unloading at a customer's facility. We would like to note that such a visual inspection is not possible for cargo tanks, thereby requiring additional safety procedures for their use.

Item 3

Unlike cargo tanks, IBC's containing incompatible materials are allowed to be transported, as long as proper securement and segregation of the products is maintained.

Item 4

We believe that Section 7(b)(10) "Transportation is limited to private or contract motor vehicle" should be maintained. The operational controls listed, with the exception of 7(b)(1) which we previously addressed, requires extensive training in the unloading of the chemicals, as well as the proper personal protection equipment. It has been our experience that "common carriers" are not normally trained to the level necessary to properly utilize this exemption.

Item 5

NTTC's proposal to limit the total quantity being transported by a motor vehicle utilizing this permit appears to be based more on economic concerns than on a concern for safety. The Department of Transportation was correct in it's original conclusions which removed a similar restriction from the proposed exemption.

If there are any questions, or if we can be of any assistance, please contact me at 612-331-6910.

Sincerely,

Chris W. Gibson  
Technical Director

Hawkins Chemical, Inc.