



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This letter constitutes the annual report required by Section 6(b)(2) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. No. 108-426; "the Act"). Under the Act, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is required to report annually on the status of any outstanding safety recommendations made by the National Transportation Safety Board (NTSB) or the U.S. Department of Transportation's Office of Inspector General (OIG) that were included in the October 2005 OIG report, "Actions Taken and Needed in Implementing Mandates and Recommendations regarding Pipeline and Hazardous Materials Safety" (Report #AV2006003). PHMSA has successfully closed all OIG recommendations included in the report, but one NTSB safety recommendation remains open, as described below.

The outstanding NTSB safety recommendation (H-04-23) instructs PHMSA to require "periodic nondestructive testing to be conducted on nurse tanks to identify material flaws that could develop and grow during a tank's service and result in a tank failure." Toward this end, PHMSA and industry partners, in coordination with the Federal Motor Carrier Safety Administration (FMCSA), are participating in a cargo tank working group that is studying nondestructive testing of nurse tanks. Testing for the most recent study phase (Phase IV) was conducted in July 2020. When the study is complete, PHMSA will take its findings into account when considering future rulemakings related to cargo tank regulations. PHMSA will continue to update NTSB on the status of this recommendation.

We take our obligation to address NTSB safety recommendations seriously, and we will continue to work diligently to close the outstanding recommendation by exercising a variety of regulatory and non-regulatory approaches, within the timelines allowed by technical assessment, notice and comment rulemaking, and due diligence.

A similar letter has been sent to the Ranking Member of the Senate Committee on Commerce, Science, and Transportation; the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure; and the Chairman and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

A handwritten signature in blue ink, reading "Elaine L. Chao", is positioned above the printed name.

Elaine L. Chao



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Senator Cantwell:

This letter constitutes the annual report required by Section 6(b)(2) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. No. 108-426; "the Act"). Under the Act, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is required to report annually on the status of any outstanding safety recommendations made by the National Transportation Safety Board (NTSB) or the U.S. Department of Transportation's Office of Inspector General (OIG) that were included in the October 2005 OIG report, "Actions Taken and Needed in Implementing Mandates and Recommendations regarding Pipeline and Hazardous Materials Safety" (Report #AV2006003). PHMSA has successfully closed all OIG recommendations included in the report, but one NTSB safety recommendation remains open, as described below.

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A similar letter has been sent to the Chairman of the Senate Committee on Commerce, Science, and Transportation; the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure; and the Chairman and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

A handwritten signature in blue ink, reading "Elaine L. Chao", is positioned above the printed name. The signature is stylized, with the first name "Elaine" written in a cursive script and the last name "Chao" in a more legible, slightly cursive font.

Elaine L. Chao



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Peter A. DeFazio
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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We take our obligation to address NTSB safety recommendations seriously, and we will continue to work diligently to close the outstanding recommendation by exercising a variety of regulatory and non-regulatory approaches, within the timelines allowed by technical assessment, notice and comment rulemaking, and due diligence.

A similar letter has been sent to the Ranking Member of the House Committee on Transportation and Infrastructure; the Chairman and Ranking Member of the Senate Committee on Commerce, Science, and Transportation; and the Chairman and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

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Elaine L Chao



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Sam Graves
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Graves:

This letter constitutes the annual report required by Section 6(b)(2) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. No. 108-426; "the Act"). Under the Act, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is required to report annually on the status of any outstanding safety recommendations made by the National Transportation Safety Board (NTSB) or the U.S. Department of Transportation's Office of Inspector General (OIG) that were included in the October 2005 OIG report, "Actions Taken and Needed in Implementing Mandates and Recommendations regarding Pipeline and Hazardous Materials Safety" (Report #AV2006003). PHMSA has successfully closed all OIG recommendations included in the report, but one NTSB safety recommendation remains open, as described below.

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A similar letter has been sent to the Chairman of the House Committee on Transportation and Infrastructure; the Chairman and Ranking Member of the Senate Committee on Commerce, Science, and Transportation; and the Chairman and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

A handwritten signature in blue ink, reading "Elaine L. Chao", is positioned above the printed name. The signature is fluid and cursive, with the last name "Chao" being particularly prominent.

Elaine L. Chao



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Elaine L. Chao



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

November 9, 2020

The Honorable Greg Walden
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Walden:

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Elaine L. Chao