



November 25, 2024

Mr. William Schoonover
Associate Administrator for Hazardous Materials Safety
Pipeline and Hazardous Materials Safety Administration
William.Schoonover@dot.gov

Re: PHMSA Guidance on Hazardous Materials and Electric Vehicles

Dear Associate Administrator Schoonover:

The National Propane Gas Association (NPGA) and the National Energy & Fuels Institute (NEFI) respectfully request a meeting with the Pipeline and Hazardous Materials Administration's (PHMSA) Office of Hazardous Materials Safety (HMS) regarding the safe operation of hazardous materials tanks, including MC-331 tanks, on electric vehicles. States such as California, Washington, and Massachusetts are requiring Class 7 and 8 trucks carrying hazardous materials to enter the registered fleet in their respective states as early as January 1, 2025, and guidance on the safe construction and operation of these vehicles is lacking.

NPGA is the national trade association of the propane industry with a membership of about 2,300 companies, and 36 state and regional associations that represent members in all 50 states. Membership in NPGA includes retail marketers of propane gas who deliver the fuel to the end user, propane producers, transporters and wholesalers, and manufacturers and distributors of equipment, containers, and appliances. Propane gas fuels millions of installations nationwide for home and commercial heating and cooking, in agriculture, industrial processing, and as a clean air alternative engine fuel for both over-the-road vehicles and industrial lift trucks. Roughly 75% of NPGA's members have fewer than 100 employees, and are considered small businesses.

NEFI has represented the liquid heating fuels industry and related services companies since 1942. Its members include wholesale and retail distributors of home heating oil, kerosene, and renewable liquid heating fuels, with most of its members serving homes and businesses in the Northeast and Mid-Atlantic states. Most NEFI members are small, family-owned and operated businesses that also market off-road, marine and motor fuels in addition to home heating fuels.

NPGA and NEFI members are subject to PHMSA enforcement under the Code of Federal Regulations pertaining to hazardous materials. Upon review by members, NPGA and NEFI believe expert guidance from PHMSA, as well as a long-term rulemaking effort, is necessary to maintain safety for the public, and for operators of hazardous materials, in the wake of new requirements. The ACT prescribes standards for electric vehicle sales and restrictions on original equipment manufacturers (OEMs), but does not provide comprehensive guidance on the operation of the vehicles with hazardous materials.

NPGA, NEFI, and our members are concerned that without proper guidance from PHMSA, placing a MC-331 tank on an EV could result in a catastrophic cascading fire or thermal runaway, resulting in BLEVE or impinging the tank. In an internal combustion engine (ICE) vehicle fire, expedited response and eliminating the fire aims to protect the tank and prevent a catastrophic incident involving the hazardous materials. However, the fire response protocol for an EV differs from that of an ICE, in that emergency response typically lets the fire burn itself out. Couple this protocol with a hazardous material

tank, the risk of a BLEVE or impingement is unacceptably high, and presents an unreasonable risk to the public and the operator.

NPGA and NEFI would like to schedule a meeting with PHMSA on this issue, in order to provide guidance on construction, mounting, and the safe operation of tanks on EVs. NPGA, NEFI and our members are committed to safety and compliance with PHMSA rules and regulations, but are unsure how to properly proceed in the wake of these emerging requirements. NPGA and NEFI also request PHMSA recommend an enforcement delay in Massachusetts, California, and Washington, as well as other states adopting the ACT Rule, to be confirmed at the requested meeting, in order to develop the safety guidance necessary for the safe operation of these vehicles.

Thank you for your attention to our concerns, and please contact us with any questions.

Sincerely,



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