



The

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COHMED – A History of Cooperative Success

By: *Wayne M. Sinclair – CTDMV (Ret.)*

Take a fledgling HazMat Transportation Inspector (like me at the state level) and put him in a room full of experienced Federal, State, County, Local, HazMat Inspectors along with those from industry with a stake in safe hazmat transportation and you have **COHMED**. For me the experience allowed a comfortable approach to HazMat enforcement through the actual examples of my colleagues who were working in the HazMat arena and had a lot to offer.

Coming back from to my state from a **COHMED** conference gave me the confidence and the tools necessary to effectively enforce the regulations. When in doubt, I had new contacts to call upon for opinions and direction in getting the job done.

Cooperative Hazardous Materials Enforcement Development (**COHMED**) began in 1986 as an outreach activity of the Department of Transportation (DOT) Research & Special Programs Administration (RSPA). Predecessor to the now Pipeline and Hazardous Materials Safety Administration (PHMSA). By the early 1990's the **COHMED** experience began to include officials from Canada's federal agency - Transport Canada (TC) and by the mid 90's officials from Mexico.

COHMED worked to provide coordination, cooperation, shared enforcement methods, education and communications opportunities for anyone having enforcement, and/or management responsibilities for the safe transportation of hazardous materials. Early conferences (86-92) had a respectively small number of participants, about 100. By the end of the 90's participation at the semi-annual conferences grew to 200 and beyond.

In the late 1980s and throughout the 1990s, the Associate Administrator of RSPA, Alan I. Roberts, was a strong proponent of the **COHMED** concept and responsible for getting **COHMED** 'off the ground'. While this was a Federal outreach program, he encouraged the evolution of **COHMED**

programs and focus by ensuring an active and diverse leadership was in place. The leadership consists primarily of a National Chair, four Regional Chairs, two Workgroup Chairs, a Transport Canada Liaison, and an Industry Liaison. All chairs are from state or local enforcement personnel. **COHMED** had federal involvement in the leadership through only one federal liaison person. While the leadership would add or subtract positions as needs changed, it remained primarily as initially envisioned.

Much of the success over the years of **COHMED** is owed to the individuals who made up the leadership and set the course. Many of the National Chairs were chosen from other leadership positions (regional and workgroup) and show the wide variety of state personnel performing day to day HazMat enforcement in their jurisdictions. Here are the national chairman and their respective agencies:

1. 1988 – 1989 *Loren Larsen, Utah State Enforcement*
2. 1989 – 1990 *Captain Steve Hermann, Arizona DPS*
3. 1990 – 1992 *Lieutenant William "Bill" Murphy, Michigan State Police*
4. 1992 – 1995 *Lieutenant Joseph Ballas, New Jersey State Police*
5. 1995 – 1997 *Captain George Franks, Arkansas Highway Police*
6. 1997 – 1999 *Lieutenant Wayne Sinclair, Connecticut DMV*
7. 1999 – 2001 *Mr. Mike Eyer, Oregon DOT*
8. 2001 – 2003 *T/Sergeant Eric Adair, New York State Police*
9. 2003 – 2007 *Captain Bruce Bugg, Georgia DPS*
10. 2007 – 2009 *Major Ken Carr, Florida DOT*
11. 2009 – present *Tech. Trooper Rex Railsback, Kansas Highway Patrol*

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COHMED Where We Are and Where We Need to Go

By: *Captain George Gray (Ret.), NC Highway Patrol MCSAP Administrator*

During the past twenty plus years, one of the most rewarding venues that I was fortunate to attend were the **COHMED** conferences. I never once left a conference that I did not take more away with me than I came with. What I mean is that the training and education I received was well worth the cost of the trip. Nowhere else could I go and get the experience and contacts that were provided for the attendee's that we had at **COHMED**.

Originally twice a year we would come together as enforcement personnel, federal and state regulators, and most importantly, the industry representatives who were the real experts in their various fields dealing with hazardous material transportation. Industry was always willing to provide expert instructors to teach us, the enforcement personnel who conducted roadside inspections, the "real" life situations and dangers that are present on the road during transportation of these dangerous goods. It also provided a means of networking with other in the hazardous material transportation field. These contacts proved over the years, to be some of the most important and beneficial tools available to me and my agency and its enforcement personnel in our efforts to make transportation of HazMat safer.

