

VOHMA/US DOT PHMSA
Removing Impediments to Intermodal Transportation
October 11, 2007
Marriott Courtyard, Washington DC

Introduction

John Currie, VOHMA

Ryan Paquet, USDOT PHMSA

Ted Willke, USDOT PHMSA

Mr. Currie welcomed everyone to the meeting. Thanking all for taking the time from busy schedules and for traveling to the meeting. Self-introductions were made.

Objectives of the Meeting

- Identify Issues
- Unique Modal Requirements
- Facilitate Multi-Modal EDI

We also plan to develop a list of impediments identified by:

R = Regulatory

P = Practice (business practices)

VOHMA members thought that the first meeting should focus on carrier and related modal issues. Future meetings will be scheduled with additional stakeholders such as shippers, retailers, emergency responders, etc.

Antitrust Statement – Attendees were referred to the VOHMA anti-trust statement printed on the second page of the agenda.

Time Management – in order to keep the meeting on schedule and afford all attendees the opportunity to speak, each of the modes is offered ten minutes to make a presentation or put forth ideas and/or concerns. At the end of the presentations there will be time for questions and comments.

Notes will be taken and shown on the screen to the left of the audience. A list of action items will also be developed as presentations are made and discussion takes place.

Ted Willke, Associate Admin for HM Safety, US DOT PHMSA

Mr. Willke thanked VOHMA for organizing and hosting the meeting and attendees for their commitment to the industry.

He discussed the importance of the project to the administration and how it will enhance transportation, relieve congestion and improve safety and emergency response.

Ryan Paquet, PHMSA made a presentation on “Leveraging Electronic Technology to Improve HM Transportation Safety & Security” [Click here for the presentation](#)

The presentation was made to emergency responders on October 10 and was well received.

The presentation was centered on the following two incidents

July 10, 2005 Anding MS Incident – Train collision, crew DOA and engines destroyed, no access to the train consist.

July 18, 2007 Stafford VA Incident – truck incident on I-95. Southbound lanes closed for 4 hours, emergency response communication protocol not followed.

PHMSA would like to improve incident response by utilizing technology

Program Goal:

Enhance ability to utilize electronic freight management technologies.

Benefits

- Reduce intermodal impediments
- Reduce redundant efforts
- Transportation System Performance
- Processing Efficiencies
- Standardization of Data
- Improve Data Quality
- Improve Timeliness and Accuracy of Hazard Communication

Challenges:

- Emergency Response
- Regulatory Requirements
- Modal Requirements
- Business Practices
- Cost/Benefit

Two test projects underway -
Federal Highway – EFM & C-TIP
Kansas City MO

Dow & Chemtrec

All TIH rail cars out-fitted with 2-way GPS communication devices

Rich Moskowitz, Vice President & Reg Affairs Counsel, American Trucking Associations

Mr. Moskowitz presented Obstacles from Motor Carriers perspective

Most of the problems encountered by motor carriers are related to paperwork.

Truck/rail Transfers:

Several railroads are requesting trucking companies sign shipper certifications

HMRs require trucking companies to retain original certification

Trucking companies cannot certify that the shipment is prepared in accordance with the HMRs since they did not:

- Classify the material
- Select the packaging
- Mark or label it
- Prepare the shipping paper (in most instances)

When freight is tendered to the railroad the railroad keeps the Bill of Lading and issues a Way Bill. At the destination the original Bill of Lading is not there and available for the driver.

Sometimes the new shipping paper is inaccurate or otherwise deficient.

The driver is faced with the following alternatives:

- Refuse to transport until he is given the correct paperwork. The delay can cause difficulty with Hours of Service and emergency response.

or

- Driver attempts to create his own hazmat shipping paper (Driver may not be in the best position to do this and it may lead to HMRs violations, emergency response delays)

or

- Driver transports without proper shipping paper (HMRs violations, emergency response delays)

Translation to STCC Codes is problematic – rail only. Need a single solution for all modes.

Placarding problems with rail – RR relies on their computer system to indicate the required placards, which sometimes are not correct (esp. Class 9 placards)

Truck/Vessel Transfers:

- Driver picks up a container at the port and does not have a HazMat Shipping paper
- Often there is only a temporary document, designed to cover transportation from the port to a warehouse.

This document may not include the shipping description or emergency response phone numbers.

The driver does the following:

- Refuses to transport until he is given the correct paperwork. The delay can cause difficulty with Hours of Service and emergency response.
- or
- Driver attempts to create his own hazmat shipping paper (HMRs violations, emergency response delays)
- or
- Driver transports without proper shipping paper (HMRs violations, emergency response delays)

Regulatory

Implementation of varying transition dates lead to difference between the modes

- UN number required first (2013 before applied to US Hwy transport)
(Dual training on alternative descriptions complicates compliance)
- Flashpoint listed in Celsius for flammable materials
Shippers may not be aware of additional requirements for water which then prevents vessels from accepting the shipment.
In an Less Than TruckLoad (LTL) environment there may be 20 other customers freight being delayed

Potential Solutions

Create a uniform standardized hazardous materials Bill of Lading to be used in all modes of transportation.

- The BOL can be electronic
- Must permit the use of paper to accompany the shipment
 - Will facilitate emergency response and
 - Allow small shippers and carriers to operate in compliance

Advantages –

- Enforcement agencies will know exactly where to look for emergency response phone numbers and the basic shipping description
- Eliminate common paperwork discrepancies
- Maintain one document from beginning to end across all modes
 - Reduce delays
 - Improve Compliance

Would need comprehensive Shipping Paper Reform

Piecemeal approach is too expensive to implement, additional training, more opportunity for compliance errors

Challenge to move to Electronic

Emerg. Responders must be equipped to read the data, small shippers, small carriers may not have the electronic systems capability, which could be cost prohibitive

Can not dedicate specific transport equipment to hazmat freight, which may be a small percentage of the total freight moved by a particular carrier.

