



# National Transportation Safety Board

Washington, D.C. 20594

June 30, 1998

Office of the Chairman

Ms. Kelley S. Coyner  
Acting Administrator  
Research and Special Programs Administration  
Washington, D.C. 20590



Dear Ms. Coyner:

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Thank you for your April 30, 1998, letter regarding Safety Recommendations R-89-52 and H-92-6. Safety Recommendation R-89-52 was issued to the Research and Special Programs Administration (RSPA) as a result of the Safety Board's investigation of the head-on collision between two Iowa freight trains and the release of hazardous materials near Altoona, Iowa, on July 30, 1988. Safety Recommendation H-92-6 was issued to RSPA as a result of the Safety Board's 1992 special study on cargo tank rollover protection; it was reiterated as a result of the Board's investigation of the collision between an Eagle Premier sedan and a tractor-semitrailer and subsequent fire in Yonkers, New York, on October 9, 1997.

Safety Recommendation R-89-52 urged RSPA to establish procedures that require carriers reporting hazardous materials incidents under the provisions of 49 Code of Federal Regulations 171.16 to notify shippers whose hazardous materials shipments are involved.

Safety Recommendation H-92-6 asked RSPA to implement, in cooperation with the Federal Highway Administration (FHWA), a program to collect information necessary to identify patterns of cargo tank equipment failures, including the reporting of all accidents involving a Department of Transportation specification cargo tank.

The Safety Board understands that RSPA is developing an Advanced Notice of Proposed Rulemaking to obtain feedback and information to be used in updating the current "Hazardous Materials Incident Report," Form 5800.1. However, the Safety Board is uncertain how a modification to form 5800.1 will help establish hazardous materials incident procedures as Safety Recommendation R-89-52 requested. We would appreciate receiving the results of RSPA's efforts to institute hazardous materials incident notification procedures. In regard to Safety Recommendation H-92-6, the Safety Board is disappointed that after 6 years action has not been completed to identify and collect information needed to evaluate cargo tanks and include information on RSPA and FHWA reports. The Safety Board urges RSPA and FHWA to expedite action on this recommendation. Pending further response, Safety Recommendations R-89-52 and H-92-6 will remain classified "Open--Unacceptable Response."

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hall", written over a circular stamp or mark.

Jim Hall  
Chairman

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