

Transportation of Hazardous Materials Biennial Report: Report to Congress



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The Pipeline and Hazardous Materials Safety Administration (“PHMSA”) recently released a mandated report to the United States Congress titled:

Transportation of Hazardous Materials Biennial Report

For biennium 2015-2016

and biennium 2017-2028 (“Report”)

The *Report* is required by 49 U.S.C. § 5121(h).

The Secretary of Transportation is obligated to report biennially to Congress on six items. They include:

- A statistical compilation of accidents and casualties related to the transportation of hazardous material (or hazmat);
- A list and summary of applicable Government regulations, criteria, orders, and special permits;
- A summary of the basis for each special permit;
- An evaluation of the effectiveness of enforcement activities relating to a function regulated by the Secretary under § 5103(b)(1) and the degree of voluntary compliance with regulations;
- A summary of outstanding problems in carrying out the requirements of 49 U.S.C. ch. 511 in order of priority; and
- Recommendations for appropriate legislation.

PHMSA was delegated the authority to administer the federal Hazardous Materials Transportation Act by the Secretary of Transportation. As a result, it promulgates regulations for the safe transportation, including security of hazardous materials and intrastate, interstate, and foreign commerce.

In terms of the breadth of the activities it regulates, the *Report* notes that transport of hazardous materials by all modes (air, rail, highway, water) and pipelines includes:

- More than 1.2 million shipments daily,
- 1.6 billion tons shipped annually by all modes,
- Over 34 million containers entering U.S. ports annually,
- Over 12% of all freight tonnage shipped annually, and
- The nation's pipeline infrastructure, which accounts for 64% of the energy commodities consumed in the United States.

Besides addressing the previously referenced items, the *Report* also includes the following appendices:

- Comprehensive list of Special Permits
- Comprehensive list of rulemaking actions submitted to the Federal Register

- National Transportation Safety Board Recommendations

A copy of the *Report* can be downloaded [here](#).