

FINAL
Joint Intermodal Working Group
Out-of Cycle Meeting
DAUSD (TP) Conference Room
0900-1600 Eastern Daylight Time,
12 August 2009
Agenda

Purpose:

Meeting was held to discuss general dry cargo container inspection criteria and whether to change from DOD current approved criteria found in MIL HDBK 138B to a commercial standard used by the Institute of International Container Lessors, Guide for Container Equipment Inspection, 5th edition ("IICL-5"). CENTCOM is requesting approval to use IICL coupled with other criteria for a standard deemed less stringent than the MIL HDBK 138B for general dry cargo containers only. Intent is to provide greater supply of containers from the vast pool of commercial containers that the US Government has bought from carriers and leasing companies during OIF/OEF. Many of these containers have been in CENTCOMs' theater for years and their seaworthy condition is unknown. This issue affects all DOD components including COCOMs.

OSD Container Inspection Policy for OEF and OIF (COL J. T. Thomas, (ADUSD(TP) Chief Transportation Policy))

- Estimated 48k containers required over the next 12-18 months in support of Iraq drawdown
 - OEF in addition to the 48k required for drawdown is requesting containers for storage facilities and other operational requirements
- Available and planned repair capacity (Iraq and Kuwait) will provide ~21k by Aug 2010
- Large pools of containers exist in both Kuwait and Iraq which may be useful for drawdown effort but will require some actions to occur before availability.
 - Transported to repair site as required
 - Emptied and contents dispositions
 - Repairs
- MIL-HDBK-138B has been used to train inspectors as the certification criteria
 - Never officially designated as the DoD Standard, but perceived as such
 - Due diligence has been conducted to determine authority for setting MIL Standard
 - AT&L LM&R Transportation Policy
- As many of the containers used to transport DoD Cargo are used in theater and coming from commercial carriers in a condition that satisfied commercial standards, the question arises whether it is necessary and whether it makes sense to have a DoD standard that is distinct from the commercial standards. Are we (DoD) prepared to absorb the upgrade/repair cost to bridge the difference in standards for any purchased containers?
- Draft OSD Policy re; DoD Policy on Seaworthy Containers in Support of Operations Enduring Freedom (OEF) and Iraqi Freedom (OIF) was under review by OSD General Counsel Office at time of this meeting. Is now promulgated with a date of 19 August 2009. Attached.
 - To ensure sufficient supply of seaworthy containers and to avoid exposing personnel to potential hostile conditions
 - Proposed DoD Policy to adopt commercial standards (CSC/CFR 49 Part 452.3) in support of OEF and OIF
 - MIL-HDBK 138B will continue to be the DoD standard for AA&E
 - **Actual promulgation date and signed is 19 August 2009**

US Coast Guard Container Inspection Requirements and Standards (LCDR Douglas Lincoln)

- Provided insight on the Laws & Authorities, Owner responsibilities, and Container Inspection standards
 - International Convention for Safe Containers, 1972 focus is maintaining a high level of safety of human life in the transport and handling of containers.
 - Facilitating international transportation of containers
 - And requirements to maintain containers in a safe condition
- International container Act enforces the CSC Convention Safe Containers with 49 CSR and 46 USE
- Federal Hazardous Materials Transportation Act incorporates the International Maritime Dangerous Goods (IMDG) code.
 - Pertains to HazMat Containers
 - Does have exemptions in place for items such as batteries in transporting hazardous cargo
 - Delegation does authorize the US Coast Guard to carry out the functions relating to investigations, records, inspections, penalties, and specific relief, with particular emphasis on the transportation or shipment of hazardous materials by water
- Ports and Waterways Safety Act provides broad authority to protect safety of U.S. Ports
 - Executive Order No. 10173 gives the US Coast Guard Captain of the Port Authority
 - Gives immediate direction to Coast Guard law enforcement activities within an assigned area
- Owners of containers are responsible for maintaining containers in a safe condition
 - This is through periodic examinations ensuring the highest degree of standardization is maintained
 - Through DTR Part VI
 - MIL-HDBK-138B
- Each container inspection standards program must include a detailed visual inspection for defects such as cracks, failures, corrosion, missing or deteriorated fasteners, and any other safety related deficiency or damages.
 - Each examination must apply owner established or industry accepted pass/fail criteria
 - CSC Circular 134 provides guidance on serious structural deficiencies in containers
- There are multiple container inspection standards being followed in the global container community of interest in determining container serviceability and seaworthiness.