After the loss of the RSPA (now PHMSA) funding and support **COHMED** leadership and conference attendees refused to give up all that had been accomplished. CVSA stepped up to the plate and took on another responsibility to continue this exceptional and well needed conference as the sponsoring entity. With assigned funding and manpower resources, the staff at CVSA has done an outstanding job in continuing to provide the logistics for an annual conference. Now, once a year we can still

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Using the premise that there are no secrets to enforcement techniques or ways to comply with the regulations, **COHMED** became the semi-annual event to expand your HazMat transportation knowledge. More importantly it became the place to go to expand your contacts and network. There were no membership fees, and therefore anyone could be a “member” of **COHMED**. You simply showed up for the conference, paid a very nominal conference fee, and became a **COHMED** “Participant”.

The conference premise was simple. **COHMED** encouraged states to adopt and uniformly enforce hazardous material regulations. States previously had primarily focused their enforcement efforts on shipments of HazMat by highway and, to a lesser degree, on rail shipments. **COHMED** helped expand the understandings of all aspects of HazMat shipments far beyond highway and rail. Opening new horizons for many with the international aspects of shipping HazMat.

Course offerings and break-out sessions at a conference included ICAO, IMDG, TDG (the Canadian Regulations) and other non-traditional offerings that allowed for a better understanding of regulations that dovetailed into 49-CFR.

In a July 1999 Federal Emergency Management Agency (FEMA) Region X Monthly update, the author Mike Hammond wrote:

“I first became aware of this organization several years ago when they had one of their conferences (They usually have two a year) in Seattle. I felt that I got a lot of good information from the conference even though it was based heavily on enforcement. One good thing about it was that there was a lot of representation from private industry present and also presenting at the conference.”

In 2002 RSPA ended its formal involvement with **COHMED** the Commercial Vehicle Safety Alliance (CVSA) stepped in to sponsor future conferences. This year PHMSA formally returned and is working with the leadership to help improve the effectiveness. While the semi-annual **COHMED** conferences have been culled back to once a year (usually January), opportunities to gain important updates and networking still exist.

With budgets at critically low levels, it becomes inherently more difficult to send personnel to the conferences. While my own involvement in **COHMED** had decreased

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come together to educate ourselves on new developments and issues involved with HM transportation. But we are missing a vital link in this process.

The past few conferences have been focused on having the Key federal regulators and rulemakers present most of the sessions. This is a vital part of **COHMED** and gives us a chance to hear first hand what is going on and what to expect in the future from PHMSA, FMCSA, DHS, TC, FAA and others. However, while this provides a unique opportunity, it should be geared back toward the general session as it use to be where we could all hear it at the same time and be able to ask questions in front of all the attendees, so we would all hear the same answers. The vital link that is currently missing is the training for the field enforcement personnel who are challenged day to day with conducting roadside inspections on products and materials that they have very limited training or information on. Many times hazardous material loads travel on down the highways, sometimes in violation of the safety regulations required, simply due to the fact the roadside inspector does not have the training or information to know a violation or unsafe condition exist. The Hazardous Material Training Course that CVSA certified inspectors go through is an excellent course, but only teaches the basic’s of how to use CFR 49 and gives limited training on specific material, packaging and container requirements.

This is where the industry involvement is so important to **COHMED**. These people are the real experts in their various products and fields. Who knows better what specific issues are associated with a shipment of hazardous material than the ones who deal with that product or package on a daily basis. What about shipping LP gas? There are so many different ways it can be safely shipped, different type tanks, different industry standards that are referred to in CFR 49, that give exceptions for specific shipments. Who knows these better than the industry personnel who deal daily with this product? And the list goes on and on.

