



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

1200 New Jersey Avenue, SE
Washington, DC 20590

December 23, 2024

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

Dear Chair Cantwell:

This letter constitutes the annual letter report required by Section 6(b)(2) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. No. 108-426). The letter report provides details on the remaining open safety recommendation, H-04-23, issued by the National Transportation Safety Board (NTSB), as listed in the October 2005 Department of Transportation Office of Inspector General (OIG) report¹ developed in response to Section 6(a)(2) of the law.

The NTSB safety recommendation directed the Pipeline and Hazardous Materials Safety Administration (PHMSA) to “require periodic nondestructive testing of nurse tanks to identify material flaws that could develop and grow during a tank’s service and result in a tank failure.” In coordination with the Federal Motor Carrier Safety Administration (FMCSA) and industry representatives, PHMSA participated in a cargo tank working group that covered subjects such as requalification testing of nurse tanks. Furthermore, the FMCSA has funded research on development of nondestructive testing methods for nurse tanks. Preliminary results have identified a manufacturing process, known as post-weld heat treatment, that could largely eliminate the formation of stress corrosion cracks. This is covered in more detail in the FMCSA Phase IV final report, *Testing and Recommended Practices to Improve Nurse Tank Safety*, published in June 2022. PHMSA and FMCSA continue to evaluate options to address nurse tank safety, including periodic nondestructive testing of nurse tanks and post-weld heat treatment for nurse tank construction. PHMSA will update the NTSB on the status of actions to address this safety recommendation. All other recommendations in the OIG report have been completed.

¹ *Actions Taken and Needed in Implementing Mandates and Recommendations Regarding Pipeline and Hazardous Materials Safety*; Report #AV2006003.

The Honorable Maria Cantwell

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The Department works diligently to close NTSB safety recommendations by exercising a variety of regulatory and non-regulatory approaches within the timelines allowed by technical assessment, notice and comment rulemaking, public comment, 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 Chair and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

A handwritten signature in cursive script, reading "Tristan H. Brown". The signature is written in dark ink and has a fluid, connected style.

Tristan H. Brown
Deputy Administrator



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1200 New Jersey Avenue, SE
Washington, DC 20590

December 23, 2024

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

Dear Ranking Member Cruz:

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Tristan H. Brown
Deputy Administrator



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December 23, 2024

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

Dear Chairman Graves:

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Tristan H. Brown
Deputy Administrator



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

Dear Ranking Member Larsen:

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Tristan H. Brown
Deputy Administrator



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December 23, 2024

The Honorable Cathy McMorris Rodgers
Chair
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chair McMorris Rodgers:

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Tristan H. Brown
Deputy Administrator



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Tristan H. Brown
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