Computer programming expensive. Utilization of web based systems might provide a better solution.

Dave Edington, Manager-Hazardous Materials

BNSF Railway presented some information from the rail perspective

98% HM info is transmitted via EDI vessel and intermodal successfully.

Obstacles -

Missing info from origin (vessel, shipper, etc.)

- Placarding issues inbound (vessel and truck)
- Exceptions in regs = problems
- Using three sets of regulations – harmonization, exceptions such as 1000 lb exception cause difficulty
- 100,000's employees that have to be trained so one system is advantageous

EDI segments – 2 years to implement a regulatory change (have to have ANSI approval)

Shipper Certification Statement – training issue for rail employees

His company conducts Way Bill Audits on EDI shipments from clients. Most clients successfully utilize the system.

STCC Codes – North American rail transportation requires STCC codes. Their EDI systems have been built from STCC Codes databases. The codes are tied to Emergency Response information that is more detailed than the North American ERG book published by DOT (AAR - HMRC). 90% of the STCC codes are translated one for one from the UN# and customers only need supply technical info from shipping paper.

Dave Brennan E-freight

- IATA submitted a UN Paper to the last meeting of the UN SCOE ([Click here for the paper](#))
- The IATA Vision: Paper free communication of shipping papers
- All info – customs, bills of lading, shippers declaration should be available electronically
- Will have to continue to provide paper where necessary but would like to move info electronic movement of information where possible
- Paper free – reduces costs, errors, improves time

Pilot programs in place

Montreal Protocol allows for paperless transport by air. At the moment the following countries are

- Canada
- UK
- Singapore
- Hong Kong
- Netherlands

If the pilot programs prove successful then the test would be expanded to other countries.

Need to involve shippers in the next phase.

Dangerous Goods – Currently the UN Modal regulations permit electronic communication as an aide

ICAO – require paper DG documents (2 copies)

49 CFR – require paper

Canada TDG – require paper move with the consignment

A working paper was added to DG Panel agenda for November 2007 which proposes to allow for electronic communication in place of documents. Discussion at UN SubCommittee of Experts at the July 2007 meeting on the formation of a working group.

Next steps –

Engage regulators, industry

Review info and determine which info we need, where can we harmonize?

Single international multi-modal standard

Work with UNCEFACT develop & implement data standard (XML- low cost, web based?)

Question:

Any pushback from Countries involved in the pilot projects? US working with customs adding DG info to customs international trade data systems, multi-modal hazardous materials portal.

Capability requirement – paper must be produced without delay when necessary

Barbara Vatier, Managing Director Cargo Services

Air Transport Assoc. of America representing US Airlines

Passenger carriers – intramodal

Freighter to passenger carrier

Some airlines operating cargo and passenger operations

Some employees handle hazmat are accepting and loading passenger baggage

Training – harmonization of regulations important to ensure compliance

Other projects that need to be tied into this initiative –

Customs and Border Protection efforts need to be plugged into supply chain

Transportation Security Administration requirements and projects

We need to avoid redundancy esp. with TSA

Robert Ahlborn, Director Security & Dangerous Goods, Hapag-Lloyd AG

VOHMA Chairman

Intermodal Challenges ([click here for presentation](#))

Freight Volume Growth Internationally

Need to keep freight moving

\$200 billion per year cost due to congestion

Domestically

Need to clarify “Offeror” Status of interlining carriers if we “re-create” documentation

Need to ensure that interlining carriers cited as shipper or Offeror for rail violations Emergency

Response telephone number “disconnect” with responsible parties

Use of EDI and Electronic transfer – regulatory clarity needed to allow for transmission

Internationally –

IMDG Code – packaging information requirements – gross weight versus net weight needs to be clarified.

Documentation requirements – port and interlining – does this really need to be done in hardcopy?

We need to address certification requirements for interlining carriers.

STCC Codes – ER linkage

Not provided by shipper, if vessel provides are we now considered an offeror?

Not practical to think that millions of shippers from around the globe will be knowledgeable about the requirement of the NA rails, or that their shipment may be transported on one of these rail systems and that they would be able to identify the STCC code.

VOHMA has prepared a list of specific regulatory sections or requirements that they feel need to be clarified to enable us to move forward with this project. ([Click here](#))

Attendees took a short lunch break. When the meeting reconvened Krista Edwards Deputy Administrator, US DOT PHMSA addressed the group indicating that this project was one of the administrations top priorities and that she appreciated everyone taking the time to attend the meeting and work on the initiative. There was in depth discussion regarding requirements from various modes especially regarding the ANSI (American National Standards Institute) standards followed by the rail industry with their current EDI systems. Mr. Schoonover volunteered that the rail is one segment of a larger protocol for transportation. As the project moves forward he also volunteered to assist with mapping standard data elements to the ANSI transportation system.

Attendees reviewed the action items developed during the session.

VOHMA staff to write minutes, organize action items and distribute with copies of the presentations to the attendees.

Attendees prefer to have the next meeting in DC for easy access to the DOT. Mr. Moskowitz from the American Trucking Associations volunteered to host the next meeting at his offices. Shippers, emergency responders and other transportation supply chain partner to be involved in the next sessions as appropriate.

Respectfully submitted,

Lara M. Currie

Lara M. Currie
VOHMA Administrator