



# National Transportation Safety Board

Washington, DC 20594

Office of the Chairman

November 12, 2014

Mr. Timothy P. Butters  
Acting Administrator  
Pipeline and Hazardous Materials  
Safety Administration  
Washington, DC 20590

Dear Acting Administrator Butters:

Thank you for your August 27, 2014, letter to the National Transportation Safety Board (NTSB) regarding Safety Recommendations A-07-108 and -109. We issued these recommendations to the Pipeline and Hazardous Materials Safety Administration (PHMSA) on December 17, 2007, as a result of (1) our investigation of the February 7, 2006, in-flight cargo smoke indication and the subsequent fire after landing of United Parcel Service flight 1307, a McDonnell-Douglas DC-8-71F, at Philadelphia International Airport, Philadelphia, Pennsylvania, and (2) our concerns about the increasing number of incidents documented by the Federal Aviation Administration (FAA) involving overheating and fires initiated by secondary (rechargeable) lithium batteries.

## A-07-108

Analyze the causes of all thermal failures and fires involving secondary and primary lithium batteries and, based on this analysis, take appropriate action to mitigate any risks determined to be posed by transporting lithium batteries, including those contained in or packed with equipment, on board cargo and passenger aircraft as cargo; checked baggage; or carry-on items.

## A-07-109

Eliminate regulatory exemptions for the packaging, marking, and labeling of cargo shipments of small secondary lithium batteries (no more than 8 grams equivalent lithium content) until the analysis of the failures and the implementation of risk-based requirements asked for in Safety Recommendation A-07-108 are completed.

We note that, on August 6, 2014, PHMSA published final rule Hazardous Materials-224F, revising the Hazardous Materials Regulations requirements for the transportation of lithium cells and batteries by air to make the requirements consistent with those of the 2013-2014 International Civil Aviation Organization Technical Instructions. Your actions constitute an

acceptable alternate solution to the safety concern we identified; accordingly, Safety Recommendations A-07-108 and -109 are classified “Closed—Acceptable Alternate Action.”

Sincerely,

cc: Ms. Barbara McCann, Director  
Office of Safety, Energy, and  
Environment  
Office of the Under Secretary for Policy