



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Ave., SE
Washington, DC 20590

APR - 1 2009

The Honorable Mark Rosenker
Chairman
National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594

Dear Chairman Rosenker:

This letter provides an update on Safety Recommendation H-98-27, issued by the National Transportation Safety Board to the Department of Transportation (DOT). The Safety Board issued this safety recommendation as a result of its investigation of the collision of a DOT MC-306 cargo tank semi-trailer and a private passenger car and subsequent fire in Yonkers, New York, on October 9, 1997. The Safety Board recommended that the Secretary of Transportation:

H-98-27

Prohibit the carrying of hazardous materials in external piping of cargo tanks, such as loading lines that may be vulnerable to failure in an accident.

As we have previously reported, the Pipeline and Hazardous Materials Safety Administration (PHMSA) concluded, after extensive analysis, that the quantifiable benefits accruing from a prohibition on the carriage of hazardous materials in unprotected product pipelines (i.e., "wetlines") would not justify corresponding costs. Based on our review of incident reports (Form 5800.1), media reports and other data sources since making that determination, we have observed a significant reduction in wetlines incidents. During the period from January 1, 2002, to January 1, 2009, no wetlines incidents involving a fatality or injury were reported to PHMSA, nor are we aware of incidents that may not have been reported. We believe the decrease in wetlines incidents is the result of improved outreach, enhanced industry and responder awareness, and better visibility of tank trucks due to the widespread use of reflective tape that has significantly reduced impacts into the sides and rears of truck trailers.

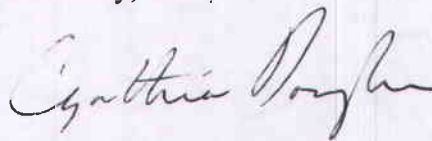
We have developed a safety strategy that is focused on working with the tank truck industry to identify ways to avoid wetlines incidents and to encourage voluntary actions to limit the safety risks associated with the transportation of flammable liquids in wetlines. Following are highlights of our ongoing program:

- We are working with the tank truck industry to focus on identifying “best practices” for fueling operations, maintenance procedures, and safeguards measures to avoid wetlines incidents in the future. For example, we are partnering with National Tank Truck Carriers (NTTC) to review all internal training programs, update employee training, and improve wetlines handling procedures and worker safety knowledge focusing on wetlines safeguards, loading and unloading procedures, rollover prevention and proper maintenance procedures. NTTC is the only national organization that focuses on issues that are unique to the tank truck industry, such as wetlines safety.
- In collaboration with the cargo tank industry and major emergency response organizations, PHMSA has developed a comprehensive national wetlines outreach awareness program. We have partnered with the NTTC, the National Association of State Fire Marshals (NASFM), and the International Association of Fire Chiefs (IAFC) to educate industry, first responders, and the public about the possible risks associated with unprotected wetlines. Actions include:
 - Producing and publishing a brochure titled, “Wetlines Awareness for Emergency Responders” (copy enclosed). This brochure provides general awareness information to assist with response to wetlines incidents. To date, PHMSA has distributed more than 130,000 printed copies, the brochure is downloadable from our website, and is offered for free for order by the public from the Hazmat Training Materials and Publications On-Line service. NTTC, NASFM and IAFC also distributed the brochure in electronic format and the brochure is available for download from the NTTC website. Additional outreach is offered through the Transportation Community Awareness and Emergency Response (TRANSCAER) program supported by industry.
 - Including information on wetlines safety during three Multimodal Seminars, 14 State and local workshops, and outreach sessions delivered by the Hazardous Materials Safety Assistance Team.

- The cargo tank industry historically has provided basic tank truck safety training to local emergency responders throughout the nation. PHMSA and NTTC have asked the industry to include wetlines awareness safety information when training local firefighters, police officers, and other responders. In addition, NASFM and IAFC will include wetlines awareness in training delivered at workshops and fire services training programs across the nation. The NASFM will also provide a wetlines training module for use by its national network of firefighter training officers. Finally, PHMSA will encourage wetlines awareness through existing hazardous materials preparedness and training grants.

Based on the actions and data analysis outlined above, we request that Safety Recommendation H-98-27 be classified as "Closed – Acceptable Alternative Action." We appreciate your consideration of this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia Douglass".

Cynthia Douglass
Acting Deputy Administrator