



Federal Motor Carrier Safety Administration

# **USDOT/FMCSA Update**

## **December 1, 2010**

### **Southern States Energy Board**

### **Joint Meeting of the Radioactive Materials Transportation Committee and the Transuranic Waste Transportation Working Group**

## **Hazardous Materials Division**

- **Ongoing Activities:**
  - **Hazardous Materials Safety Permits**
  - **Hazardous Materials Special Permits**
  - **Cargo Tank Facility Compliance Reviews**
  - **Highway Routing of Hazardous Materials**
  - **Cargo Tank Rollover Prevention**

# Hazardous Materials Safety Permits

- **Status as of November 2010**
  - **Current Temporary HMSPs: 64**
  - **Current Permanent HMSPs: 1359**
  - **Applications Pending (Awaiting Requested Documentation): 158**
  - **Expired HMSPs: 17**
  - **Suspended HMSPs: 14**
  - **Revoked HMSPs: 1**
  - **Denied HMSPs: 410**
    - (Due to: V-OOS / D-OOS / HM-OOS / Financial Responsibility / No PHMSA Registration / Non-SAT Rating / Lack of Security Plan)**

## DOT Special Permits

- **FMCSA Responsibilities (Reasons for Review):**
  - **Rating of Unsatisfactory or Conditional**
    - If Out-of-Service Rates or the Crash rate are at or below National Averages, FMCSA will conduct a Compliance Review.
    - If Out-of-Service Rates or the Crash rate are above the National Averages, FMCSA will recommend denial without the conduct of a Compliance Review.
  - **Rating of Satisfactory over 10-years old**
    - If all other Safety Compliance information points to safe operations, no Compliance Review will be conducted (Roadside inspection data must include at least 4 CVSA Level I inspections in order to constitute a statistically valid number of inspections.)
    - If insufficient data to validate the Satisfactory rating, and the Out-of-Service Rates and Crash Rate are at or below the National Averages, FMCSA will conduct a Compliance Review.

## DOT Special Permits

- Reasons to Review (continued)
  - **One or More of the Driver, Vehicle or HazMat Out-of-Service rates above the National Averages**
    - Regardless of Safety rating, FMCSA will recommend denial.
    - Motor carriers must receive “good” inspections, or wait until OOS inspections drop off due to time, in order to lower their OOS rates
  - **Crash Rate above the National Average**
    - Regardless of Safety rating, FMCSA will recommend denial.
    - Motor carriers must lower their crash rates through time and attrition.
  - **Other Safety Information**
    - Regardless of Safety rating, OOS rates or Crash rates, if the motor carrier’s history indicates violations directly related to the Special Permit, FMCSA will recommend denial.

# Cargo Tank Facility Reviews

- **Types of Facilities Reviewed**
  - Manufacturers of new cargo tanks, including nurse tanks
  - Fixed facility testers of cargo tanks
  - Mobile testers
  - Cargo tank repair facilities
- **Number of Facilities Inspected by Region (FY 2010)**
  - Eastern Service Center: 30
  - Southern Service Center: 45
  - Midwest Service Center: 44
  - Western Service Center: 28

## **Hazardous Materials Routing**

- **Boston routing preemption prompted review of the FMCSA HM Routing rules and Registry**
- **Latest registry is online and is the product of a 2007 study commissioned by FMCSA to update the guidance to states for designating routes to include security concerns.**
- **FMCSA is in the early stages of developing an online system for states to use in the designation of routes.**

# Cargo Tank Driver Rollover Prevention

- **Rollovers accounted for:**
  - 42 to 45 percent of injuries from single vehicle large truck crashes between 2001 and 2005.
  - 50 percent of truck occupant fatalities involve a rollover crash.
  - 22 percent of what we would classify as a “serious” crash involving trucks transporting hazardous materials included a rollover incident.
  - 24 percent of all HM crashes and 75 percent of all HM spills.
- **FMCSA’s training DVD on CT Rollover Prevention is now available online at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).**

## 2010 HM Enforcement Cases

Activity	Charged	Settled
Counts for HM Violations	1213	1014
Penalties for HM Violations	\$3,618,476	\$2,732,316
Number of Cases	423	423

## Rules and Notices

- Effective October 1, 2010
  - Safety and Security Plans (HM-232F)
    - HRCQ/IAEA Category 1 and 2/NRC RAM-QC
  - Emergency Response Information Requirements (HM-206F)
  - Revised Packaging Requirements (HM-231)
  - Marking Requirements for Ethanol Blends (HM-218D)
  - Incorporation of various Special Permits (HM-233A)
- Effective October 27, 2010
  - “No Texting” Rule (FMCSA-2009-0370)



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