



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

October 24, 2014

Mr. Gregory Mitchell
President
Trinity Highway Products, LLC
2525 N. Stemmons Freeway
Dallas, Texas 75207

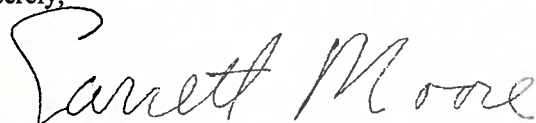
Dear Mr. Mitchell:

The Virginia Department of Transportation (VDOT) is in receipt of your October 23, 2014 letter requesting postponement of VDOT's October 24, 2014 deadline for receipt of additional crash test documentation concerning the ET-Plus tangent w-beam guardrail terminal (as specified in our October 10, 2014 letter).

VDOT has carefully reviewed your request to postpone the due date of the desired information to coincide with the Federal Highway Administration's (FHWA's) date for receipt of Trinity's crash test plan, which is October 31, 2014. VDOT supports Trinity Highway Products, LLC's (Trinity's) willingness to conduct additional crash data as outlined in FHWA's October 21, 2014 letter to Trinity; however, time is of the essence and it is expected that the required testing will be done expeditiously.

The ET Plus (modified 4" channels) is not, and has never been, an approved product in Virginia, and will not be considered for approval until such time as the requested information is provided and it satisfactorily meets VDOT requirements. As you have not met the October 24, 2014 deadline, VDOT has begun planning for removal of this unapproved product from the highways of the Commonwealth. VDOT will seek reimbursement of the cost of such removal, as well as the cost of replacement from Trinity if the product being tested is not approved, or test results are not received before VDOT begins expending funds for removal.

Sincerely,


Garrett W. Moore, P.E.
Chief Engineer
Virginia Department of Transportation

cc: The Honorable Aubrey L. Layne, Jr., Secretary of Transportation
The Honorable Grindly Johnson, Deputy Secretary of Transportation
Ms. Irene Rico, Virginia Division Administrator, FHWA
Richard McGrath, Esquire, Senior Assistant Attorney General, OAG