



National Transportation Safety Board

Washington, DC 20594

Office of the Chairman

October 27, 2015

The Honorable Marie Therese Dominguez
Administrator
Pipeline and Hazardous Materials
Safety Administration
Washington, DC 20590

Dear Administrator Dominguez:

Thank you for the July 1, 2015, letter to the National Transportation Safety Board (NTSB), signed by Ms. Stacy Cummings, Interim Executive Director, and for the additional information provided by Mr. Dirk DerKinderen, Acting Chief, Standards Development Branch, Standards and Rulemaking Division, Office of Hazardous Materials Safety, regarding Safety Recommendation H-12-3. We issued this recommendation to the Pipeline and Hazardous Materials Safety Administration (PHMSA) on May 4, 2012, as a result of our investigation of the July 15, 2009, cargo hose rupture and subsequent release of anhydrous ammonia during the offloading of a Werner Transportation Inc. cargo tank motor vehicle at the Tanner Industries Plant near Swansea, South Carolina. We appreciate Mr. DerKinderen's collaboration with NTSB staff to revise the cargo tank motor vehicle loading and unloading operations.

H-12-3

Require cargo tank motor vehicle carriers and transfer facilities to verify (1) that cargo transfer hose assemblies, whether carried on the vehicle or provided by the facility, are chemically compatible with the hazardous material to be transferred and (2) that drivers verify hoses are marked as compatible with the material to be transferred before either loading or unloading operations begin.

We note that you have developed a comprehensive safety program to address cargo tank motor vehicle loading and unloading operations. In addition to the ongoing regulatory enforcement efforts that you maintain in partnership with the Federal Motor Carrier Safety Administration (FMCSA) and state agencies, you have published two guidance documents on your website, with links on the FMCSA's website. We appreciate the collaborative effort between PHMSA and NTSB staffs to revise some of the guidance document language to remind users to verify equipment compatibility during transfer operations. Ms. Cummings explained that one of the documents is a comprehensive best practices reference guide that includes an appendix with relevant Occupational Safety and Health Administration and Environmental Protection Agency regulations; the other document is a quick-reference pocket guide. We note that you are

promoting these guidance documents with industry representatives through social media and Hazardous Materials Safety Assistance Team outreach efforts. Although this recommendation was for you to require carriers and transfer facilities to verify that hazardous materials are safely loaded into and unloaded from cargo tank motor vehicles, the comprehensive safety program you implemented constitutes an acceptable alternate method of satisfying it. Accordingly, Safety Recommendation H-12-3 is classified “Closed—Acceptable Alternate Action.”

Thank you for your ongoing efforts to improve cargo tank motor vehicle safety.

Sincerely,

cc: Ms. Barbara McCann, Director
Office of Safety, Energy, and
Environment
Office of the Undersecretary for Policy