



Shipping Container Institute

NEWS

November - December 2007

SSCI NEWS

SSCI Board Sets February 13 Meeting in Washington, D.C.

The initial 2008 meeting of the Steel Shipping Container Institute's (SSCI) Board of Directors will be held February 13 in Washington, D.C. The main focus of the meeting will be the Institute's marketing plan for the New Year.

The day before the meeting, the SSCI's marketing group will meet with several marketing/public relations firms to discuss a Request for Proposal (RFP) developed by the Institute. The RFP involves a plan to promote the safety, durability, and environmental attributes of steel packagings to a diverse audience including those making or influencing packaging purchase decisions and their customers, risk management interests who deal with insurance underwriting issues for filler and warehouse interests, as well as governmental entities responsible for building and zoning code decisions.

The Board also will consider a report and recommendations emanating from the Technical Projects Committee's (TPC) January meeting as well as other issues.

TPC Tentatively Plans January 23 Meeting in Chicago

The Steel Shipping Container Institute's Technical Projects Committee (TPC) tentatively has set its next meeting for Wednesday, January 23, in the Chicago area. Details relating to the meeting agenda, time, and location were will be developed at press time.

As arrangements are completed, SSCI members will be apprised of the details. But, for now, mark your calendars for January 23.

SSCI Launches Streamlined Web Site

The Steel Shipping Container Institute (SSCI) recently launched a revised, streamlined web site. This is the first remake of www.steelcontainers.com since the site was launched in 2001. A large amount of old, outdated material was removed and the presentation refined to make the site more user-friendly. Pull-down tabs open a cascading number of topic tabs that make it easier for a visitor to find what he or she is looking for.

We are continuing to develop and post updated information and would welcome recommendations from users on how to make the web site an even more useful tool for SSCI members.

2008 Dues Invoices Mailed to All Members; Payment Deadline January 10

Invoices for membership dues in IPANA and its independent, affiliated organizations have been mailed to all members. January 10 is the due date for payment.

Dues for next year will be the same as 2007 for all IPANA members, except for manufacturer members of the Steel Shipping Container Institute (SSCI) who approved a three percent increase.

In 2007, IPANA continued to make significant financial progress. It will end the year comfortably in the black, eliminating the last vestiges of the accumulated surplus from its start-up in 2003.

The Alliance's improved finances have resulted in the Board establishing a policy of reviewing each year's surplus and, to the extent feasible, to allocating such funds to its affiliates to fund research and programmatic activities.

**IPANA 6th Annual Meeting • April 27 – 30, 2008
Marriott Marco Island • Marco Island Florida**

REGULATORY NEWS

Senate Committee Okays New PHMSA Chief; Senate Action Expected Soon

Carl Johnson, the retired former head of the Compressed Gas Association (CGA), is expected to be confirmed by the Senate before it adjourns this week for the Christmas/New Year's recess as the new administrator of the DOT's Pipeline & Hazardous Materials Safety Administration (PHMSA). Mr. Johnson fills a vacancy created last spring when Admiral Thomas Barrett was elevated to office of Deputy Secretary of Transportation, the number two position at the agency. Krista L. Edwards has been acting administrator in recent months.

Mr. Johnson will bring an industry perspective to the PHMSA post, joining Ted Willke, associate administrator of the Office of Hazardous Material Safety (OHMS), who was named to his position earlier this year. However, whereas Mr. Willke is in a so-called career position at the agency and may serve until he retires or resigns, Mr. Johnson is a political appointee and only will serve until a successor is appointed following the 2008 presidential election.

PHMSA's OHMS Web Site Revamped; No More Diamond Placards

If you have not visited PHMSA's Office of Hazardous Materials Safety (OHMS) web site recently, you are in for a surprise. The agency recently re-launched its web site with a new format that eliminated the familiar diamond-shaped placards that identified various components of the site for visitors.

The new site presents a clean user interface, but for those who were so used to the information placards, it will take some getting used to. Visit the web site today at: <http://www.phmsa.dot.gov/> and click on the Hazmat Safety Community tab at the top of the page.

OSHA Issues Final Rule on Employer Paid Protective Equipment

The Occupational Safety & Health Administration (OSHA) on November 15 published in the *Federal Register* a final rule in Docket OSHA-S042-2006-0667 on employer payment for personal protective equipment

(PPE). Under the rule, all required PPE, with few exceptions, must be provided at no cost to the employee. Employers must implement the PPE payment requirements no later than May 15, 2008.