During the last **COHMED** conference in San Antonio TX, there was a rather small number of state enforcement personnel in attendance as compared to past conferences. I spoke with many of these folks and most of them had the same story. It was hard to justify to their upper chain of command how or what they would benefit from attending **COHMED** after reviewing the agenda. As a former State Administrator over the Motor

Carrier Safety Assistance Program, I too well could relate to what they were saying. In the old days it was easy to justify the **COHMED** conference because we always could come back and share the training we received with our other enforcement personnel. Now, with budgets so tight in the current economy, and the watch dog eye of many people, the states have to really look close at where they send their personnel and be able to have tangible evidence in the form of handouts and training materials to hold on to for justification of their expenditures.

During the **COHMED** industry meeting, this problem was discussed and it was unanimous among the industry representatives that they would be willing to provide trainers, equipment and what ever else was needed to assist in providing training sessions for our enforcement partners and all attendees. More specific and specialized training in the agenda will result in more justification to attend and this will result in more attendees for **COHMED**. Most important of all, the more effective and informative the training for all of us the safer the Highways are for your family and mine. While the government is large and has a stunning budget, even the government can not afford to create specialized training for every product transported on the public highways. Therefore, partnerships and cooperative efforts by those involved is the most cost effective and intelligent means to keep the programs effective and limited resources directed. **COHMED** has demonstrated through its past, that it is one of the most effective means of providing training and problem resolution in the widely diverse and changing field of safe transportation of dangerous goods.

Cooperative Hazardous Material Enforcement Development (**COHMED**) needs to provide more unique training and problem-solving sessions for the field enforcement officer/ agent Let’s put the detailed training back into our conference so we can really meet the meaning of the name. How can we have “enforcement development” if we don’t know how or what to enforce?

In closing I would like to say thank you to the **COHMED** leadership for keeping this long tradition going. I served on the leadership for several years and I can attest to the fact that it is a very tedious but rewarding task in which many times you feel no one really cares. Well, let me say to all of you “WE CARE” and thank you. Since this is one man’s opinion I thought I would tell it like I see it and ask for your help in improving the process.

JP's TIPS



This issue of *The NATC Advantage* is highlighting **COHMED**, which is one of the most effective and informal organizations in the world of regulatory compliance. They are a group of dedicated professionals from enforcement and industry who work throughout the year to improve the uniformed application of a national standard for the handling and transportation of HazMat throughout North America. If you have never attended a **COHMED** conference you must as they say, try just one. At the most recent conference, PHMSA's Administrator Quarterman signed an agreement allowing PHMSA to more clearly assist the **COHMED** leadership in promoting uniformity and quality enforcement of HazMat requirements. I for one am a firm supporter in the value and importance of **COHMED**'s approach to uniformed safe transportation of HazMat throughout North

America. I am unaware of anywhere else that industry, U.S., Canadian and sometimes Mexican enforcement personnel can discuss regulatory issues on a one on one face to face level where everyone's opinion has a true value and the respect of others.

FMCSA has released Phase I of its long awaited Pre-Employment Screening Program (**PSP**) driver history database. Pre-registration is now available and details are available on our website at www.49CFR.com. For an annual fee and \$10.00 per driver, carriers can see what the DOT has in its database on prospective drivers. With CSA 2010 coming, I think it is a good idea to run existing drivers through the database once for verification.

PHMSA is working very hard to make sure the HMR is both effective and accountable. Let us all agree to help as long as they agree to keep the requirements realistic and achievable in the time frame provided.

Our next issue will center on the maintenance of both vehicles and HazMat packages. Enjoy this issue and let us know your thoughts through www.49CFR.com.

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since my time as National Chair, I always encouraged my state to continue to send new participants in order that they might gain the same educational and networking benefits I (and therefore the State of Connecticut) received through this program.

Since retiring from state service I realize even more, the importance of **COHMED** to industry as well as enforcement. There is no other venue where you can sit in a non-adversarial way with enforcement, industry, and other interested parties and do one thing – enhance the safe transportation of hazardous materials through a greater understanding of everyone's position and needs. That is my brief history of **COHMED** – A true success story of achievement through cooperation for the good of many.

UPCOMING EVENTS

COMING SOON...

A notice of upcoming events!



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