



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

1200 New Jersey Ave, SE  
Washington, D.C. 20590

AUG 26 2010

Mr. Jianke Wang, PH D, PE  
Senior Project Engineer  
National Oilwell Varco  
2800 N. Frazier Street  
Conroe, TX 77303

Ref. No. 10-0137

Dear Mr. Wang:

This responds to your July 1, 2010 request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether an intermediate bulk container (IBC) is authorized for repeated offshore use "IN OPEN SEAS".

According to your letter, you have IBCs and UN/DOT Portable tanks that require certification for offshore transportation in open seas (dynamic lifting for offshore oil exploration). You state that the transporting liquid is diesel. You further state that your IBCs are UN tanks, but, they are not UN Portable tanks which are also designed and constructed in accordance with the International Maritime Dangerous Goods (IMDG) Code's "Guidelines for the Approval of Containers Handled in Open Seas" (MSC/Circ.860).

The design, testing, and use of offshore containers are not addressed in the HMR. IBCs, portable tanks, or other container types designed for multi-modal transportation of hazardous materials in accordance with the IMDG Code or the HMR are generally not considered suitable as offshore containers unless they are also specially designed to withstand dynamic lifting and impact forces likely to be encountered during open sea operations. If your IBCs meet the additional requirements as contained in MSC/Circ.860, then they may also be suitable for open sea operations. If you have any additional questions regarding offshore containers or offshore operations, please contact the U.S. Coast Guard, Office of Operating and Environmental Standards (CG-522), 2100 2<sup>nd</sup> Street, SW, Washington, DC 20593-7126, Ph: (202) 372-1401, Fax: (202) 372-1926.

I hope this answers your inquiry. If you need further assistance, please contact this office.

Sincerely,

Ben Supko  
Acting Chief, Standards Development  
Office of Hazardous Materials Standards

**Drakeford, Carolyn (PHMSA)**

Boothe  
§ 178.274  
Portable Tanks  
10-0137

**From:** INFOCNTR (PHMSA)  
**Sent:** Thursday, July 01, 2010 4:26 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Cc:** DerKinderen, Dirk (PHMSA)  
**Subject:** FW: Request for Formal interpretations to the Questions about UN IBC & Portable Tanks for Offshore Diesel Transportation in Open Seas.

Carolyn,  
Could you assign this for a written interpretation of the regulations.  
Rob

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**From:** Wang, Jianke [mailto:Jianke.Wang@nov.com]  
**Sent:** Friday, February 12, 2010 11:41 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for Formal interpretations to the Questions about UN IBC & Portable Tanks for Offshore Diesel Transportation in Open Seas.

Completed via email by RB on 2/12 @ 1217 pm

Dear Sir/Madam,

We have some UN/DOT IBC tanks and some UN/DOT Portable tanks that need to be certified for offshore transportation in open seas (dynamic lifting for offshore oil exploration). The transporting liquid is *diesel*.

As I am reading the Dot CFR 49 code, I have some questions about the UN/Dot Tanks going offshore IN OPEN SEAS.

IBCs are UN tanks. But they are not UN Portable tanks. The UN Portable tanks, which are *also* designed and constructed in accordance with the "Guidelines for the Approval of Containers Handled in Open Seas" (MSC/Circ.860) specified in the IMDG Code, are suitable for repeated offshore use. This is specified in Section 178.274. It also says: for open seas operations, "the words 'OFFSHORE PORTABLE TANK' must be marked on the identification plate."

However, in Dot CFR 49 code, I could not find any recommendations for the offshore application of IBC in open seas.

Is IBC (Intermediate Bulk Container) suitable for repeated offshore use IN OPEN SEAS? If yes, could you please tell me which section of CFR 49 deals with this specific application?

Thanks in advance for your helps.

Best regards,

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