



Shipping Container Institute

NEWS

January – February 2006

SSCI NEWS

SSCI Adds Program Director

Andrew W. Zamon recently joined the Steel Shipping Container Institute (SSCI) staff as Program Director. Mr. Zamon, who resides in Fairfax, VA, joins the SSCI from Innovative Technology Application, Inc., Springfield, VA, where, most recently, he served as a deputy project manager.

At its January meeting, the SSCI voted to fund this new position that will focus on market-related activities such as the Steel Packaging Alliance for Public Safety (SPAPS). This initiative is designed to raise awareness of changes in NFPA 30 among warehouse interests, emergency responders, and zoning and building code officials in targeted cities. NFPA 30 is the National Fire Protection Association provision that allows for the safe warehouse storage of flammable and combustible liquids. It was modified several years following extensive testing supported by SSCI and other groups to allow storage of 55-gallon steel containers up to four high in a prescribed warehouse environment, provided the containers utilize plastic fittings.

In addition to initiatives such as SPAPS, the program director also will support the efforts of the SSCI's Technical Projects Committee and other Institute activities.

Bob Richard, OHMS Deputy Assoc. Administrator to Keynote IPANA Meeting

Robert A. (Bob) Richard, newly appointed deputy associate administrator of the Office of Hazardous Materials Safety (OHMS), PHMSA, will be the keynote speaker at the 4th Annual Meeting of IPANA and its affiliated organizations. This event will be held on April

9-11 at the Hyatt Regency Coconut Point, Bonita Springs, Florida. Mr. Richard succeeds Frits Wybenga, who retired last March, as the No. 2 executive in OHMS. Previously, he served as the International Coordinator at OHMS dealing with hazardous materials transportation issues involving the United Nations and other international transport organizations. (See related story elsewhere in this newsletter.)

A preliminary schedule of events, hotel reservation information, and IPANA registration materials recently were circulated to IPANA members and others on the Alliance's mailing list in connection with the Florida meeting. An important deadline in this information is **March 15** – the last day to obtain a hotel room at the Hyatt for the IPANA contract rate of \$249, single or double. As arrangements for the meeting are completed, further details will be provided.

In addition to several plenary sessions, including Mr. Richard's keynote address, the SSCI will conduct its Annual General Membership Meeting as well as a Technical Projects Committee Meeting. The latter session will consider regulatory and technical developments affecting SSCI member manufacturers and their suppliers.

REGULATORY NEWS

OSHA Proposes \$788,000 in Penalties to St. Louis-based Manufacturer

John J. Steuby Co. recently was cited for more than 50 alleged safety and health violations-including 12 willful citations-as a result of an employee complaint. OSHA's inspection revealed a past history of numerous machine

operation injuries, including amputations. Referring to the case, Secretary of Labor Elaine L. Chao said the department "will take serious actions to protect workers' health and safety at the workplace." The company manufactures machined metal products for the automotive, appliance, bearing, ordinance, hydraulic, plumbing hardware and commercial-fittings industries.

Posting of Injury, Illness Summaries Required Beginning February 1

Beginning February 1, employers must post a summary of the total number of job-related injuries and illnesses that occurred last year, the Occupational Safety and Health Administration (OSHA) recently announced. Employers are only required to post the summary (OSHA Form 300A) – not the OSHA 300 log – from February 1 to April 30, 2006.

The summary must list the total numbers of job-related injuries and illnesses that occurred in 2005 and were logged on the OSHA Form 300. Employment information about annual average number of employees and total hours worked during the calendar year is also required to assist in calculating incidence rates. Companies with no recordable injuries or illnesses in 2005 must post the form with zeros on the total line. A company executive must certify all posted summaries.

The form is to be displayed in a common area wherever notices to employees are usually posted. Copies of the OSHA Form 300, 300A, and 301 are available on the OSHA Recordkeeping Web page in either Adobe PDF or Microsoft Excel spreadsheet format.

OSHA Reports That Injury and Illness Rates Continue to Steadily Decline

OSHA reported recently that total recordable injury and illness case rates continued their steady decline. The rate for 2004 (the most recent data available) was the lowest since the implementation of OSHA's revised recordkeeping standard in 2002. In addition to the decline in the rate of total recordable injuries and illnesses, the rate of cases that resulted in lost workdays fell yet again. The continued decline in the lost workday case rate means that fewer American workers encountered safety or health hazards that resulted in serious injuries or illnesses.

Meanwhile, the rate of fatal work injuries was 4.1 fatalities per 100,000 workers as compared to 4.0 fatalities per 100,000 workers the previous year. While a slight increase over the previous year, this figure is still very close to an all-time low and is down by nearly 5% since 2001. OSHA continues to aggressively pursue the reduction of workplace fatalities through implementation of the Strategic Management Plan. Through Site-Specific Targeting (SST), the Enhanced Enforcement Program, and Local Emphasis Programs, OSHA intends to maintain a high level of direct interventions in an effort to reduce the rate of occupational fatalities.

