Operator Qualification Enforcement Guidance

Introduction

The materials contained in this document consist of guidance, techniques, procedures and other information for internal use by the PHMSA pipeline safety enforcement staff. This guidance document describes the practices used by PHMSA pipeline safety investigators and other enforcement personnel in undertaking their compliance, inspection, and enforcement activities. This document is U.S. Government property and is to be used in conjunction with official duties.

The Federal pipeline safety regulations (49 CFR Parts 190-199) discussed in this guidance document contains legally binding requirements. This document is not a regulation and creates no new legal obligations. The regulation is controlling. The materials in this document are explanatory in nature and reflect PHMSA's current application of the regulations in effect at the time of the issuance of the guidance. In preparing an enforcement action alleging a probable violation, an allegation must always be based on the failure to take a required action (or taking a prohibited action) that is set forth directly in the language of the regulation. An allegation should never be drafted in a manner that says the operator "violated the guidance."

Nothing in this guidance document is intended to diminish or otherwise affect the authority of PHMSA to carry out its statutory, regulatory or other official functions or to commit PHMSA to taking any action that is subject to its discretion. Nothing in this document is intended to and does not create any legal or equitable right or benefit, substantive or procedural, enforceable at law by any person or organization against PHMSA, its personnel, State agencies or officers carrying out programs authorized under Federal law.

Decisions about specific investigations and enforcement cases are made according to the specific facts and circumstances at hand. Investigations and compliance determinations often require careful legal and technical analysis of complicated issues. Although this guidance document serves as a reference for the staff responsible for investigations and enforcement, no set of procedures or policies can replace the need for active and ongoing consultation with supervisors, colleagues, and the Office of Chief Counsel in enforcement matters.

Comments and suggestions for future changes and additions to this guidance document are invited and should be forwarded to your supervisor.

The materials in this guidance document may be modified or revoked without prior notice by PHMSA management.

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For a complete “Glossary of Terms” please refer to the following link: http://www.phmsa.dot.gov/staticfiles/PHMSA/Pipeline/TQGlossary/Glossary.html

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.801,§195.501
Section Title	Scope
Existing Code Language	(a) This subpart prescribes the minimum requirements for operator qualification of individuals performing covered tasks on a pipeline facility. (b) For the purpose of this subpart, a covered task is an activity, identified by the operator, that: (1) Is performed on a pipeline facility; (2) Is an operations or maintenance task; (3) Is performed as a requirement of this part; and (4) Affects the operation or integrity of the pipeline.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	G02-09-18 #PI-11-061 192,Date: 9-18-2002 Regarding the applicability of the operator qualification regulations at 49 CFR Part 192, Subpart N to non-company individuals replacing customer-owned service lines (plumbers) and whether the replacement would be considered an operations and maintenance task. The Interpretation asserted that service line replacement with new pipe, whether by insertion or direct burial, is an operations and maintenance (O&M) activity that meets the "four part test" in §192.801(b). The operator is responsible to ensure all individuals are qualified regardless of the type of replacement being performed and regardless of who is responsible for the removed section of line. #PI-09-0003 195,Date: 6-24-2009 Regarding the training of non U.S. based employees for Operator Qualification. Operators must meet the OQ regulations of Part 195 for all emergency response personnel who might perform manual valve closures and any other OQ covered tasks if responding to an emergency in the U.S.
Advisory Bulletin/Alert Notice Summaries	192,195 Date: 1-17-2006 **Advisory Bulletin ADB-06-01 Notification on Safe Excavation Practices and the use of Qualified Personnel to oversee all Excavations and Backfilling Operations** Pipeline operators are to integrate the Operator Qualification regulations into their marking, trenching, and backfilling operations to prevent excavation damage mishaps. Only qualified personnel must oversee all marking, trenching, and

