

JUN 26 2008



**Transportation
Security
Administration**

Dear Highway and Motor Carrier Stakeholders:

The Transportation Security Administration (TSA) is providing security action items for the highway transportation of specific hazardous material substances as listed in appendices A and B of this document. Adoption of these measures is voluntary.

Movement of certain quantities of Tier 1 Highway Security-Sensitive Materials (HSSM) or Tier 2 HSSM by highway motor vehicle warrants special consideration and attention. These materials have the potential to cause significant fatalities and injuries or significant economic damage when released or detonated during a transportation security incident. The voluntary security practices contained in Appendix A have been developed by the TSA Office of Transportation Sector Network Management, Highway and Motor Carrier Division, in conjunction with stakeholders including representatives of the chemical manufacturing industry, chemical carriers and transportation industry, as well as appropriate Federal agencies. Appendix B provides a listing of Tier 1 and Tier 2 HSSM. TSA remains solely responsible for the contents of these documents. The list of substances in Appendix B is not intended to meet the requirement for the development of Security-Sensitive Materials under the *Implementing Recommendations of the 9/11 Commission Act of 2007*.

The efficient operation of our critical interstate and intrastate highway system requires a uniform nationwide approach to highway motor carrier security. In addition to collaboration with the chemical manufacturing industry and chemical carriers, TSA also gathered security information during its Corporate Security Review, which, among other areas, identified common security practices within the hazardous material motor carrier industry. These security action items have been developed by TSA in consultation with the Pipeline and Hazardous Material Safety Administration (PHMSA) and the Federal Motor Carrier Safety Administration (FMCSA), and build upon existing PHMSA and FMCSA hazardous materials regulations. In particular the PHMSA regulations in title 49, Code of Federal Regulations, sections 172.704 and 172.800 require each transporter of hazardous materials to develop and implement security plans and to train appropriate employees in security measures. TSA is providing these voluntary security practices as measures that should be considered for implementation by motor carriers transporting Tier 1 HSSM and Tier 2 HSSM. If the motor carrier adopts these security practices, TSA recommends that the practices be included in security plans when they are developed, implemented, and revised. The security practices are voluntary to allow highway motor carriers to adopt measures best suited to their particular circumstances provided the measures are consistent with existing regulations, laws, or directives.

The security action items have been divided into four categories 1) general security; 2) personnel security; 3) unauthorized access; and 4) en route security. General security measures pertain to security threat assessments, security planning, protecting critical information, and awareness of industry security practices. Personnel security and unauthorized access refer to practices affecting the security of the motor carrier's employees, contracted employees, and its property. En route security refers to the actual movement and handling of motor vehicles containing HSSM.

TSA recognizes that no one solution fits all motor carriers and circumstances. These security action items allow for flexibility in implementation based upon the assessed vulnerability of a particular process or operation. Where appropriate, implementation of these action items to their fullest extent practicable should be the goal of the affected owner and operator.

TSA plans to monitor the use and effectiveness of these security action items and to revise them as circumstances warrant. TSA encourages members of the affected industry and Federal agencies to provide feedback to TSA Highway and Motor Carrier Division. Questions and comments may be provided at highwaysecurity@dhs.gov

Questions may be directed to Mr. William Arrington, General Manager, Highway and Motor Carrier Division, Transportation Security Administration, TSA-28, 601 South 12th Street, Arlington, VA 22202.

Sincerely yours,



John P. Sammon
Assistant Administrator
Transportation Sector Network Management

Appendix A – Description of Voluntary Security Action Items for Tier 1 Highway Security-Sensitive Materials (Tier 1 HSSM) and Tier 2 Highway Security-Sensitive Materials (Tier 2 HSSM) Transported by Motor Carrier

Attachment 1 to Appendix A - TSA Highway and Motor Carrier Division Guidance for Background Checks for Motor Vehicle Hazmat Employees other than Motor Vehicle Drivers

Appendix B – List of Tier 1 Highway Security-Sensitive Materials (Tier 1 HSSM) and Tier 2 Highway Security-Sensitive Materials (Tier 2 HSSM) with Corresponding Security Action Items