

April 26, 2011

Docket Operations
U.S. Department of Transportation
Room W12-140, West Building
1200 New Jersey Avenue, SE
Washington, DC 20590

Attention: Docket: PHMSA-2009-0303 (HM-213D)

RE: Comments of the Renewable Fuels Association in Response to DOT-PHMSA Notice of Intent to Amend the Hazardous Materials Regulations to Prohibit the Transportation of Flammable Liquids in Unprotected External Product Piping on DOT Specification Cargo Tank Motor Vehicles. 76 FR 4847 (January 27, 2011) and 76 FR 14643 – NPRM (March 17, 2011).

To Whom It May Concern,

The Renewable Fuels Association (RFA) appreciates the opportunity to comment on the Department of Transportation-Pipeline and Hazardous Materials Safety Administration's (DOT-PHMSA) effort to evaluate the safety requirements for external product piping, referred to as "wetlines," on cargo tanks transporting flammable liquids, specifically PHMSA Docket PHMSA-2009-0303.

RFA is the leading trade association for the U.S. ethanol industry. Its mission is to advance the development, production, and use of fuel ethanol and co-products by strengthening America's ethanol industry and raising awareness about the benefits of renewable fuels. Founded in 1981, RFA serves as the premier meeting ground for industry leaders and supporters. RFA's 300-plus members are working to help America become safer, cleaner, more energy secure, and more economically vibrant.

Ethanol has become an essential component of the U.S. motor fuel market. Today, ethanol is blended in nearly all of the nation's fuel, and is sold from coast-to-coast and border-to-border. The production and use of more than 13 billion gallons of ethanol last year contributed significantly to America's economic, environmental and energy security.

RFA supports DOT-PHMSA's previous conclusion that further regulation of wetlines is unnecessary, and would provide negligible benefit at significant cost. While advancing the safety of flammable products in cargo tank motor vehicles (i.e., transport trailers) is a priority for government and industry alike, RFA is concerned the

proposed requirement for steel guards on transport trailers in flammable service or in line purging devices to assure no more than 33 ounces is present in each line is impractical, costly, and will not lead to improved safety.

According to DOT data, incidents related to wetlines causing loss of product or fire are *extremely rare*. In fact, DOT states there have been only four incidents involving wetlines over the past ten years. As there are roughly 50,000 deliveries of motor fuel every day of the year – that implies a wetlines incidence rate of 0.000002% over the past decade. That is hardly a cause for regulation.

The ethanol industry recognizes the importance of safety. RFA has a very active Safety Committee dedicated to advancing the safety at each of our member plants and fuel distribution locations. This committee shares best practices, develops training opportunities and promotes regulatory compliance. RFA is also a founding member of the Ethanol Emergency Response Coalition (EERC) – a coalition of public and private companies dedicated to the development of ethanol specific emergency response information. The EERC has been very successful in providing much needed resources for emergency responders across the nation (see www.ethanolresponse.com for more information).

Thank you for the opportunity to provide comment, and to reiterate our concern that over-regulation in this area is unnecessary and burdensome. Again, the RFA supports PHMSA's prior conclusion that further regulation of wetlines would not produce meaningful safety benefit. Please do not hesitate to contact us with any questions or comments regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Bob Dinneen". The signature is written in a cursive style with a long, sweeping underline.

Bob Dinneen
President & CEO