



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

**APR 29 2003**

The Honorable Ellen G. Engleman  
Chairman  
National Transportation Safety Board  
Washington, DC 20594

Dear Chairman Engleman:

This letter provides an update on three National Transportation Safety Board (NTSB) safety recommendations issued to the Research and Special Programs Administration (RSPA) concerning the transportation of hazardous materials in cargo tank motor vehicles (CTMVs).

On April 18, we published a final rule under docket HM-213, titled "Hazardous Materials: Requirements for Cargo Tanks." A copy of the final rule is enclosed. It adopts revisions to the Hazardous Materials Regulations (HMR) to update and clarify requirements for the construction and maintenance of CTMVs. It addresses the following NTSB safety recommendations:

**Recommendation H-90-91:**

Require controls for internal shut-off valves for the discharge system to be installed at remote locations on all newly constructed and currently authorized DOT specification cargo tanks that are used for the transportation of any hazardous materials.

**RSPA Action:**

The HMR currently require MC 331 and MC 338 CTMVs constructed after January 1, 1995, to be equipped with on-truck remote shutoff devices. For CTMVs constructed prior to January 1, 1995, the HMR require each MC 330 and MC 331 CTMV used to transport flammable gas; flammable liquid; hydrogen chloride; refrigerated liquid; or anhydrous ammonia, and each MC 338 CTMV used to transport flammable loadings to be retrofitted with an on-truck remote shutoff device.

The HM-213 final rule requires all MC 330, MC 331, and MC 338 CTMVs to be retrofitted with an on-truck remote mechanical shutoff device that meets the requirements for the applicable specification. The retrofit must be accomplished by October 1, 2006. CTMVs used to transport only argon, carbon dioxide, helium, krypton, neon, nitrogen, or xenon are excepted from the requirement for on-truck remote shutoffs.



**Recommendation H-93-34:**

Require remote control mechanisms for internal shutoff valves to be marked for emergency use on all cargo tanks authorized for the transportation of hazardous materials.

**RSPA Action:**

The HM-213 final rule requires all manually activated on-truck remote shutoff devices for closure of the internal valve to be marked "Emergency Shutoff." The marking requirement is effective October 1, 2005.

**Recommendation H-95-14:**

Revise inspection/testing requirements for all cargo tanks constructed of mild and high-strength, low-alloy steel that are used to transport hazardous materials to require at least once each year, or immediately when visual inspections indicate corrosion, measurement of the thickness of appurtenances (including ring stiffeners) that form air cavities adjacent to external cargo tank sheet material when the cargo tank sheet material cannot be visually inspected. If the thickness of the appurtenance materials has corroded to a predetermined percentage of its manufactured thickness, require that access to the tank sheet material within the air cavity be made and that the thickness of the tank sheet material be measured.

**RSPA Action:**

The HM-213 final rule requires thickness testing of ring stiffeners and appurtenances on cargo tanks that are constructed of mild steel; high-strength, low-alloy steel; or aluminum. The testing must be performed when the ring stiffeners and appurtenances are installed in a manner that precludes an external visual inspection of the cargo tank.

Safety Recommendations H-90-91, H-93-34, and H-95-14 are currently classified as "Open Acceptable Response." Based on publication of the HM-213 final rule, we request that the three recommendations be reclassified to "Closed Acceptable Action." We thank you for consideration of this request.

If you have any questions, please contact me or Ms. Patricia Klinger, Director of External Communications, at (202) 366-4831.

Sincerely yours,



Samuel G. Bonasso  
Acting Administrator

Enclosure