SDDC Update (SDDC) (COL Kenneth Shannon Director, SDDC Global Container Management)

- Proposal for a Container Management Board (CMB) reporting to JIWG generally supported by Services/DLA pending review of proposed scope, role, and agenda for first meeting. CMB would refine SDDC's authorities, roles, responsibilities for DOD Container Management and provide decisions for enterprise wide container management. Draft memorandum of agreement (MOA) on scope, roles, and responsibilities of CMB due to JIWG 15 Jul 09.
- SDDC working to define and implement a container management training curriculum. This training encompasses more than just systems training. Coordinating with FORSCOM/First Army for execution. Long term will coordinate with JFCOM, Services/Agencies for implementation into their curriculum. Draft of training curriculum due out to JIWG 15 Jun 09.
- Reducing costs for detention and leasing. Rewriting CENTCOM LOI on container management, reviewing and updating current business practices, continue training deploying units on IBS-CMM.
- JIPMS Update: Developing strategy for way ahead. USTRANSCOM will review last business case analysis of JIPMS ACBAT and provide summary. TCJ5/4-AI noted JIWG still on record as endorsing single system for container management; however, SDDC lead as they now own both ACAMS and IBS-CMM and data sharing implemented
- Update on 2008 DOD container inventory presented. Report being finalized.

U. S. Army Defense Ammunition Center (DAC) (Mr. Robert Hanger)

- Differences in DoD 4500.9 and MIL-HDBK-138B
 - Only nine differences between the IICL and MIL-HDBK-138B for Non-IMDG (General Cargo) Dry Cargo Container standards
 - DoD 4500.9 states IICL standards are acceptable for DoD General Cargo, however it does not give DoD trained personnel authority to inspect to any standard other than the MIL-HDBK-138B
 - DoD guidance states that all containers must be inspected by a DoD “Certified” Inspector before any DoD commodity can be loaded into the container.
 - DoD inspections are periodic inspections IAW CSC vs. the ACEP inspection program used by most of the commercial carriers
- Multiple discussions on major proponent for MIL-HDBK-138B belonging to ARDEC at Picatinny and working through the JSBIE in ensuring standards are established and upheld
- Handbook versus Specification
 - The specification process for approval is quite lengthy
 - Currently ARDEC is preparing activity, DAC is responsible for training of inspectors and is the agent, largely responsible for its technical content
- Examples for typical cross-member damage were shown to illustrate grounds for rejecting utilization of containers
 - If a damage cross-member is acceptable, other repairs may be at risk
 - Safety factors in allowing cross-member damage
- DD Form 2282 Decal
 - Currently suggested to remove requirements for decals
 - CSC restrictions apply only if the container is moving in international traffic and is loaded
- DAC asserts it is premature to lower either DoD or IICL standards when majority of containers in CENTCOM AOR have yet to be inspected
- DoD is ruling authority for container acceptance criteria
- DoD and DA are liable, but not insured for goods or for civil penalties that occur when shipping.
 - Universal Services Contract delineates liability for cargo shipped through USC Carriers

Way Aheads:

- Co-Chairs will determine the next out of cycle JIWG Meeting and location
- Continue keeping momentum in the various discussion regarding MIL-HDBK-138B
- Continue moving/vetting Draft OSD Policy for ultimate signature at OSD
- Formulate Global Policy through the JIWG
- Monitor the progress on the CENTCOM Standards proposal from CDDOC
- Looking at Storage facilities limitation in OEF

POC: Sherman E Summerville, Co-Chair JIWG, Defense Logistics Agency Cml: (703) 767-3671 and DSN: 427-3617

** Attendance list is at attachment.

- In addition to attendee list attached there were attendees on the telecom
 - Mr. Gary Adams, Co-Chair US TRANSCOM, Intermodal TCJ5
 - Mr. Robert Hanger Defense Ammunition Command
 - Ms. Althea Lewis, US TRANSCOM