	backfilling operations. Furthermore, pipeline operators are reminded that although excavation is not explicitly addressed in 49 CFR parts 192 and 195, excavation is considered a covered task under the pipeline operator qualifications regulations (49 CFR 192.801-809 and 195.501-509). These regulations require that pipeline operators and contractors be qualified to perform pipeline excavation activities. PHMSA recommends pipeline operators review the adequacy of covered tasks involving line locating, one-call notifications, and inspection of excavation activities. Operators should also review the adequacy of required training, evaluation and qualification methods for each of these covered tasks to ensure that each employee and contractor is qualified to perform that task. 192,195 Date: 11/22/2006 **Advisory Bulletin ADB-06-03 Accurately Locating and Marking Underground Pipelines Before Construction-Related Excavation Activities Commence Near the Pipelines.** Operators were reminded to use qualified personnel for locating and marking pipelines. Specific to operator qualification, the following were required: • Make sure that individuals locating and marking the pipelines have the knowledge, skills, and abilities to read and understand pipeline alignment and as-built drawings, and that they know what other buried utilities exist in the construction area. • Use qualified personnel for locating and marking pipelines. At a minimum, they should have received appropriate training such as that outlined in the National Utility Locating Contractors Association locator training standards and practices. • Operators should use the full range of safe locating excavation practices. In particular, pipeline operators should ensure the use of qualified personnel to accurately locate and mark the location of its underground pipelines**.**
Other Reference Material & Source	OQ Final Rule preamble, August 27, 1999. The OQ Final Rule preamble does not address emergency response personnel who do not perform covered tasks. The OQ Final Rule preamble states, "The rule applies only to personnel performing operations and maintenance activities." (64 FR46856). Hurricane Sandy: Emergency Assistance from Canadian Personnel Letter, dated November 1, 2012. In this letter, PHMSA did not object to the NJ Board of Public Utilities and NY Public Service Commission granting a request from intrastate operators for emergency waivers – provided the waiver was limited to the duration of the emergency, not to exceed 30 days (with potential extensions). The request for waiver was from the requirements of 49 C.F.R. Part 192, Subpart N *Qualification of Pipeline Personnel.* 192, GPTC, API 1161, ASME B31Q
Guidance Information	1. The same requirements apply whether the Operator Qualification program is a self - developed or purchased plan and if the operator uses its own employees

	or contractors to perform covered tasks. 2. There will be some covered tasks that are part of an emergency response activity. Pipeline locating and marking are required to be covered as part of the task list. 3. The performance of certain O&M activities during an emergency – such as manipulating valves – meets the four part test, and is a "covered task." Therefore, the individual(s) performing these tasks – during an emergency – must be qualified.
Examples of a Probable Violation or Inadequate Procedures	1. The operator's qualification procedures did not address the four part test for identifying covered tasks. 2. The operator purchased an operator qualification program, but did not validate the plan to match their operations. 3. The operator did not include/identify all of the covered tasks for their pipeline operations. Examples, contractor and/or subcontractor performed tasks. 4. Operator did not use a qualified individual for emergency response for tasks that met the four part test, i.e. valve operation. 5. Operator did not include pipeline line locating and marking as a covered task. 6. The written operator qualification program does not identify certain O&M activities – that when performed during an emergency – are covered tasks. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 2. Operator records. 3. Contractors performing work on regulated sections of pipe without qualification plan approved or employees qualified under the operator's operator qualification plan. 4. Documented conversations with operator or contractor personnel performing a covered task without qualification or direct supervision.
Other Special Notations	If an activity fails to meet any one of the four criteria, the activity is not considered a covered task under this final rule. The following are hypothetical examples (taken directly from the OQ Final Rule dated August 27, 1999 (64 FR46860) of how the four part test can be used to identify a covered task: **Example 1:** Leakage surveys on gas transmission pipelines. (1) Performed on a pipeline facility? Yes, because leakage surveys are performed immediately above the pipeline and on the pipeline right-of-way. (2) Is an operations and maintenance task? Yes, leakage surveys are conducted in the course of pipeline operations and maintenance activities. (3) Is performed as a requirement of this part? Yes, leakage surveys are required by 49 CFR 192.706 and 192.723.

