



National Transportation Safety Board

Washington, D.C. 20594

Office of the Chairman

SEP 8 1999

Honorable Kenneth R. Wykle
Administrator
Federal Highway Administration
400 Seventh Street, S.W.
Washington, D.C. 20590



63

Honorable Kelley S. Coyner
Administrator
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Mr. Wykle and Ms. Coyner:

Thank you for your May 3, 1999, letter in response to Safety Recommendations H-92-3 through -5 and H-92-10 through -12, which the National Transportation Safety Board issued to the Federal Highway Administration (FHWA) and to the Research and Special Programs Administration (RSPA) as a result of its special investigation on cargo tank rollover protection.

Safety Recommendations H-92-3 and -10 asked RSPA and the FHWA, to model and analyze the forces that can act upon rollover protection devices during a rollover accident. The Safety Board appreciates receiving a copy of the University of Michigan Transportation Research Institute (UMTRI) report outlining the results of a study that used computer modeling to investigate and analyze the forces and energy involved in rollover crashes. Based on this information, Safety Recommendations H-92-3 and -10 are classified "Closed—Acceptable Action."

Safety Recommendations H-92-4 and -11 asked RSPA and the FHWA, to promulgate performance standards for rollover protection devices that are based on the engineering modeling and analysis conducted in response to Safety Recommendations H-92-3 and -10.

Safety Recommendations H-92-5 and -12 asked RSPA and the FHWA, respectively, to phase out from hazardous materials service the use of all cargo tanks that fail to meet the new performance standards promulgated in response to Safety Recommendations H-92-4 and -11.

Following completion of the UMTRI report, the next steps called for implementation of performance standards for rollover protection devices and a phasing out from hazardous materials service cargo tanks that fail to meet the new performance standards. The Safety Board is concerned about the significant amount of time that has elapsed since these recommendations

were issued along with a pattern of continual delays. The FHWA originally stated that the UMTRI report would be completed in July 1998, followed by rulemaking action to satisfy Safety Recommendation H-92-11 in January 1999, and initiation of cost-benefit studies to assess the retirement of old cargo tanks to satisfy Safety Recommendations H-92-5 and H-92-12 in FY 2001. With the completion of the UMTRI report in November 1998, the schedule has again slipped another 4 to 5 months. Therefore, Safety Recommendations H-92-4, -5, -11, and -12 will remain classified "Open—Unacceptable Response."

Sincerely,



Jim Hall
Chairman

cc: Mr. Robert Clarke, Safety and Health Team Leader
Office of Transportation Policy Development