



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

Administrator

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

December 6, 2018

The Honorable Peter A. DeFazio  
Ranking Member, Committee on Transportation and Infrastructure  
Washington, DC 20515

Dear Congressman DeFazio:

This letter constitutes the annual report required by Section 5(b)(2) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. No. 108-426). This letter report details the status of the 2004 open safety recommendation issued by the National Transportation Safety Board (NTSB). This recommendation was listed in an October 2005 report issued by the U.S. Department of Transportation's Office of the Inspector General (OIG) on Actions Taken and Needed in Implementing Mandates and Recommendations Regarding Pipeline and Hazardous Materials Safety, Report #AV2006003, developed in response to Section 5(a)(1) of the law.

The Pipeline and Hazardous Materials Safety Administration's (PHMSA) open NTSB safety recommendation, H-04-23, from 2004 requires "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." PHMSA, in coordination with the Federal Motor Carrier Safety Administration (FMCSA) and industry representatives, is participating in a cargo tank working group that includes nondestructive testing of nurse tanks, or alternatives, among the items under consideration for rulemaking. FMCSA has overseen the research, and the final report was published on July 1, 2018. PHMSA will continue to update NTSB on the status of this recommendation. All OIG recommendations have been completed.

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, rulemaking, public comment, and due diligence.

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,

Howard R. Elliott



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

Administrator

1200 New Jersey Avenue, SE.  
Washington, DC 20590

December 6, 2018

The Honorable Frank Pallone, Jr.  
Ranking Member, Committee on Energy and Commerce  
Washington, DC 20515

Dear Congressman Pallone:

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1200 New Jersey Ave., S.E.  
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December 6, 2018

The Honorable John Thune  
Chairman, Committee on Commerce, Science, and Transportation  
Washington, DC 20510

Dear Mr. Chairman:

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The Honorable Bill Shuster  
Chairman, Committee on Transportation and Infrastructure  
Washington, DC 20515

Dear Mr. Chairman:

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1200 New Jersey Ave., S.E.  
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December 6, 2018

The Honorable Bill Nelson  
Ranking Member, Committee on Commerce, Science, and Transportation  
Washington, DC 20510

Dear Senator Nelson:

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The Honorable Greg Walden  
Chairman, Committee on Energy and Commerce  
Washington, DC 20515

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