



U.S. Department
of Transportation
**Federal Highway
Administration**

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Office of the Administrator

May 3, 1999

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

Refer to: HMCE-10

The Honorable James E. Hall
Chairman
National Transportation Safety Board
Washington, D.C. 20594

Dear Mr. Chairman:

This letter addresses six safety recommendations (H-92-3, H-92-10, H-92-4, H-92-11, H-92-5 and H-92-12) issued to the Federal Highway Administration (FHWA) and the Research and Special Programs Administration (RSPA). These recommendations consist of three recommendations made to FHWA and three identical recommendations made to RSPA. The NTSB recommended that FHWA and RSPA work together to improve the performance of rollover protection devices on bulk liquid cargo tanks by:

Modeling and analyzing the forces that can act upon rollover protection devices during a rollover accident. (Class III, Longer Term Action) (H-92-10, FHWA) and (H-92-3, RSPA)

Promulgating performance standards for rollover protection devices that are based on the engineering modeling and analysis conducted in response to Safety Recommendation H-92-3 (and H-92-10). (Class III, Longer Term Action) (H-92-11, FHWA) and (H-92-4, RSPA)

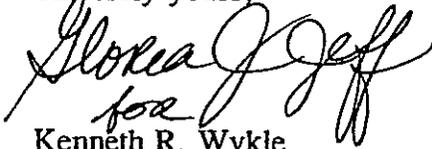
Phasing out from hazardous materials service the use of all cargo tanks that fail to meet the new performance standards promulgated in response to Safety Recommendation H-92-4 (and H-92-11). (Class III, Longer Term Action) (H-92-12, FHWA) and (H-92-5, RSPA)

Safety Recommendations H-92-3 and H-92-10 recommend that FHWA and RSPA improve the performance of rollover protection devices on bulk liquid cargo tanks by modeling and analyzing the forces which may act upon the devices during a rollover accident. In response to these recommendations, we are enclosing a report prepared by the University of Michigan Transportation Research Institute (UMTRI) and co-funded by FHWA and RSPA. The report outlines the results of a study which investigated and analyzed the forces and energy involved in rollover crashes by using computer modeling. Based on this action, we request that Safety Recommendations H-92-3 and H-92-10 be classified as "Closed-Acceptable Action."

With respect to Safety Recommendations H-92-4, H-92-11, H-92-5 and H-92-12, FHWA and RSPA will use the results of the UMTRI study as the basis for an advance notice of proposed rulemaking (ANPRM) to be published in the near future under Docket HM-213A. The ANPRM will request comments on the validity of the UMTRI study, as well as solicit ideas about formulating a performance-based regulation from the study results. These actions are the first steps towards addressing these safety recommendations which call for FHWA and RSPA to promulgate performance standards for rollover protection devices based on the engineering modeling and analysis (H-92-4 and H-92-11) and phase out hazardous materials service for any cargo tank not meeting the new standards (H-92-5 and H-92-12). Based on this response, we request that Safety Recommendations H-92-4, H-92-11, H-92-5 and H-92-12 be classified as "Open-Acceptable Action."

If you have any questions regarding the FHWA recommendations, please call Bill Quade, Cargo Tank Program Manager at (202) 366-0476, and if you have questions regarding the RSPA recommendations please call Charles Hochman, Acting Director, Office of Hazardous Materials Technology at (202) 366-4545.

Sincerely yours,



for
Kenneth R. Wykle
Administrator, Federal
Highway Administration

Sincerely yours,



Kelley S. Coyner
Administrator, Research and
Special Programs Administration

Enclosure