The new rule does not specify the method that employers must use to pay for PPE. Many employers use allowances or reimbursement systems, or maintain a stock of PPE and hand it out to their employees. All these methods are acceptable, as long as the employee received the PPE at no cost.

OSHA initiated the rulemaking in this proceeding in 1999. It proposed to require employers to pay for all protective equipment, including personal protective equipment (PPE), with explicit exceptions for certain safety shoes, prescription safety eyewear, logging boots, and ordinary clothing and weather-related gear. In support of its proposal, OSHA concluded that the original OSHA Act of 1970 implicitly requires employers to pay for PPE that is necessary to protect the safety and health of employees. Also, the agency concluded that an across-the-board requirement would result in safety benefits by reducing the misuse use or non-use of PPE.

For a complete copy of the OSHA *Federal Register* notice, go to: <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/07-5608.pdf>

DOT's Migration of Docket Management System to Government-Wide Platform Draws Concern

Beginning October 1, the Departments of Transportation and Homeland Security, including the latter's United States Coast Guard (USCG) and Transportation Security Administration (TSA) began migrating from the use of the so-called Docket Management System (DMS) to the government-wide Federal Docket Management System (FDMS) at www.regulations.gov. The migration was announced in a September 24 *Federal Register* notice.

FDMS, described as a full-featured electronic docket management system that gives federal personnel and docket managers the ability to better manage their rulemakings, adjudications, and other docketed program activities, is a major component of the President's so-called e-Rulemaking Initiative. The goal of the initiative is to provide easy access to the public dockets maintained by federal agencies, while streamlining and

increasing efficiency of internal procedures for agencies that do not already have electronic internet-accessible systems.

FDMS is designed so that the public has a single point of access to the public dockets across all of the Federal government providing a standard, online procedure for agencies to handle and process documents.

However, the transition from the DOT's DMS system has not been without its problems. Recently, the so-called Interested Parties (IP) group, of which IPANA and SSCI are members, wrote to the Office of Management and Budget at The White House expressing concern over deficiencies in the FDMS and requested they be addressed in a timely manner or allow agencies to offer online alternatives.

In its letter, the IP group explained that the transition from DMS to the regulations.gov site "has been fraught with difficulty and frustration." Anecdotally, the IP group explained, we have encountered: inaccurate docket numbers; duplicative dockets with some comments filed in one and some in another; failure of the system to locate a docket if the request form is completely filled out, but finding the docket if some data fields are left empty; and, inadequate instructions.

"We understand that OMB's intentions were to create a public online comment option that would unify and facilitate the public comment process government-wide," the IP observed. "Regrettably, those benefits have not been realized by those that enjoyed the relatively error-free, simple DOT approach to docket management.

"We believe that timely comment on how the regulations.gov site is functioning is of interest to OMB. We understand that the administration intends to continue to refine the regulations.org system. We urge you to give priority to correcting current deficiencies or allow agencies to pursue other online options," the IP letter concluded.

PHMSA, DGAC Formalize Best Practices Partnership

The Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT, and the Dangerous Goods Advisory Council (DGAC) on November 15 signed a partnership agreement aimed at developing voluntary best practices and guidelines for instructors of

hazmat training programs. (See story in Oct.-Nov. newsletter.) The goal of the effort is to move the industry towards a performance-oriented program that demonstrates the effectiveness of hazmat training.

The scope of the project includes a review of the factors that enhance the training experience, and make it more effective, development of voluntary best practices for a training program, assessment of basic course materials needed, and identification of the scope and benefits of different testing methods applicable to intended competencies of students for knowledge learned.

Although the DGAC is taking the lead in managing the partnership, press reports indicate, the effort is open to any interested parties. The DGAC has created a web site to keep the public informed of the progress and provide an opportunity for the public to participate. [<http://www.dgac.org/trainingpartnership/index.html>]

The web site includes a public forum for comments and discussion regarding the proposed best practices and the partnership. While registration is required to make posts, anyone may register. Anonymous users may read posts, but not reply to them.

LABOR NEWS

Employers Should Be Using Revised Employment Eligibility Form I-9

As previously noted, the U.S. Citizens and Immigration Service (USCIS) on November 7 released a revised Employment Eligibility Verification I-9 Form (rev. 06/05/07) that will be the only version of the form that is valid for use.