	(4) Affects the operation or integrity of the pipeline? Yes, if a leakage survey is not properly conducted, a leak might not be detected, resulting in a potentially hazardous situation. **Since all four criteria are met, the leakage survey is a covered task.** **Example 2:** Measuring pipe-to-soil potentials. (1) Performed on a pipeline facility? Yes, pipe-to-soil potentials are measured at cathodic test stations attached directly to the pipeline. (2) Is an operations and maintenance task? Yes, pipe-to-soil potentials are read in the course of pipeline operations and maintenance activities. (3) Is performed as a requirement of this part? Yes, pipe-to-soil potential measurements are required by 49 CFR 192.465 and 195.416. (4) Affects the operation or integrity of the pipeline? Yes, pipe-to-soil potential measurements, if taken improperly, will not accurately reflect the level of cathodic protection being provided. While not affecting the immediate operation of the pipeline, the future integrity of the pipeline might be jeopardized (for example, corrosion might develop), if inadequate cathodic protection is applied to the pipeline over a period of time. **Since all four criteria are met, the measurement of pipe-to-soil potentials is a covered task.** **Example 3:** Meter reading. (1) Performed on a pipeline facility? Yes, a meter is a part of a pipeline facility. (2) Is an operations and maintenance task? Yes, meters are read in the course of pipeline operations and maintenance activities. (3) Is performed as a requirement of this part? No, meter reading is not a requirement of 49 CFR part 192 or part 195. (4) Affects the operation or integrity of the pipeline? No, meter reading has no impact on pipeline operation or integrity. **Because meter reading fails at least one of the four criteria, meter reading is not considered a covered task.** In identifying covered tasks, operators must consider specific activities and not necessarily the job classification of individuals performing the activities, because each job classification may incorporate several activities. For example, an individual with the job classification, ‘‘meter reader,’’ may be assigned activities other than reading a meter, such as distribution line patrolling under 49 CFR Part 192.721, that could be covered tasks.

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.803,§195.503
Section Title	Definitions
Existing Code Language	*Abnormal operating condition* means a condition identified by the operator that may indicate a malfunction of a component or deviation from normal operations that may: (a) Indicate a condition exceeding design limits; or (b) Result in a hazard(s) to persons, property, or the environment. *Evaluation* means a process, established and documented by the operator, to determine an individual's ability to perform a covered task by any of the following: (a) Written examination; (b) Oral examination; (c) Work performance history review; (d) Observation during: (1) Performance on the job, (2) On the job training, or (3) Simulations; (e) Other forms of assessment. *Qualified* means that an individual has been evaluated and can: (a) Perform assigned covered tasks; and (b) Recognize and react to abnormal operating conditions.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	192-90, 66 FR 43523, Aug. 20, 2001 195-72, 66 FR 43523, Aug. 20, 2001
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	192,195 Date: 12/7/2009 **Advisory Bulletin ADB-09-03 Pipeline Safety: Operator Qualification (OQ) Program Modifications** Informs pipeline operators about the standardized notification process for operator qualification (OQ) plan transmittal from the operator to PHMSA; about the addition to PHMSA's glossary of definitions of the terms "*Observation of on-the-job performance*" as applicable to determining employee qualification and "*Significant*" as applicable to OQ program modifications requiring notification; and lastly about clarifications to assist operators to ensure OQ reviews are being done in conjunction with O&M reviews. The definitions of *on the job performance* and *significant* contained in Advisory Bulletin ADB-09-03 are intended to be advisory in nature. The definitions

	contained in the Advisory Bulletin are not enforceable.
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operators are required to have a written qualification program that includes definitions of the terms in this section as well as how these terms apply within their pipeline operations. 2. Definitions included in the Operator's OQ plan must be consistent with those found in this section, i.e. §192.803,§195.503. 3. The Operator should note in its written OQ plan that although terms pre-defined in the pipeline safety regulations e.g. Abnormal Operating Condition (AOC), Evaluation, Qualified, etc., may appear in the Operator's OQ plan, the plan should also include (where applicable) those terms that are unique to the Operator's particular pipeline system. The OQ plan should also note that the Operator's application of terms – whether unique to its pipeline system or pre-defined in the pipeline safety regulations – must be applied by the Operator as required in its OQ plan. 4. The terms, while necessary to be consistent with the regulations, are not to be replicated in the written qualification program. 5. In developing the definition of an AOC, operators must identify conditions that would be reasonably recognizable by an individual performing a covered task.
Examples of a Probable Violation or Inadequate Procedures	1. The written qualification program does not include definitions for abnormal operating conditions, evaluations, or qualified as they apply within the operator's daily operations and maintenance activities. 2. The written qualification program does not apply these terms to the operations for the particular pipeline system. 3. The definitions were not consistent with the type of operations conducted by the operator. 4. The definitions were not consistent with the language in the regulation. 5. The operator did not provide for the differences between the types of evaluation methods and how/when they will be applied. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 2. Documented conversations with operator personnel who are charged with establishing the plan. 3. Operator records.
Other Special Notations	The definitions of *on the job performance* and *significant* contained in Advisory Bulletin ADB-09-03 are intended to be advisory in nature. The definitions

	contained in the Advisory Bulletin are not enforceable.

