

North American Cargo Securement Harmonization Committee

April 23, 2006
CVSA Annual Conference
Marriot Hartford & Connecticut Convention Center
Hartford, CT

Co-Chairs: Roger Clarke, Alberta Infrastructure & Transportation (representing CCMTA)
 Stephen Campbell, CVSA

Participants:	
Ralph Abato	ANCRA International
David Church	Forest Product Association of Canada
Julius Debuschewitz	Yukon Territory
Patrick Delaney	Petroleum Services Association of Canada
Guy Desrosiers	Province of Quebec
George Downey	NRI Industries
Don Evans	Province of Nova Scotia
Tom Feltault	dPE Inc.
Natalie Gagné	Quebec Concrete Pipe Association (item 5.f)
Eric Harris	Institute of Scrap Recycling Industries
Doug Howie	Province of Manitoba
Dick Hugg	Hugg Manufacturing
Mike Huntley	FMCSA
Marc Johnson / Jeff Blose / Chris Baker	Allegheny Industrial Associates
Peter Krenz	Mullen Trucking
Mathieu Laliberté	Camtech Consultants (item 5.g)
Ed Luna	Landstar Carrier Services
Sean McAlister	Orca Transportation Group
Clay Merches	Maverick
Ed Miller / Jeannie Fazio	Maryland DoT
David Nguyen	American Trucking Associations
John Nicholas	Washington State
Frank Nied	UPM North America
Alfredo Peniche / Enrique Albarez	SCT Mexico
Dan Pierce / Jeff Bennett	Schneider National Inc.
John Pearson	Council of DM Secretariat (CCMTA)
Dennis Plucinik	Gypsum Express Ltd.
Warren Reynolds	Province of Ontario
Glen Saunders	Swift Transportation
Mark Schauerte	Transport Canada
Len Shaw	Canadian Association of Recycling Industries
Jeff Sims	Truck Trailer Manufacturers Association
Taylor Stack / Amy Levine / Ronald Levine	Nevada Motor Transport Association
Howie Steele	Minnesota State
Frank Szeps	Northeast Utilities
Perry Therrien	Province of British Columbia
Pete Trimble	Keen Transport
Rolf Vanderzwaag	Ontario Trucking Association
Blair Wagar / John Meed	Province of Saskatchewan
Betty Weiland	J.J. Keller & Associates

Record of Decisions

1. Introduction

Chair R. Clarke welcomed participants and introduced committee co-chair Mr. S. Campbell in absentia (Mr. Campbell attended later parts of the meeting.) Round-table introductions were made.

2. Overview of Committee Agenda

The Chair reiterated the role and mandate of the committee: to provide an open forum of discussion on issues related to the North American Cargo Securement Standard with a view to monitoring the effectiveness of the standard and making recommendations for ongoing improvements. The group has no regulatory capacity, acting as an advisory body to both FMCSA and CCMTA.

3. Adoption of Agenda

The meeting's agenda was adopted with the addition of the issue of rub rails, to be addressed under Marking and Rating of Anchor Points, item 5.b).

Participants stressed the need for the production of a record of each meeting of the committee.

4. Implementation and Developments – Status Reports

a) United States

Mr. Huntley (FMCSA) provided an update on developments. Consistent with its enforcement policy memo issued December 31, 2003, the FMCSA proposed among a number of other changes in its June 8, 2005 NPRM to reduce the overriding performance criteria of 0.8 g deceleration in the forward direction to 0.4 g and in the lateral directions from 0.5 to 0.25. Considerable comments were received, and the change in performance criteria was deemed by many stakeholders as a major departure from the approved North American Model Regulation. Mr. Huntley indicated analysis of the comments to the docket is now under way; the final rule is expected by the end of this year. Response to CCMTA's as well as the NACSHC's comments will be addressed in the final rule.

b) Canada

Mr. Pearson (CCMTA) reiterated Canada's support for the North American Cargo Securement Standard initiative and provided a brief update on the status of implementation. National Safety Code Standard 10 is the mechanism by which Canadian jurisdictions have implemented the new cargo securement provisions. Following a period of education to allow both industry and enforcement personnel to adjust to the new rule, the standard is now in full force and effect across the country. A Canadian interpretation committee has been created to foster common, consistent interpretation of the standard within Canada and support the development of Canadian positions on issues to be discussed with the FMCSA regarding international uniformity. An interpretation guide for law enforcement and industry was published in August and is available on the CCMTA web page.

c) Mexico

Mr. Peniche reported that Mexico is following developments in the U.S. and Canada, with an ultimate goal of incorporating the standard into their regulations.