OSHA continues to maintain its high level of annual inspection activity. In FY2005, OSHA conducted 38,714 total inspections, exceeding its goal of 37,700. Unprogrammed inspections showed an increase over the previous fiscal year. OSHA responded to more employee complaints and conducted more inspections based on referrals from other agencies than the previous year. Programmed inspections continue to focus on high hazard industries, which have the highest lost-time injury rates.

President Bush Nominates Retired Coast Guard Admiral as PHMSA Administrator

The White House recently announced the nomination of retired U.S. Coast Guard Admiral Thomas J. Barrett as administrator of the DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA). If confirmed by the U.S. Senate, Adm. Barrett would fill a slot that has been vacant since PHMSA was formed in a reorganization of DOT in December 2004. Under that reorganization, the former Research and Special Programs Administration (RSPA) was abolished and its research and regulatory responsibilities split between two new agencies: the Research and Innovative Technology Administration (RITA) and PHMSA. The latter agency oversees pipeline and hazardous materials transportation safety.

Adm. Barrett, a 35-year veteran of the Coast Guard, currently serves as chief operating officer and vice president of Potomac Institute for Public Studies, according to a White House statement. The Institute is a nonprofit public policy research forum based in Arlington, Virginia that helps to determine the proper roles of industry and state, local, and federal governments in relationship to new technologies in areas

such as communications, medicine, biotechnology, robotics, and transportation.

Adm. Barrett, a native of Alaska, received his bachelor's degree from LeMoyne College, Syracuse, NY, and a *juris doctor* from the George Washington University in the District of Columbia.

Bob Richard Named Deputy Associate Administrator at OHMS

Robert A. (Bob) Richard, Ph. D. has been named the new deputy associate administrator of the Office of Hazardous Materials Safety (OHMS) in the Pipeline and Hazardous Materials Safety Administration. The appointment fills a post that has been vacant since the retirement of Frits Wybenga last March. Previously, Bob Richard had been coordinator of OHMS's International Standards office, serving in a key role for the United States in the United Nations Sub-committee of Experts on the Transport of Dangerous Goods and with other international transportation regulatory groups.

In naming Mr. Richard to his new post, PHMSA's Acting Administrator Brigham McCown observed, "Richard's experience and knowledge of PHMSA's hazardous materials safety program, coupled with his work ethic and commitment to the program, will help ensure the program continues to excel in its efforts to promote the safe transportation of hazardous materials."

PHMSA Schedules Public Hearings on New Package Inspection Requirements

The Office of Hazardous Materials Safety, PHMSA, has slated three public hearings across the country to address new hazardous materials (HM) transportation enforcement authority contained in the *Hazardous Materials Safety and Security Reauthorization Act of 2005* (Title VII of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users*) (SAFETEA-LU), enacted last August.

Provisions of this measure permit DOT enforcement personnel to open the outer packaging(s) of a package believed to contain HM; order a package believed to contain HM to be transported to an appropriate facility for examination and analysis; assist in the safe

resumption of transportation of a package when practicable and an imminent hazard is not found to exist; and, when an imminent hazard may exist, remove a package from transportation or issue an emergency restriction, prohibition, recall, or out-of-service order.

The hearings scheduled will be held as follows: February 21 in Dallas, TX; March 8 in Washington, D.C.; and, March 15 in Seattle. For further details on the hearings see the January 25 *Federal Register* or contact the IPANA office at 202.408.1900.

PHMSA Institutes Rulemaking to Harmonize U.S., International Regs.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has published a notice of proposed rulemaking to amend the agency's hazardous materials regulations (HMR) by revising and consolidating the requirements applicable to the use of certain international regulations. The agency's 13-page notice was published in the January 27 *Federal Register*. Comments are due at the agency by March 28, 2006.

The amendments include the removal of certain unnecessary requirements, a new requirement to indicate the relevant standard being used (e.g., ICAO Technical Instructions, IMDG Code, Transport Canada Regulations, IAEA standards), clarification on the use of IMO Type 5 tanks and clarification of the labeling requirements for limited quantity shipments of Division 6.1, PG II and III materials.

The proceeding is Docket No. PHMSA-2005-23141 (HM-215F), RIN 2137-AD98, *Hazardous Materials: Revision and Reformatting of Requirements for the Authorization To Use International Transport Standards and Regulations*.

FMCSA Proposal on Electronic On-Board Records Due in Spring

According to industry reports, the Federal Motor Carrier Safety Administration (FMCSA) expects to issue its long-awaited notice of proposed rulemaking (NPRM) concerning electronic on board recorders (EOBRs) of driver logbooks -- the so-called "black boxes" by May or June. An FMCSA official recently told those attend --

ing the American Trucking Associations, Inc.'s Technology & Maintenance Council annual meeting that the agency is deciding whether such technology should be implemented on a mandatory or voluntary basis.

