



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

Administrator

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

FEB 25 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 in response to the National Transportation Safety Board's (NTSB) safety recommendation P-05-4 issued to the Pipeline and Hazardous Materials Safety Administration (PHMSA) on December 23, 2005. The NTSB issued this recommendation as a result of the study entitled "Supervisory Control and Data Acquisition Systems (SCADA) in Liquid Pipelines," Report No. SS - 05/02, recommending PHMSA to change the liquid accident reporting form (PHMSA F 7000-1) and require operators to provide data related to controller fatigue.

To address this recommendation, PHMSA conducted extensive outreach with joint data team meetings consisting of Federal, State, and industry representatives in 2007 and continuing into 2008. We issued a Federal Register notice (73 FR 51697) on September 4, 2008 seeking comments and the Office of Management and Budget (OMB) approval for the paperwork collection burden. The proposed forms and corresponding instructions were posted in the docket for a 60-day comment period. Additional meetings were conducted with stakeholders in 2009 and PHMSA responded to concerns identified during the comment period. A final Federal Register notice (74 FR 41496) was published August 17, 2009, and OMB approved the new forms on January 13, 2010. PHMSA has implemented the new forms for all incidents and accidents occurring after January 1, 2010. Copies of the forms are enclosed with this letter and the corresponding Advisory Bulletin published in the Federal Register can be found at the following link <http://edocket.access.gpo.gov/2010/pdf/2010-2240.pdf>.

This recommendation was also a mandate contained in Section 20 of the Pipeline Inspection, Protection, Enforcement, and Safety (PIPES) Act of 2006. PHMSA addressed this recommendation as well as other needed improvements to the natural gas incident and hazardous liquid accident forms. In addition to requiring operators to provide data related to controller fatigue, we expanded the information collection to provide detailed information about the material, location, circumstances, and cause of the incident, improved consistency across the forms, enhanced the form instructions, and the online navigation for ease of filing.

PHMSA takes the safety recommendations from the NTSB seriously and are focused on fulfilling the requirements of these recommendations. We have implemented the changes from NTSB safety recommendation P-05-4 and therefore request the classification of recommendation P-05-4 be changed to "Closed-Acceptable Action."

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

Regards,

A handwritten signature in black ink, appearing to read 'C. Quarterman', with a long horizontal flourish extending to the right.

Cynthia L. Quarterman

Enclosure