



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

August 31, 1998

The Honorable Jim Hall
Chairman
490 L'Enfant Plaza, S.W.
National Transportation Safety Board
Washington, DC 20594

Dear Mr. Chairman:

Thank you for your correspondence of May 18 addressing the National Transportation Safety Board's safety recommendation H-98-27 issued to the Department of Transportation (DOT), and correspondence to Kelley Coyner, Administrator Designate of the Research and Special Programs Administration (RSPA) reiterating safety recommendation H-92-6 issued to RSPA. Recommendation H-98-27 was issued as the result of the collision of a DOT MC-306 cargo tank semitrailer and a private passenger car in Yonkers, New York, on October 9, 1997. Recommendation H-92-6 was issued after an investigation by the Board of seven highway accidents involving DOT MC 306 or MC 312 cargo tanks.

Recommendation H-98-27 states that the Secretary of Transportation should:

Prohibit the carrying of hazardous materials in external piping of cargo tanks, such as loading lines, that may be vulnerable to failure in an accident.

Recommendation H-92-6 states that RSPA should:

Implement, in cooperation with the Federal Highway Administration, a program to collect information necessary to identify patterns of cargo tank equipment failures, including the reporting of all accidents involving DOT specification cargo tanks.

DOT shares the concerns of the Board about potential loss of life and injury due to the transportation of flammable liquids in wet lines of cargo tanks and agrees with the intent of recommendation H-98-27 aimed at prohibiting the carrying of such material in unprotected external piping. Accordingly, RSPA is initiating a preliminary risk/cost-benefit assessment to help determine potential courses of action and justify any possible rulemaking, if warranted. We anticipate completing this initial assessment within 120 days and will forward a copy to you along with further plans on the recommendation at that time.



In regard to recommendation H-92-6, RSPA sent a letter to the Board on April 20, 1998 (enclosed) on the development of an Advance Notice of Proposed Rulemaking to solicit feedback on how to gather and utilize data to meet the intent of the recommendation, and requested the recommendation be classified as "Open-Acceptable Action" pending the conclusion of the rulemaking. We will keep you informed of our progress.

If you have any questions or concerns, please contact me or Administrator Designate, Kelley Coyner at (202) 366-4461.

Sincerely,


Rodney E. Slater

Enclosure