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.805(a),§195.505(a)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (a) Identify covered tasks;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Pipeline operators were required to have a written OQ program in place by April 27, 2001, and to have completed the qualification of individuals performing covered tasks by October 28, 2002. 2. Operator's plan must cover the requirements to perform covered tasks on its pipeline facilities. Each operator shall have a list of covered tasks and the methods used to identify the covered tasks. 3. Some covered tasks are identified in consensus standards – which are incorporated by reference. 4. The operator's plan must address the unique and task specific operations, maintenance, and repair tasks performed on their pipeline system. Therefore, in the event an operator transports natural gas and hazardous liquids, the operator is required to identity each covered task and the qualification requirements for personnel that are unique to the specific operations maintenance, and repair of its natural gas, as well as its hazardous liquids pipeline system. The list of covered tasks should be tailored to encompass those operations, maintenance, and repair tasks used by the operator. 5. In the event an Operator transports multiple commodities through its pipeline system, it is suggested that the Operator's covered tasks list clearly identify the commodity to which the covered tasks applies, e.g. "L" for Hazardous Liquids or "G" for Natural Gas. In those instances where a covered task is identical – regardless of the commodity transported e.g. pipe-to-soil readings – such a distinction may not be necessary.

6. Operators' program should also note that covered tasks performed on 'transmission' pipelines may be unique and distinct from those performed on 'distribution' pipelines.
7. The written operator qualification plan can be an off the shelf program, a consultant or consortium prepared plan, or a plan developed by the operator.
8. The operator may also use contractors and other third parties and these same requirements would apply to the contractors and third parties performing covered tasks on the pipeline.
9. The Operator's plan must ensure that qualified persons have been evaluated and are capable of performing the assigned covered tasks; and recognize and react to abnormal operating conditions.
10. ***Plains Pipeline, L.P., [4-2009-5005] (Final Order - April 6. 2010)*** Found that the operator failed to identify the covered tasks of installing, inspecting, and maintaining its Vapor Corrosion Inhibitor (VpCI) system. The VpCI system was a proprietary system that a vendor had installed and tested. The Final Order ruled that even though there are instances in which a pipeline contractor may contract for the performance of specialized services for which company personnel do not have subject-matter expertise, **§195.505(a)** still requires the pipeline operator to identify the covered tasks that will be performed and to ensure that persons performing such tasks are capable of performing the task; there is no difference between tasks performed by third-party contractors or pipeline employees. CP, CO.
11. ***Enbridge Energy Company, Inc., [4-2005-8004] (Final Order - Aug. 22, 2007)*** Found that the operator failed to specifically identify each covered task performed on its hazardous liquid pipeline system including the abnormal operating conditions associated with each task. The operator qualification program at issue in the case stated that the covered tasks identified for natural gas pipelines could also be used to qualify individuals performing tasks on hazardous liquid pipelines. The Final Order ruled that it is not sufficient for the operator to identify covered tasks performed on its natural gas pipelines and then assume those same tasks and abnormal operating conditions are transferable to hazardous liquid pipelines. CP.
12. ***Kinder Morgan Liquids Terminals, LLC [CPF 1-2011-5008] (Consent Agreement and Order – July 17, 2013)*** This case was settled. The Operator agreed to complete the corrective actions specified in Section II (Work to be Performed) of the Consent Agreement and Order. During its field review, the PHMSA inspector noted that KM failed to identify tank painting or the application of coatings and their repair as a covered task in its written qualification program. By way of this Consent Agreement and Order, KM agreed to adequately identify and list in its written Operations Qualification program tank painting as a covered task. CO, CP.
13. ***Enterprise Products Operating, LLC., [3-2009-5022] (Final Order - Aug. 14, 2012)*** Found that the operator failed to properly identify pipefitting as a covered task, when performed while making a repair to its pipeline involving the installation of a threaded connection. The Final Order ruled that the OQ regulations require Operators to identify covered task for all of their operations and maintenance activities that are required by sections 192.805(a) and 195.505(a), regardless of whether such activities arise from performance-based regulations or from more prescriptive requirements; and Operators must recognize that other critical activities

