



November 1, 2012

TSA PRA Officer  
Office of Information Technology (OIT)  
TSA-11,  
Transportation Security Administration,  
601 South 12th Street  
Arlington, VA 20598-6011

**Re: Docket No. TSA-2003-14610; Intent To Request Renewal From OMB of One Current Public Collection of Information: Security Threat Assessment for Individuals Applying for a Hazardous Materials Endorsement for a Commercial Driver's License**

DGAC is a non-profit educational organization that promotes hazmat transportation safety by providing classroom training, seminars and conferences, and participation in domestic and international regulatory activities in its promotion of not only safe, but also efficient transportation of hazardous materials/dangerous goods in commerce.

DGAC notes that the requirement for a security threat assessment stems from the Patriot Act enacted shortly after the horrific events of September 11, 2001. The current requirement for a threat assessment applies to all holders of a CDL qualified to transport placarded loads of hazardous materials. Considering the heightened concern for security, there was little opportunity to engage in careful evaluation of the need for the broad application of the threat assessment requirement at the time the requirement was initially put in place. The result is that many drivers transporting low security threat hazardous materials - including many that are readily accessible to the public as consumer goods - are subject to security threat assessments. In our opinion, the current requirement is unnecessarily costly and burdensome.

The passing of time has provided opportunity for more thoughtful consideration of what hazardous materials and in what quantities pose a security threat. In this respect, DGAC notes that the DOT Pipeline and Hazardous Materials Division through its HM-232F rulemaking conducted an in depth analysis to identify those hazardous materials in transportation that pose a significant security risk and therefore warrant preparation of a security plan. While in its initial security plan requirements, PHMSA also required a security plan for all placarded loads, a more thoughtful evaluation of the security risks led them to a streamlining of PHMSA's security requirements. As such, a more limited set of hazardous materials now require the preparation of a security plan (see 49 CFR §172.800(b)). It is our understanding that PHMSA, in undertaking the HM-232F rulemaking effort, coordinated with TSA and that TSA now uses a similar list in defining its High Security-Sensitive Materials.

DGAC does not consider the estimated cost of \$25 million/year of the current TSA program to be warranted and recommends that TSA streamline its requirements so that only those engaged in transporting hazardous materials of the type and quantity identified in §172.800(b) be subject to a security threat assessment to the extent that it is now required. If necessary, to meet a legal requirement of the Patriot Act, other drivers could be asked to certify responses to a limited number of questions as part of their CDL application.

DGAC appreciates the opportunity to comment on this notice. Please do not hesitate to contact us if you have any questions concerning our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Frits Wybenga", with a stylized, cursive script.

Frits Wybenga  
Technical Director