

August 15, 2022

TO: Federal Maritime Commission, sent via email to secretary@fmc.gov

FROM: William Sirchio STG Intermodal

RE: Docket No. 22-19, Request for Information

I am writing to share my feedback on Docket No. 22-19, which seeks comment on whether supply chain congestion has created conditions warranting the issuance of an emergency order requiring common carriers and marine terminal operators (MTOs) to share key information with shippers, truckers, and railroads.

Based on my experience as a motor carrier moving freight at the Port of NY/NJ, I strongly support the issuance of an emergency order. The lack of adequate information sharing has created an emergency situation that is adversely affecting our operations, impeding the efficient movement of freight. An emergency order issued by the Commission would help alleviate this situation.

I believe the scope of this emergency order should include (but not necessarily be limited to) the following:

- Marine Terminals that require appointments for movement of freight must clearly indicate the number of appointments available for each type of move (specific to time slot, SSL, and container size), and must notify shippers, motor carriers and ocean carriers when those appointment slots are fully booked/no longer available.
- When a location is designated as an Empty Container Return location, notice must be given on the total number of containers being accepted (specific to SSL and container size). If capacity is reached before the end of the day and empties are shutout by the terminal, notice must be sent to shippers, ocean carriers and motor carriers, documenting the lack of available return location.
- If a Marine Terminal Operator places restrictions on the free flow of Empty Container Returns (e.g. requiring double moves only, restricting returns for a specific SSL to certain time windows, etc.), Shippers, Ocean Carriers and Motor Carriers must be notified of these restrictions, as they may adversely affect the motor carriers' ability to return the container.
- When on-street congestion and/or extreme traffic conditions warrant temporary closure of access to the terminal, notification must be sent to Shippers, Ocean Carriers and Motor Carriers, including time stamps of when the metering commenced, and when free flow into the terminal resumed. Port law enforcement agencies and port operations personnel may assist in this notification process as warranted.
- When system issues adversely affect a terminal's ability to process trucks, notification must be sent to Shippers, Ocean Carriers and Motor Carriers, including time stamps indicating when the system issue commenced, and when the issue was resolved.

- **All of the above notifications must be posted and archived on a platform that is readily accessible by Shippers, Motor Carriers and Ocean Carriers for later reference, in order to document issues that have the potential to impact detention and demurrage billing.**

The lack of information sharing has adversely affected my ability to move freight efficiently. *Specifically, the chassis deficit in the market which has driven tenured port commercial vehicle operators out of the industry. CDL operators that have done port work for many years cannot execute multiple Dray moves as they were once accustomed. Root cause: the inability of steam ship lines to supply a pragmatic venue to return empty containers which would create a chassis surplus in the marketplace. The charade is that port terminals will take back empties via appointments only plus require a double move. The reality is that appointments are rarely available. Below are a few scenarios I feel are necessary to reset the market:*

- 1.) *For any steam ship line not providing free flow of empty returns, require them to dispatch an empty vessel for every full vessel of imports shipped into the market into the market. Thus, creating velocity of dwelling empties exiting the market.*
- 2.) *Require the SSL to acquire, lease or rent acreage within 100-mile radius of the market where empty boxes can be terminated seamlessly.*

Thank you for the opportunity to share my comments on this emergency situation. I urge the FMC to take immediate action to issue the emergency order requiring information sharing, as stipulated above.

Sincerely,

Bill Sirchio

Director of Terminal Operations

STG Intermodal