The most significant changes to the revised Form I-9 are:

- The elimination of five documents from "List A" – Documents that establish proof of identity and employment eligibility
 - Certificate of U.S. Citizenship (Form N-560 or N-561)
 - Certificate of Naturalization (Form N-550 or N-570)
 - Alien Registration Receipt Card (Form I-1511)
 - Unexpired Reentry Permit (Form I-327)

- Unexpired Refugee Travel Document (Form I-571)
- The addition of an Unexpired Employment Authorization Document (Form I-766) to “List A” as acceptable proof of identify and employment eligibility
- A more prominently displayed anti-discrimination statement

In addition, employees no long have to provide their Social Security number in Section 1 unless the employer participates in “E-verify,” an electronic employment eligibility verification system.

The Department of Homeland Security (DHS) will publish a notice in the *Federal Register* giving employers 30 days from the date of publication to transition to the new I-9 form. However, USCIS recommends that employers immediately implement the form for all new employees. Moreover, employers must also use the new form when their employees require re-verification.

After the transition period, employers who fail to use the new form may be subject to penalties under the Immigration and Nationality Act.

Surprise! Survey Finds Gap Between Gen Y Workers and Co-Workers

A recent survey by CareerBuilder.com points to more pronounced generational gaps in communications styles and job expectations in the workplace. Titled “Gen Y at Work,” the survey was conducted from June 1 to June 15 this year among 2,546 hiring managers and HR professionals across all industries.

Survey findings include the following:

- Nearly half (49 percent) of employers surveyed said the biggest gap in communications styles between Generation Y workers (employees 25 years old and younger) and workers older than them is that Gen Y workers communicate more through technology than in person;
- Another one-in-four (25 percent) say they have a different frame of reference, especially in terms of pop culture;
- In terms of job expectations, 87 percent of all hiring managers and HR professionals say some or most Gen Y workers feel more entitled in

terms of compensation, benefits, and career advancement than older generations; and

- Over half (55 percent) of employers over the age of 35 feel Gen Y workers have a more difficult time taking direction or responding to authority than other generations of workers.

Workplace Injury, Illness Rate at All-Time Low, DOL Reports

The rate of workplace injuries and illnesses in private industry declined in 2006 for the fourth consecutive year, the Department of Labor’s Bureau of Labor Statistics (BLS) reported recently. Nonfatal workplace injuries and illness reported by private industry employers declined from 4.6 cases per 100 workers in 2005 to 4.4 cases last year.

MISCELLANEOUS NEWS

Railroad Association Shifts Damage Prevention Activities Among Subsidiaries

The Association of American Railroads (AAR) has shifted management of the Damage Prevention and Loading Services (DP&LS) group from Railinc to the Transportation Technology Center, Inc.(TTCI) in Pueblo, Colorado. Railinc and TTCI are AAR subsidiaries.

DP&LS’s products and services are a better fit under TTCI’s organization, AAR officials noted.

The DP&LS group, which is headquartered in Cary, North Carolina, conducts testing for railroads, shippers and suppliers, and develops publications on industry-accepted rules and standards for loading box cars and intermodal equipment. It also focuses on preventing damage to motor vehicles shipped by rail, maintaining rules for interline settlement of freight claims, and coordinating an annual educational conference on damage prevention and freight loading practices.

Promotion, Title Change? Let Us Know for Our Records

Please alert us of any change in your census information. Email: mcquaid@industrialpackaging.org.

CALENDAR OF EVENTS

JANUARY 23

Steel Shipping Container Institute
Technical Projects Committee Meeting
Chicago, Illinois

FEBRUARY 13

Steel Shipping Container Institute
Board of Directors' Meeting
Washington, D.C.

FEBRUARY 13—15

Chemical Packaging Committee
Full and Sub-Committee Meetings
Sarasota, Florida

FEBRUARY 20 – 21

Dangerous Goods Advisory Council
Quarterly Meetings
Washington, D.C.

MARCH 9—11

Petroleum Packaging Council
Spring Meeting
Tampa, Florida

MARCH 9 – 12

Council of the Safe Transportation of Hazardous Articles
2008 COSTHA Annual Forum
St. Petersburg, Florida

APRIL 27—30

Industrial Packaging Alliance of North America
6th Annual Meeting
Marco Island, Florida

JUNE 2---4

Chemical Packaging Committee
Full and Sub-Committee Meetings
San Antonio, Texas

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