5. Task Force Reports and Presentations

a) Standards for Friction Mats

Mr. Johnson indicated work continues under the leadership of a coalition of friction mat manufacturers. The group is developing a marking and rating system for friction mats, a proposed new friction mat definition and pass/fail criteria for enforcement personnel. Findings and recommendations are expected before the next meeting.

b) Marking and Rating of Anchor Points

Mr. Mooney provided a verbal overview of the issue and sought guidance from the committee. The initial debate as to whether tiedowns should be located inside or outside the rub rails has led to the bigger issue of rub rails being used as anchor points. TTMA representatives on the group have indicated that while rub rails are commonly used as anchor points (with estimates as high as 75%), they are not meant to act as such and consequently do not generally have rated working load limits. The problem related to the overall issue of unrated anchor points is also prevalent in both countries: while Canada has made rating and marking of WLL on tiedown equipment mandatory by 2010, the provisions do not address trailer anchor points.

It was finally agreed alternatives to the use of rub rails as anchor points as well as the overall issue of the marking/rating of anchor points must be further analysed. Ideally, a sunset provision would be adopted where all trailer anchor points would be properly marked and rated by a certain date. Work of the Task Force will be put on hold pending the development of new Terms of Reference by Chair R. Clarke. Messrs. Mooney, Blose, Hugg, Nguyen, Vanderzwaag and Pearson (with assistance from FMCSA) volunteered to assist.

c) Dressed Lumber and Similar Building Materials

Mr. Desrosiers provided an overview of the group's progress and presented five proposals (Attachment 1) to add clarification to the securement requirements for bundles of dressed lumber and other types of building materials.

Members generally agreed with Proposal 1 which recommends that "a cargo of stacked dressed lumber or similar building materials can be transported inside a sided vehicle or an intermodal container without using tiedowns provided there is adequate immobilization of the stacks inside the vehicle or container". It was noted the proposal is consistent with the U.S. NPRM. Mr. Pearson volunteered to draft the interpretation guidance accordingly.

Proposal 2 generated discussion on the implications of complying with Part 2 – Division 2, although it was generally agreed compliance with only the general provisions is insufficient. Questions were raised as well on Proposals 3 and 5, and it was finally agreed Mr. Desrosiers' group would further develop the paper and recommendations with additional assistance from Messrs. McAlister, Plucinik and Pearson. Work will continue, and developments will be provided at the next meeting.

d) Oil and Gas Industry Best Practices

Mr. Delaney provided a presentation on the Effects of the new Cargo Securement Regulations on Oil and Gas Industry Transportation Support Services. The Petroleum Services Association of Canada and Canadian Association of Oilwell Drilling Contractors are now working on a best practice document, which is expected to be completed shortly (with the addition of a section on securement of metal pipes). Sign-off from the three Canadian Western provinces is expected within a month in a meeting with regulatory officials, and the document will be made available to PSAC and CAODC members through their web site.

At issue now for PSAC and CAODC is recognition of the Best Practice document in U.S. and

other Canadian jurisdictions (*the document will be made available to the Canadian Interpretation Committee for review and feedback*), and how to bring shipper and manufacturers to the table relative to the issue of the rating and marking of anchor points on transport equipment. Mr. Delaney volunteered to secure the European requirements for comparison purposes.

e) **Flattened or Crushed Vehicles**

Messrs. Harris and Shaw provided a presentation (Attachment 2) reiterating the ISRI/CARI's position that the rule has a negative effect on their industry. The ISRI advocates removing logged/baled cars from the commodity specific provisions applicable to flattened or crushed vehicles; clarifying the netting requirements for crushed and flattened cars, and requesting no additional securement for lugger truck box. The ISRI contends that the process used for 'logging' or 'baling' greatly improves the containment of loose parts making netting unnecessary.

The issue generated considerable discussion. A motion to table the request to have the baled car process recognized under the general provisions of the rule with the Vehicle Committee was defeated. It was agreed, as suggested at the last meeting, that a formal operational test on the effectiveness of the "logged car" crushing process in preventing small parts from coming loose should be conducted by the ISRI. Mr. Steele of the Minnesota DoT volunteered to prepare a test protocol which will be offered to ISRI and CARI for consideration. Mr. Harris questioned the need for such testing, but indicated the ISRI would comply as requested. Enforcement officials are expected to attend. Developments will be provided at the next meeting. In the meantime, any enforcement personnel coming across baled loads is invited to provide feedback to the committee.