	may be covered tasks. Covered tasks do not only include those activities that a re specifically regulated by Parts 192 and 195, but also those activities that are performance-based. Each Operator needs to review its own operations and maintenance activities in light of the regulatory requirements to determine whether a task – such as pipefitting – is an integral component of meeting such requirements, and whether the task satisfies each prong of the four-part test. If so, the Operator should include and identify that activity as a covered task. CP, CO. 14. ***Marathon Pipe Line, LLC [4-2010-5013] (Consent Agreement and Order – May 11, 2012)*** This case was settled. The Operator agreed that it would incorporate the installation and operation of bentonite mud plugs as a vapor barrier to isolate hazardous vapors as a covered task(s) in its operator qualification (OQ) program. The Operator also agreed to introduce training to ensure that individuals performing this covered task(s) have the necessary knowledge and skills to perform the task(s). CO, CP
Examples of a Probable Violation or Inadequate Procedures	1. The operator or contractor has no written operator qualification program. 2. The written operator qualification program duplicates the language in the code sections and is not written specific to the operations. 3. The written operator qualification program was not specific for natural gas or hazardous liquids pipeline facilities. 4. The written operator qualification program does not include a specific list of covered tasks. 5. The operator did not include/identify all of the covered tasks for their pipeline operations. Examples, contractor and/or subcontractor performed tasks. 6. The written operator qualification program does not include a requirement for application of the four-part test to all covered tasks. 7. There is no documentation using the four-part test by the operator to define covered tasks, or identify tasks performed that do not meet the four-part test. 8. The written operator qualification program does not define new construction or O&M activities. 9. The written operator qualification program does not identify all applicable covered tasks as required by the operator qualification rule. Some examples include: excavation activities performed by company personnel, regulator installation/replacement, odorizing gas, odorant sampling, pipeline patrolling, leak survey, cathodic protection of metal portions of distribution system, pipeline marking, welding on steel pipeline, pipeline repair, line replacement, valve maintenance, backfilling, maintaining hazardous vapor detection system, maintaining operating SCADA equipment, pipefitting of screw-type fittings or small valves, integrity management tasks (e.g., launching and receiving pigs), purging of gas pipelines, service line installations, service line repair, start up and shut down of a pipeline, NDT of welds (for repair and on operating lines), operating main-line valves, breakout tank static protection (line velocity), , prevention of microbiological induced corrosion (MIC), e.g. in-line inspection, close interval survey, jeeping pipeline for damaged or disbanded coating, repair methods, etc. 10. The operator did not identify additions, revisions, or deletions of covered tasks. 11. The operator did not implement the requirements of the written operator qualification program.

	Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.
Examples of Evidence	1. No written qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 3. Documented conversations with operator personnel who are charged with identifying covered tasks within the plan. 4. Written covered task list. 5. Records of development for the covered task list. 6. Four part test verification for all listed covered tasks.
Other Special Notations	Some distribution operators were granted a waiver for compliance with the qualification of employees. For plumbers replacing customer owned service lines in both the State of Pennsylvania and the State of Ohio waivers were granted and received PHMSA approval to allow for extended time periods for compliance for qualification of plumbers replacing customer owned service lines.

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.805(b),§195.505(b)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (b) Ensure through evaluation that individuals performing covered tasks are qualified;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operators have the opportunity to use company employees, contractors, and other subcontracted parties to conduct activities that are considered "covered tasks" on their pipeline facilities. 2. All individuals performing covered tasks are required to be initially qualified through evaluation. 3. The operator is required to qualify the tasks using the company program or ensure that the other contracted parties are initially qualified in accordance with the regulations. 4. Operator must ensure through evaluation that individuals performing covered tasks are qualified. In addition, "qualified" means the individuals can (a) performed the assigned covered tasks; and (b) recognize and react to AOCs. Therefore, if an individual is unable to "perform" the assigned covered tasks, then by definition, the individual is not qualified. 5. "Actual performance" of the tasks must be part of the Operator's evaluation to determine if an individual is qualified to perform the assigned covered tasks. An Operators' knowledge evaluations must be based on actual on the job performance of the covered tasks. 6. ***ENSTAR Natural Gas Co.*, [5-2004-0003] (Final Order - April 28, 2009)** Found that operator violated **§ 192.805(b)** because ENSTAR employees were not able to recognize and react to AOCs that may occur. During the

