



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

The Administrator

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

April 20, 1993

The Honorable Carl W. Vogt
Chairman
National Transportation Safety Board
Washington, DC 20594

Dear Mr. Chairman:

Safety Recommendation H-92-1 was recently classified by the National Transportation Safety Board (NTSB) as "Open-Unacceptable Response". The recommendation states as follows:

Provide cargo tank manufacturers with specific written guidance about a) the factors and assumptions that must be considered when calculating the loads on cargo tank rollover protection devices in determining compliance with Department of Transportation performance standards; and b) acceptable means to shield and protect the top-mounted closure fittings on all bulk liquid cargo tanks.

In responding to the recommendation in June 1992, the Research and Special Programs Administration (RSPA) stated that it would be more cost-beneficial if industry developed and implemented the design guidelines. RSPA proposed to work with the Truck Trailer Manufacturers Association (TTMA) to develop guidelines which they would then publish as a recommended practice to be followed by tank manufacturers.

The NTSB responded to the RSPA proposed action by stating that the approach did not provide a solution to the problem. The TTMA and the cargo tank manufacturers would still be forced to interpret the existing standards and make assumptions on how to comply with the standards. NTSB further stated that: "Clearly the acceptability and effectiveness of the guidance could be enhanced if the RSPA develops the guidance with the help of the TTMA and other cargo tank manufacturers."

RSPA agrees with the NTSB, and continues to believe that the industry must participate in the development of the guidance specified by the safety recommendation. As a result, RSPA has discussed the issues with the TTMA and they have agreed to assist in developing basic guidelines using the technical and operational experience of its members. RSPA will provide the necessary guidance to TTMA and others in order to develop: a) a list of factors and assumptions to be considered when calculating the loads on cargo tank rollover protection devices, and b) a set of proposed options to shield and protect the top mounted closure fittings on all bulk liquid cargo tanks. Upon completion of the above tasks, RSPA will review and modify if necessary, the information so that it can



be published as DOT guidelines or be incorporated by reference into the Hazardous Materials Regulations. This alternative approach will accomplish the intent of the recommendation while fostering the use of industry participation wherever possible.

In light of this proposed action, RSPA requests that safety recommendation H-92-1 be classified as "Open-Acceptable Alternate Action".

Sincerely,

ORIGINAL SIGNED BY

Rose A. McMurray
Acting Administrator