



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

The Administrator

400 Seventh Street, S.W.  
Washington, D.C. 20590

JAN 14 2000

The Honorable Jim Hall  
Chairman  
National Transportation Safety Board  
Washington, DC 20594

Dear Mr. Chairman:

This letter addresses National Transportation Safety Board safety recommendation H-92-2 issued to the Research and Special Programs Administration (RSPA). Recommendation H-92-2 was issued following an investigation of seven highway accidents involving Department of Transportation (DOT) specification cargo tanks. The recommendation states:

H-92-2

Assist the Federal Highway Administration (FHWA) to evaluate the design of the rollover protection devices installed on all cargo tanks manufactured by the Acro Trailer Company and by New Progress, Incorporated, to determine if the cargo tanks comply with existing Department of Transportation standards.

RSPA assisted the FHWA in reviewing the design of rollover protection devices installed on cargo tanks manufactured by Acro Trailer Company. The review revealed that thirteen cargo tanks were built with the rollover protection devices identical to the design used on the cargo tank involved in the Albuquerque, New Mexico, crash. The design does not conform to the MC 312 specification. FHWA has taken action to locate these nonconforming tanks. FHWA received verification that ten cargo tanks have been modified to meet the applicable specification requirements or are no longer represented as DOT specification cargo tanks. Because the remaining three cargo tanks have not been located, FHWA published a notice in the Federal Register to alert persons that these cargo tanks may not be used to transport hazardous materials unless the rollover protection devices have been modified to meet the applicable requirements. Details and documentation of the review, including the Federal Register publication, were submitted to you by FHWA in correspondence dated April 12, 1999.

The adequacy of rollover protection devices installed on cargo tanks manufactured by New Progress, Incorporated, was verified by physical testing of the rollover protection devices. The testing demonstrated the devices are two times stronger than the regulations require.



The results of this testing are applicable to all tanks built by New Progress, Incorporated, because of similarities in the design of rollover protection devices installed on all New Progress, Incorporated tanks. The contractor's report verifying the adequacy of the testing method, a video of the test, and other details and documentation of the New Progress, Incorporated review were submitted to the Board by FHWA in correspondence dated April 12, 1999.

In response to recommendations in the Board's 1992 report on rollover accidents, RSPA and FHWA increased efforts to develop capabilities to evaluate the design and construction of cargo tank motor vehicles. The analytical methods used by FHWA in the initial assessment of the rollover protection devices installed by Acro and New Progress were simple and straightforward. However, as we have developed improved methodologies over the past 7 years, much more comprehensive cargo tank design audits are now being conducted routinely. These techniques are applicable not only to accident damage protection devices, but also to the structure of the entire cargo tank motor vehicle.

Based upon our research and analysis, we request that you re-classify recommendation H-92-2 as "Closed Acceptable Action." We thank you for your consideration of our request.

If you have any questions or concerns, please contact me or Jack Murray, Associate Administrator for Policy and Program Support, at (202) 366-4831.

Sincerely,



Kelley S. Coyner