	inspection, Respondent's Control Center personnel were questioned by the OPS Inspection team and could not properly recognize excursions above MAOP as AOCs. The Final Order determined that Control Center personnel must be able to readily identify excursions from MAOP as AOCs in order to address quickly and properly these potentially dangerous conditions. CP. 7. ***West Texas Gas, Inc.,* [*CPF 4-2005-1015] (Final Order - Mar. 31, 2008)*** Found that the operator violated **§ 192.805(b)** because the operator's written qualification program only identified generic abnormal operating conditions (AOCs), but did not include provisions that identified task-specific AOCs for each covered task. The operator cited OPS guidance FAQ 4.3 in support of its contention that identification of task-specific AOCs is optional. The Final Order ruled that FAQ 4.3 and the text of the regulation are consistent with each other, and that the regulation requires operators to identify both task-specific and generic AOCs. CP.
Examples of a Probable Violation or Inadequate Procedures	**General** 1. The operator or contractor has no written operator qualification program. 2. The written operator qualification program duplicates the language in the code sections and is not written specific to the operations. 3. The written operator qualification program does not contain criteria for evaluating the qualifications of individuals performing covered tasks. 4. The written operator qualification program does not identify any AOCs. 5. The written operator qualification program does not identify both generic and task specific AOCs. 6. The written operator qualification program and evaluation materials identify generic and task specific AOCs, but do not address the required reactions to the generic and task specific AOCs. 7. Operators do not evaluate individuals on AOC recognition and reaction. 8. Operators do not have documentation showing evaluation of qualified individuals for recognition and reaction to AOCs. 9. Operator documentation demonstrates evaluation for AOC recognition and reaction, but field inspection of individuals performing covered tasks reveals unfamiliarity with subject. 10. Operators include AOC evaluation for employees, but do not ensure AOC evaluation for contractor individuals. 11. Operators do not include generic and task specific AOC evaluation as a part of the periodic re-evaluation process for covered tasks. 12. Operators do not implement the written operator qualification program requirements for evaluation and qualification of individuals. 13. The operator did not implement the requirements of the written operator qualification program. **Company Employees** 14. Operators do not document the evaluation methods used for qualification or re-qualification (re-evaluation for qualification). 15. Operators do not document that individuals have been evaluated for generic and task specific AOC recognition and reaction. 16. Operators qualify individuals by observation of work that is not specific to the individual or the covered task being performed. 17. Operators have individuals performing covered tasks that have not been

qualified for those tasks. This can also be due to operator failure to correctly identify their covered tasks (e.g., identifying main replacement as new construction).

18. Operators have irregularities with evaluation records that leave the qualification of individuals in doubt. Examples are: use of the exam key for the written exam with the correct answers bolded and italicized; re-marking of exams by the individual to make a 100% score following review rather than re-taking the exam; welding being performed with a weld rod size for which the individual is not qualified.
19. The operator used a meeting sign-in sheet as the sole record of qualification for employees of the company.
20. The written operator qualification program does not identify task-specific evaluation methods used to initially qualify individuals.
21. The written operator qualification program does not identify how or by what methods individuals will become initially qualified.
22. Operators allow individuals who have not been evaluated and qualified to perform covered tasks.
23. The Operator did not document that the individual performing the covered tasks had been evaluated and qualified.
24. Operators do not ensure through evaluation that individuals performing covered tasks are qualified and possess the task-specific knowledge, skills, and ability to perform the assigned covered tasks, and to recognize and react to abnormal operating conditions. Examples are use of knowledge-only testing for all tasks, use of performance evaluations without interaction to ensure the knowledge level of the individual performing the task, or use of one knowledge test to qualify individuals for all tasks.
25. Operators do not perform any evaluations for qualification of individuals performing covered tasks.
26. Evaluators do not possess the required knowledge to ascertain an individual's ability to perform covered tasks and to substantiate an individual's ability to recognize and react appropriately to abnormal operating conditions that might occur while performing these activities.
27. The evaluation process is not objective and consistent. That is to say, the process does not ensure that evaluators are knowledgeable about the subject tasks in order to conduct effective evaluations.
28. Supervisors and or foreman are not qualified although they are performing covered tasks and or serving as the individual assigned to direct and observe an unqualified person performing covered tasks.
29. Operators allow the following to be performed during the evaluation process: two individuals evaluated and qualified each other based on the knowledge of each that the other had been performing the task successfully in the past (commonly referred to as a "brother-in-law" process, and amounts to work performance history review, which is not allowed as a single evaluation method), some individuals performed evaluations and were (a) not qualified to do the work themselves; (b) were not subject matter experts (SMEs) in that subject; and (c) were not provided a "script" to go by during the evaluation (such as a corrosion tech was evaluated by someone who was not himself a corrosion tech).

