



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

Administrator

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

SEP - 2 2010

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

Dear Chairman Hersman:

I am sending you this letter in response to the National Transportation Safety Board's (NTSB) safety recommendation P-04-2 issued to the Pipeline and Hazardous Materials Safety Administration (PHMSA) on July 1, 2004 (formerly the Research and Special Programs Administration – RSPA). The NTSB issued this recommendation as a result of the July 4, 2002 incident in Cohasset, Minnesota, recommending PHMSA “**Amend 49 Code of Federal Regulations to require that natural gas pipeline operators (Part 192) and hazardous liquid pipeline operators (Part 195) follow the American Petroleum Institute’s (API) recommended practice RP 5LW for transportation of pipe on marine vessels**”.

A publication to the August 11, 2010 Federal Register entitled, “Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits” adds language to the pipeline safety regulations which addresses this recommendation. API Recommended Practice 5LW (2<sup>nd</sup> edition 1996) will be newly incorporated by reference within Parts 192 and 195. Additionally, 5LW will be referenced in §192.65 (a) and newly created §195.207 (a). API RP 5LW provides a standard for transportation of certain API Specification 5L steel line pipe by ship or barge on both inland and marine waterways. The effective date of the final rule containing these updates is October 1, 2010. The Federal Register Notice containing these updates is available here:

<http://frwebgate2.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=nvQTVx/1/2/0&WAIAction=retrieve>

As this rulemaking addresses the recommendation made by the NTSB, PHMSA requests the NTSB classify Safety Recommendation P-04-2 as “Closed-Acceptable Action.”

If you have questions, please feel free to contact me at 202-366-4433.

Regards,

Cynthia L. Quarterman