

April 28, 2010

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
Washington, DC 20590

Dear Secretary LaHood:

Thank you for the October 16, 2009, letter, signed by Deputy Secretary John D. Porcari, updating progress to address 17 open safety recommendations that the National Transportation Safety Board (NTSB) issued to the Pipeline and Hazardous Materials Safety Administration (PHMSA). For efficiency, the NTSB will address these recommendations in separate letters by mode. The NTSB has also reviewed the February 3, 2010, letter from Ms. Cynthia L. Quarterman, PHMSA Administrator, regarding Safety Recommendation P-98-2. This letter addresses pipeline Safety Recommendations P-98-2 and P-99-12.

Safety Recommendation P-98-2, stated below, was issued to PHMSA on April 30, 1998, as a result of the NTSB's special investigation report, *Brittle-like Cracking in Plastic Pipe for Gas Service*.

P-98-2

Determine the extent of the susceptibility to premature brittle-like cracking of older plastic piping (beyond that piping marketed by Century Utility Products, Inc.) that remains in use for gas service nationwide. Inform gas system operators of the findings and require them to closely monitor performance of the older plastic piping and to identify and replace, in a timely manner, any of the piping that indicates poor performance based on such evaluation factors as installation, operating, and environmental conditions; piping failure characteristics; and leak history.

The NTSB has reviewed PHMSA's final rule, published on December 4, 2009, "Pipeline Safety: Integrity Management Program for Gas Distribution Pipelines," which requires operators of gas distribution pipelines to develop and implement integrity management programs. Because the new regulations, along with the initiatives described in PHMSA's February 3, 2010, letter, satisfy the recommendation, Safety Recommendation P-98-2 is classified "Closed—Acceptable Action."

Safety Recommendation P-99-12, stated below, was issued to PHMSA as a result of the NTSB's 1999 report *Evaluation of U.S. Department of Transportation Efforts in the 1990s to*

Address Operator Fatigue. This recommendation was on the NTSB's Most Wanted List of Transportation Safety Improvements (Most Wanted List).

P-99-12

Establish within 2 years scientifically based hours-of-service [HOS] regulations that set limits on hours of service, provide predictable work and rest schedules, and consider circadian rhythms and human sleep and rest requirements.

The NTSB has reviewed PHMSA's final rule, published on December 3, 2009, "Pipeline Safety: Control Room Management/Human Factors," effective February 3, 2010, which requires that each operator implement methods to prevent controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities defined by the operator.

The final rule represents a significant step forward for an industry that did not previously have any rules governing HOS. Although the NTSB recognizes that the rule requires operators to establish shift lengths that provide off-duty time sufficient to achieve up to 8 hours of continuous sleep, we remain concerned that the rule does not explicitly address fatigue that may arise from circadian desynchrony caused by unpredictable or rotating schedules. Nevertheless, we appreciate that PHMSA has accepted the responsibility of evaluating and monitoring the HOS limits that will be contained in the operators' fatigue management plans, and given PHMSA's intent to provide oversight of operators' limits and procedures, the final rule represents an acceptable alternative approach to this issue. Accordingly, at the NTSB's February 18, 2010, Most Wanted List Board meeting, Safety Recommendation P-99-12 was classified "Closed—Acceptable Alternate Action," and the issue area was removed from the Most Wanted List.

Thank you for your commitment to pipeline safety.

Sincerely,

Original Signed By:

Deborah A.P. Hersman
Chairman

cc: Ms. Cynthia L. Quarterman
Administrator
Pipeline and Hazardous Materials
Safety Administration

Ms. Linda Lawson, Director
Office of Safety, Energy, and Environment
Office of Transportation Policy