



National Transportation Safety Board

Washington, D.C. 20594

NOV 8 1996

Office of the Chairman

Honorable D.K. Sharma
Administrator
Research and Special Programs Administration
Washington, D.C. 20590

Dear Dr. Sharma:

Thank you for your July 30, 1996, letter responding to National Transportation Safety Board Safety Recommendations H-90-91 and H-91-34, which pertain to the transportation of hazardous materials by cargo tank trucks.

Safety Recommendation H-90-91 asked the Research and Special Programs Administration (RSPA) to require controls for internal shut-off valves for the discharge system to be installed at remote locations on all newly constructed and currently authorized Department of Transportation specification cargo tanks that are used for the transportation of any hazardous materials. The Safety Board notes that as a result of new regulations published under docket HM-183C on November 3, 1994, MC 331 and MC 338 cargo tanks constructed after August 31, 1995, will be required to have remote controls for the internal shut-off valves. These new requirements are sufficient for new construction but fail to address existing cargo tanks.

Although your letter indicates that the retrofit of previously constructed cargo tanks to comply with this requirement will be addressed in a future rulemaking, RSPA made the same commitment when the final rules under docket HM-183C were published in November 1994. Thus, in the nearly 2 years since, RSPA has taken no action in this regard and has not projected a publication date for proposed and final rules. The Safety Board urges RSPA to expedite the rulemaking action to require retrofitting of existing MC 331 and MC 338 cargo tanks with remote controls for internal shut-off valves. The Safety Board also asks that RSPA advise the Safety Board of a projected completion date for the publication of proposed and final rules. Because of the lack of requirements to retrofit existing cargo tanks, Safety Recommendation H-90-91 is classified "Open—Unacceptable Response."

Safety Recommendation H-91-34 urged RSPA to require that all fittings and devices mounted on a manhole cover of cargo tanks meet the same performance standard to withstand the static internal fluid pressure as that required for the manhole cover. The Safety Board understands that revisions to 49 CFR 178345-5(f) published under docket HM-183C require that fittings on manway covers meet the same performance standards as the manway cover, as



recommended. Therefore, Safety Recommendation H-91-34 is classified "Closed—Acceptable Action."

Sincerely,


Jim Hall
Chairman

cc: Dr. Donald R. Trilling
Director
Office of Environment, Energy, and Safety