

United States Senate  
WASHINGTON, DC 20510-2004

August 10, 2020

The Honorable Howard “Skip” Elliott  
Administrator  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Administrator Elliott,

On August 10, 2016, a gas-fueled explosion killed seven people and injured many more at the Flower Branch Apartments in Silver Spring, Maryland. Although four years have passed since this accident, we must not lose sight of the safety concerns that it raised, but remain committed to addressing them. We are writing to urge your continued attention to this work and to request an update on your progress to date.

The National Transportation Safety Board (NTSB) investigation into this accident produced a series of safety recommendations, two of which were addressed last year to the Pipeline and Hazardous Materials Safety Administration (PHMSA) and relate to the placement of gas service regulators. The NTSB found that, had service regulators been located outside the building where the explosion occurred rather than inside the building, the explosion would have been avoided, because gas would have vented to the atmosphere and dissipated.

We commend you on your work to formulate a series of steps that, when taken, will have the potential to achieve the goals of the NTSB’s recommendations to PHMSA, and we understand that the NTSB has deemed your proposed course of action an “acceptable alternative response” to the recommendations. It is now incumbent on your agency to follow through on executing the plan of action.

In your update on the steps to you have taken so far, we request that you include responses to the following questions related to the actions you have proposed in response to the NTSB recommendations:

- What steps have you taken to update PHMSA’s distribution inspection forms to provide guidance concerning regulations related to service regulators and to require timely review of operation and maintenance procedures related to the placement of service regulators?

- What progress has been made to add a new question to the State Program Evaluation Form in order to verify that states are checking operator compliance with regulations for inside regulators?
- How many state pipeline safety seminars have been held so far this year in which you have reviewed current requirements for inside meter/regulators with operators?
- Have you issued an Advisory Bulletin alerting operators of the requirements for inside meter/regulators, including leakage surveys?
- What steps have you taken to date to encourage states to provide a rate rider to move regulators outside where possible?
- In what ways are you planning to support research and development to improve service regulator design to facilitate placement in areas where very limited outside space exists?

For the actions outlined in your proposed plan that have not yet occurred, please provide an updated timeframe for when we can expect them to take place, including a timeframe for the collection of data to track compliance with regulations and the numbers of regulators located inside buildings.

The loss of life and the suffering that resulted from this accident are a tragedy. Our constituents reasonably expect the buildings they occupy to keep them safe, not pose life-threatening dangers. We must honor the victims and their loved ones with a determined effort to improve safety and minimize the risk of such an accident ever occurring again.

Thank you for your attention to this matter, and we look forward to your response.

Sincerely,

/s/ Benjamin L. Cardin

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Benjamin L. Cardin  
United States Senator

/s/ Chris Van Hollen

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Chris Van Hollen  
United States Senator