



International Vessel Operators Hazardous Materials Association, Inc.

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E-mail: mail@vohma.com - www.vohma.com

Attachments:

- E-freight paper
- VOHMA regulatory citations
- Worksheet

DATE: October 11, 2007

TIME: 10:00 a.m. – 3:00 p.m.

(Coffee and continental Breakfast available at 9:00)

LOCATION: Marriott Courtyard, 140 L Street, SE
Washington DC 20003

Welcome: Bob Ahlborn, VOHMA Chairman, Robert Ahlborn
Director Security & Dangerous Goods, Hapag-Lloyd AG

Bob Richard, Deputy Associate Administrator for Hazardous
Materials Safety Pipeline and Hazardous Materials Safety
Administration

Facilitator: John Currie, VOHMA Technical Consultant, Administrator

Objective: Working session to discuss how we can work together
to remove impediments to intermodal transportation. For this
session we plan to:

1. Identify specific areas in the 49 CFR Regulations or modal specific regulations (IMDG, ICAO/IATA) where clarification or regulatory change would make an improvement. (VOHMA example attached)
2. Begin work on identifying necessary information for inclusion in shipping document that could be used by all modes.
3. Ensure that information developed facilitates E-commerce

Road - Rich Moskowitz, American Trucking Associations

limit – 10 minutes for presentation if requested

**Rail – Dave Edington, BNSF Railway
Tom Bolling, Norfolk Southern Corporation**

limit – 10 minutes for presentation if requested

“Committed to the promotion of the safe handling and transportation of hazardous materials.”

Alianca Navegacao E Logistica Ltda ♦ APL, Ltd. ♦ Atlantic Container Line ♦ Bermuda Container Line ♦ China Shipping (NA) Holding Co.,Ltd. ♦ CMA-CGM (America) Inc. ♦ COSCO ♦ Crowley Maritime Corporation ♦ Evergreen America Corporation ♦ Hamburg-Sud ♦ Hanjin Shipping Company Ltd. ♦ Hapag-Lloyd AG ♦ Horizon Lines, LLC ♦ Hyundai America Shipping Agency ♦ Independent Container Line, Ltd. ♦ K Line America, Inc. ♦ Maersk, Inc. ♦ Marine Transport Management Inc., a Crowley Co ♦ Maruba North America ♦ Matson Navigation Company ♦ MOL (America) Inc. ♦ NSCSA (America), Inc. ♦ NYK Line (North America) Inc. ♦ OOCL (USA) Inc. ♦ Safmarine Container Lines Inc. ♦ Seaboard Marine Ltd. ♦ Senator Lines ♦ Tropical Shipping USA, LLC. ♦ United Arab Shipping ♦ Yang Ming Marine Transport Corp. ♦ Zim American Integrated Shipping Services Co., Inc.

Air – Dave Brennan, International Air Transport Association

E-freight

15 Minutes

Barbara Vatie, Air Transport Assoc. of America

limit – 10 minutes for presentation if requested

Water – Robert Ahlborn, Hapag-Lloyd AG

limit – 10 minutes for presentation if requested

General Discussion/Identification possible solutions etc.

Networking Lunch – 12:30 – 1:30 p.m. (pre-ordered, served in the hotel restaurant or lounge, Dutch treat)

Review PHMSA documentation

re: shipping paper requirements – all modes

Action Items

Schedule Next Meeting

**VOHMA Antitrust/Shipping Act
Meeting Guidelines**

1. US antitrust law prohibits competitors from reaching agreements (verbal or written) on most issues which restrict or restrain free competition. (This does not apply to communications with and petitions to Congress and governmental agencies). The Shipping Act provides an exemption from the antitrust prohibition, but only to the extent of activities described in an agreement filed and in effect with the FMC.
2. The VOHMA agreement authorizes discussion and voluntary agreement on a variety of hazmat safety issues, but does not authorize discussion or agreements on freight rates for hazardous or other goods. However, the members can discuss and agree upon tariff rules governing the acceptance and handling of hazmat cargoes.
3. The Shipping Act prohibits carrier groups from negotiating with inland carriers about rates or services provided to ocean carriers within the US. There is also not antitrust immunity for discussion relating to inland divisions paid to inland carriers by ocean carriers.
4. Bear in mind that all group decisions under VOHMA are by voluntary adherence. Thus, the group can't force a member by a vote to adhere to an action. Once a line agrees to adhere to a decision, it may depart from the decision upon notice to the other parties. You are referred to Article 5 of the Basic Agreement for applicable requirements.
5. If counsel is not present and a questions arises, you should not hesitate to contact counsel. The following are suggested contacts at Sher & Blackwell:
Jeffrey F. Lawrence, Marc J. Fink, Stanley O. Sher
Suite 900
1850 M Street, NW
Washington, DC 20036
202/463-2504

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