OTHER NEWS

Myers Container Enters Fibre Drum Market

Myers Container, Emeryville, California, recently announced it is adding fibre drums to its industrial packaging portfolio.

After extensive market research and customer demand, Myers noted, it is entering the fibre drum market with a full line of locking-ring drums made with various barrier layers and covers.

“Our steel drum customers have clearly indicated their desire for Myers Container to provide fibre drums,” states Kyle R. Stavig, the firm’s president. “This new product line fits nicely into our new steel drum business and the reconditioning services business at CMS, our joint venture. This is an investment in our future,” Stavig continued.

Myers Container and CMS, LLC, a joint venture between Myers Container and Container Management Services, provides reconditioning services for drums and intermediate bulk containers (IBCs).

People in the News

Kyle R. Stavig has been appointed president of IMACC (Myers Container) and CMS Corporations, effective February 1, 2006. John Cutt, chairman of the board and CEO of the both firms announced his appointment. Mr. Stavig is the fourth generation of his family involved in the drum business and the third member of his family to have served as president of Myers in the eighty-nine years since the company was founded. Mr. Stavig, who has been the firms’ vice president of sales & marketing, will continue to function in that responsibility and capacity for the immediate future, Mr. Cutt stated.

Annette Sandberg, administrator of the Federal Motor Carrier Safety Administration (FMCSA) has resigned her post, effective March 1. She served as administrator for the past two and one-half years. Prior to that she served at the National Highway Traffic Safety Administration (NHTSA). She also, at one time, Ms. Sandberg was chief of the Washington State Patrol, the Pacific Northwest state’s state police.

President George W. Bush has nominated **W. Ralph Basham** to be Commission of Customs at the Bureau of Customs and Border Protection (CBP) in the Department of Homeland Security. The nominee currently serves as director of the U.S. Secret Service, also at DHS. Previously, Mr. Basham served as chief of staff for the Transportation Security Administration (TSA), in the Department of Transportation before that agency’s shift to DHS. If confirmed, he will replace Robert Bonner who resigned last year.

Wood Packaging Phase II

The Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) and the Bureau of Customs and Border Protection (CBP) of the Department of Homeland Security (DHS) on February 1 began enforcing Phase II of the new wood packaging material regulation.

APHIS and CBP issued a joint statement indicating that they now require all commodity imports entering or transiting the U.S. with wood packaging consisting of pallets and crates to be heat treated or fumigated with methyl bromide. Such shipments also must display the approved international symbol certifying that the wood packaging material has been appropriately treated. Packaging material that does not meet these requirements will not be allowed to enter into the U.S. and will be re-exported.

APHIS and CBP said shipments containing wood packaging violating the rule may be allowed U.S. entry only if the CBP port director determines that it is possible to separate the approved material from the noncompliance portion of the shipment. Arrangements to have the noncompliance wood packaging exported from the U.S. would be required before the approved cargo can be released to the consignee. Associated costs are the responsibility of the importer.

Phase II enforcement continues until July 5 when full compliance with the wood packaging regulations will begin. At that time, all wood packaging material must meet the import requirements and be free of timber pests before entering or transiting the U.S.

For more information, visit the APHIS web site at: <http://www.aphis.usda.gov/ppq/wpm/import.html>, or call the APHIS toll-free number at (866)738-8197.

Highway Bottlenecks Cost Billions

According to a Federal Highway Administration (FHWA), DOT, study bottlenecks on highways throughout the country idled trucks for more than 243 million hours in 2004 and cost U.S. trucking companies \$7.8 billion.

The study, conducted by Cambridge Systematics, Inc. and the Battelle Memorial Institute, found the worst bottlenecks in Los Angeles, New York, Chicago, Atlanta, Dallas-Ft. Worth, Denver, Columbus, OH, and Portland, OR.

As reported, the study estimates a direct user delay cost of \$32.15 per hour based on four major types of truck-related delays along freight corridors, including constraints at interchanges, signalized intersections, hold ups caused by steep grades, and lane reductions. When truck deliveries are delayed by congestion, freight transportation costs increase due to unnecessary fuel consumption, lost driver time and productivity, and disruptions of pick-up and delivery schedules, the report noted.

CALENDAR OF EVENTS

March 12 – 15

Council on Safe Transport of Haz. Articles
Annual Forum & Expo
Austin, TX

March 19 – 21 (new dates and location)

Petroleum Packaging Council
2006 Spring Meeting
Savannah, GA

March 23 – 24

3rd European Blow Molding Conference
Brussels, Belgium

April 2 – 5

Assn. of Rotational Molders International
Spring Meeting
Cancun, Mexico

April 9 – 11

Industrial Packaging Alliance of North America
4th Annual Meeting
Bonita Springs, FL

April 23 – 25

Chemical Packaging Committee (IoPP)
Full & Sub-Committee Meetings
Nashville, TN