



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

January 21, 2014

The Honorable Deborah A.P. Hersman
Chairman, National Transportation
Safety Board
490 L'Enfant Plaza East, SW.
Washington, DC 20594

Dear Chairman Hersman:

This is in further response to Safety Recommendations A-08-1 and -2 issued by the Board on January 7, 2008, and supplements our previous letters. These recommendations were issued as a result of the Board's concern about the increasing number of incidents involving overheating and fires initiated by secondary (rechargeable) lithium batteries. On February 7, 2006, a United Parcel Service Company (UPS) cargo aircraft had an in-flight cargo fire and made an emergency landing at Philadelphia International Airport. Although the cause of the in-flight fire could not be determined in the UPS accident, the presence of a significant quantity of electronic equipment in the containers where the fire most likely originated led the Board to closely examine safety issues involving the transportation of rechargeable lithium batteries on commercial aircraft, including batteries in airline passengers' laptop computers and other personal electronic devices.

A-08-1. In collaboration with air carriers, manufacturers of lithium batteries and electronic devices, air travel associations, and other appropriate government and private organizations, establish a process to ensure wider, highly visible, and continuous dissemination of guidance and information to the air-traveling public, including flight crews, about the safe carriage of secondary (rechargeable) lithium batteries or electronic devices containing these batteries on board passenger aircraft.

FAA Comment. On April 13, 2013, the Federal Aviation Administration (FAA) chartered an Aviation Rulemaking Committee (ARC) on Passenger Notification of Hazardous Materials Regulations. This ARC was tasked with developing recommendations for an FAA Advisory Circular (AC) to establish an acceptable means of compliance with the new passenger notification requirements in Title 49, Code of Federal Regulations § 175.25. The new passenger notification requirements become effective on January 1, 2015, and the AC will result in a consistent message communicated to a majority of passengers. These communications, which will include warnings about lithium batteries, are in addition to long-standing signage requirements at airport ticket counters, gates, and baggage check locations. The ARC's membership is consistent with this recommendation's instruction to collaborate with a wide-array of stakeholders. It is comprised of representatives from air carriers, air travel

associations, pilots, flight attendants, as well as officials from the FAA and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

The FAA is also finalizing Web site enhancements specific to passenger allowances. A considerable focus will be on the safe transportation of lithium batteries. In addition, PHMSA is updating safetravel.dot.gov in an effort to modernize and streamline information for the air-traveling public consistent with FAA's Web site. The revamp will emphasize the safe transportation of lithium batteries in addition to other common items carried by passengers through a simplified and image-heavy presentation. PHMSA plans to utilize web analytics and social media to monitor the effectiveness of the Web site redesign. In light of the risks and increasing numbers of lithium batteries in air transportation, the FAA's outreach mission will be continuous. Both the AC and Web site enhancements are scheduled to be completed before Calendar Year 2015.

A-08-2. In collaboration with air carriers, manufacturers of lithium batteries and electronic devices, air travel associations, and other appropriate government and private organizations, establish a process to periodically measure the effectiveness of your efforts to educate the air-traveling public, including flight crews, about the safe carriage of secondary (rechargeable) lithium batteries or electronic devices containing these batteries on board passenger aircraft.

FAA Comment. The FAA agrees that it is important to measure the effectiveness of outreach programs and plans to implement a formative evaluation approach while improvements to the hazardous materials communication strategy and message are developed in collaboration with industry. Emphasis will be given to formative evaluation because it is recognized that conducting a meaningful, ongoing, evaluation of changes in passenger behavior may be cost prohibitive, especially in this budgetary environment. For example, the FAA will consider utilizing an industry advisory group to develop, review, and evaluate updates to its Web site. We would welcome the opportunity to collaborate with NTSB staff in considering additional, cost-effective processes to measure the effectiveness of our lithium battery-related outreach programs.

However, the Board incorrectly stated that it has been over 5 years since the FAA responded to this recommendation. Both the Calendar Year 2010 and 2011 Annual Reports on Air Carrier Safety Recommendations contain information about this recommendation. These reports, as required by Congress (Public Law 111-216, Section 202), were also provided to the Board for its review and consideration.

I will keep the Board informed of the FAA's progress on these recommendations and provide an update by December 31, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael P. Huerta", with a circled number "1" to the right of the signature.

Michael P. Huerta
Administrator