



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

Administrator

1200 New Jersey Ave., S.E.  
Washington, DC 20590

MAR 22 2010

The Honorable Deborah A.P. Hersman  
Chairman  
National Transportation Safety Board  
490 L'Enfant Plaza East, SW  
Washington, DC 20594

Dear Chairman Hersman:

I am sending you this letter as a follow up to a letter the Pipeline and Hazardous Materials Safety Administration (PHMSA) sent to the National Transportation Safety Board (NTSB) dated August 10, 2009 on pipeline safety recommendation P-04-1. The NTSB issued this recommendation as a result of the accident investigation of an Enbridge pipeline rupture near Cohasset, Minnesota and recommended PHMSA ***“Remove the exemption in 49 Code of Federal Regulations 192.65 (b) that permits pipe to be placed in natural gas service after pressure testing when the pipe can not be verified to have been transported in accordance with the American Petroleum Institute’s (API) recommended practice RP 5L1.”***

In the letter mentioned above, PHMSA provided NTSB with a copy of our technical report on the risk of natural gas pipeline failure from the pressure-cycle-induced growth of original manufacturing-related or transportation-related defects. In addition to the technical report, PHMSA requested industry stakeholders to conduct a survey of pipe in inventory. Informal surveys by the Interstate Natural Gas Association of America of natural gas transmission operators and by API of pipe mills found no vintage pipe covered by 49 CFR § 192.65 (b).

Although the survey results are a promising indicator of the absence of vintage pipe in inventory, PHMSA believes it was still possible to have missed pipe. Therefore, we are removing the exemption in 49 CFR § 192.65 (b) that permits pipe to be placed in service when the pipe cannot be verified to have been transported in accordance with API RP 5L1. The exemption will be removed in an upcoming Miscellaneous Rulemaking that we anticipate to publish for public comment by October 2010 and adopt in 2011.

We will provide your staff additional information on the rulemaking, including notices published in the Federal Register, as soon as it is available.

If you have questions, please feel free to contact me at 202-366-4433.

Regards,

Cynthia L. Quarterman