30. In a one-on-one performance evaluation, "group" performance evaluations were employed rather than “individual” or “hands-on” tests. “Group” performance evaluations do not ensure each individual is qualified; evaluator failed to initial the subtasks as required by the Operator’s procedures.
31. Field inspections indicate that individuals performing covered tasks are inadequately qualified (such as O&M procedures were inadequate, materials for repair were not suitable for the service intended, employees were not following proper gas distribution practices, missed procedure steps, incorrect use of equipment, unfamiliar with operation of equipment being used, incorrect result when performing task).
32. Operators do not have supporting documentation, such as evaluation records, for qualification of individuals that perform covered tasks.
33. Operators do not ensure that knowledge tests are consistent with O&M procedures or operator practices.
34. The written program does not include a process for ensuring operator qualification, evaluations, and performance of covered tasks during the merger with or acquisition of other entities.
35. The operator fails to ensure that individuals who stayed with the acquired or merged pipeline system are qualified to perform covered tasks.

Contractor

36. The written operator qualification program does not have a provision to ensure contractors are qualified to perform their covered tasks.
37. The written operator qualification program does not have a provision to ensure contractors have been evaluated to recognize and react to generic and task specific abnormal operating conditions.
38. Operators do not review qualified contractors and subcontractors for compliance with the requirements for operator qualification.
39. Contractors qualified through an outside party evaluate the individual’s knowledge, but do not evaluate the individual’s skill and ability to perform covered tasks or the individual’s ability to recognize and react to abnormal operating conditions.
40. The contractor is not evaluated on its knowledge of the tasks; its skill in performance of the tasks; or in its ability to perform covered tasks.
41. Operators do not perform job site verification of contractor employees.
42. The written operator qualification program does not have a provision for assessing the evaluation criteria and methods used by contractors performing covered tasks to determine if qualifications are consistent with operator requirements.
43. The written operator qualification program does not have a provision to ensure contractor performance of covered tasks is consistent with the operator's requirements.
44. There is no documentation that provides the necessary assurance that the procedures on which a qualifying vendor’s evaluations are based are the same as or consistent with those used by operator employees and contractors in the field.
45. Operators allow other regulated operators to perform covered tasks under contract, but the contract operators are not identified as approved

	contractors, nor have their company's operator qualification programs been reviewed for consistency with the contracting operator's qualification program requirements. 46. The operator's written qualification program does not require that an individual from any other entity performing covered tasks on behalf of the operator (e.g., through mutual assistance agreements) be evaluated and qualified prior to performing the task. 47. An individual from another entity that performed covered tasks on behalf of the operator was not evaluated and qualified consistent with the operator's program requirements. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan regarding individual qualifications. 3. Written Qualification Records of operator personnel. 4. Written Operator Qualification Review for contractor program for qualification of individuals. 5. Written Operator Qualification Review for contract personnel. 6. Written Qualification Records for contract personnel. 7. Documented conversations with operator personnel who are charged with qualifying individuals. 8. Documented conversations with operator or contractor personnel performing covered tasks.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.805(c),§195.505(c)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (c) Allow individuals that are not qualified pursuant to this subpart to perform a covered task if directed and observed by an individual that is qualified;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operators are permitted to allow tasks to be performed by non qualified individuals as long as the individual is directed and observed by a qualified individual. 2. Operators must ensure the observer is qualified in accordance with the operator's written qualification program. 3. Each covered task should be assessed to determine how many non-qualified individuals, if any, can perform a task while being directed and observed by a qualified person. 4. Operators should develop a task specific "span of control ratio" so that a qualified individual may direct and observe a non-qualified employee to perform, and/or while performing, covered tasks. 5. Span of control is defined as the ratio of qualified vs. non-qualified individuals who can safely perform the covered task 6. Operators should establish a criteria for determining its ratio of qualified vs. non-qualified individuals who can safely perform the covered task (span of control). 7. Operators should take into account the task's complexity, criticality and normal working conditions when determining the maximum span of control. 8. Typical industry spans of control range for 1:0 through 1:5; and it is recommended the Operator not exceed spans above 1:5. 9. It is recommended that the Operator consider reducing span of control when actual jobsite conditions (i.e. language barriers, weather conditions, excess