On the issue of synthetic mesh for crushed and flattened cars, Mr. Harris presented ISRI's proposal for the mesh to extend to the height of the load on all sides, be secured to the deck of the trailer and have openings that are not larger than the smallest, visible loose part.

In the case of lugger boxes, Mr. Harris suggested no additional securement provisions should apply, although it was noted the box should meet the roll-on/roll-off and hook lift container requirements. No committee decisions were taken, and the issues will be revisited at the next meeting.

f) **Concrete Pipe Securement**

Ms. Gagné provided a presentation on the CCPA/Tubecon's (Attachment 3) proposed additions to the standard related to the geometry of Quebec-made bell and spigot concrete pipes for both securement and potential damage to the pipes, and loading/unloading issues related to the Canadian environment:

- not alternating bell and spigots
- smaller diameter pipes on top of bigger diameter pipes
- for large diameter pipes (no bells and spigots) of different diameters, possibility of them touching one another. (*Presentation available from the CCMTA Secretariat.*)

The proposals were reviewed. A number of options were considered including addressing the issue through local policies. Ms. Gagné indicated that while formal research has not been conducted, the practice as illustrated in the presentation have been followed successfully in Quebec and Canada for a number of years.

Given the performance-based nature of the standard, members agreed to the need for test data before any amendments/additions are made to the provisions. The CCPA agreed to conduct testing with the assistance of the MTQ. Messrs. Vanderzwaag and Abato volunteered to assist, with Mr. Desrosiers to lead the initiative. Strap manufacturers are expected to be asked to participate.

g) Securement of General Freight in Closed Vans

Mr. Desrosiers and M. Laliberté of Camtech Consultants tabled a proposal for testing loading and securement techniques related to the placement of palletized goods in vans and sought support for the project. The research, to look at loading patterns as part and parcel of the securement system, is expected to lead to guidelines for the transport and securement of cargo in closed vans.

Participants endorsed the initiative, and a formal committee was struck to assist Quebec and Camtech. Messrs. R. Vanderzwaag, M. Johnson, E. Miller, D. Church and G. Downy volunteered to sit on the group. It is expected formal sponsors will be solicited at a later date for the testing phase of the research project.

Mr. Vanderzwaag indicated the OTA looked into a similar research project, which was later abandoned due to its complexity. The association is now developing a best practice document.

h) Securement of Hay Bales

Mr. Stack and Ms. Furtado made a verbal presentation on developments further to the presentation made by Nevada Motor Transport Association at the last meeting. The association has tabled a letter with the FMCSA. Feedback from Mr. Huntley will be provided at the next meeting.

Mr. Pearson reported that work had also been undertaken by a government/industry committee in Canada to expand on the proposals from Nevada Motor Transport Association to address securement requirements for both large square bales and round bales. He noted that the additional proposals had been provided to the working group in Nevada for review and comment.

i) Cargo Securement System Performance Criteria

The Chair reiterated the major discrepancy relating to the FMCSA's contention that the performance criteria as agreed under the Model North American Cargo Securement Standard does not represent normal driving conditions and as such has reduced its performance criteria by half (*see item 4a*). The FMCSA has acknowledged that the WLL of tiedowns would likely be exceeded in an "emergency situation short of a crash", but has countered that the additional capacity required to restrain the cargo could be found in safety factors and that the breaking strength of the equipment would likely not be exceeded.

Findings of the Task Force on the Minimum Performance Criteria NPRM, which were consistent with the Model North American Cargo Securement Standard in that working load limits should not be exceeded under the originally agreed-upon performance criteria, were presented to the FMCSA by the Harmonization Committee on November 28.

6. New Issues
(none raised)

7. Other Business
(none raised)

8. Next Meeting

The next meeting will be held as part of the CVSA Fall Workshop scheduled for September 23-28 in Toronto, with the exact date(s) to be determined by CVSA.

9. Adjournment

Meeting adjourned.

Prepared by: Sylvain Tremblay, CCMTA
Date distributed: June 29, 2006

List of Attachments:

Attachment 1 – Presentation on Securement of Dressed Lumber
Attachment 2 – Presentation on Securement of Crushed and Flattened Cars
Attachment 3 – Presentation on Securement of Concrete Pipe