	noise), limit the qualified individual's ability to direct and observe non-qualified individuals. 10. The program should state that the qualified individual shall be in close proximity to the non-qualified individual so that he/she may intervene if the task is being performed incorrectly and can respond to an AOC if one should arise.
Examples of a Probable Violation or Inadequate Procedures	1. Operators use a mutual assistance provider to perform re-establishment of service following an outage, without an agreement, without a qualified employee directing and observing the provider's employees, or without a review of the provider's program to ensure the mutual assistance individuals were qualified consistent with the operator's written qualification program. 2. The operator's written operator qualification program does not address performance of covered tasks by non-qualified individuals under the direction and observation of a qualified individual. 3. Operators use remote methods, such as video surveillance as a means of direct visual contact by a qualified individual directing and observing a non-qualified individual. The qualified individual was not in close proximity to the non-qualified individual so that the qualified individual could intervene if the task is being performed incorrectly and he/she could respond to an AOC if one should arise. 4. The task specific span of control ratio for a qualified individual to direct and observe a non-qualified employee was either not defined or followed. 5. The task specific span of control ratio did not include all factors that might affect or influence a qualified individual to direct and observe a non-qualified employee. 6. There were no parameters for multiple tasks direction and observation. 7. The operator did not implement the requirements of the written operator qualification program. 8. A non-qualified individual was allowed to perform covered tasks, but the individual was not directed and observed by a qualified individual. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Records that demonstrate the operator allowed non qualified individuals to perform a covered task without being directed and observed by a qualified individual. 3. Operator's records or statements. 4. Documented conversations with non-qualified individual or contractor personnel that performed covered tasks without being directed or observed by a qualified individual.. 5. Documented conversations with operator personnel who are charged with the responsibility to direct and observe a non-qualified individual performing a covered task.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.805(d),§195.505(d)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (d) Evaluate an individual if the operator has reason to believe that the individual's performance of a covered task contributed to an incident or accident as defined in Part 192/195;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operator's written plan should indicate that in the event (post incident or accident) an individual is found no longer qualified to perform a covered task, the individual will be re-evaluated prior to returning and performing covered tasks. 2. Operators are required to conduct a review of individual performance following an incident or accident to determine if the performance of the covered task by the individual may have contributed to the incident or accident. 3. Evaluate information to show that individuals were removed from performing those covered tasks under review.
Examples of a Probable Violation or Inadequate Procedures	1. The written operator qualification program does not include a requirement to immediately suspend an individual's qualifications to perform a specific covered task if there is reason to believe the individual may have contributed to an incident or accident while performing the task, pending the outcome of the investigation. 2. There was no review of the individual's performance to determine if the individual's performance of a covered task led to a near miss or accident (DOT-reportable or non- DOT reportable). 3. An individual performs a covered task while under investigation post incident or accident review.

	4. The written operator qualification program does not require re-evaluation of an individual who is found no longer qualified to perform a covered task post incident or accident. 5. The operator did not immediately suspend an individual's qualifications to perform a specific covered task when there was reason to believe the individual may have contributed to an incident or accident while performing the task, pending the outcome of the investigation. 6. The operator did not implement the requirements of the written operator qualification program. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan regarding post incident accident review of personnel performing covered tasks for continued qualification. 3. Written records of suspension of an individual's qualification. 4. Written Qualification Records for an individual's whose performance of a covered task contributed to an incident or accident as defined in Parts 192 and 195. 5. Written records of performance of a covered task while qualifications are suspended or terminated. 6. Operator’s records or statements. 7. Documented conversations with operator or contractor personnel performing covered tasks that may have contributed to an incident or accident. 8. Documented conversations with operator personnel responsible for post incident accident review of individual qualifications and performance of covered task.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.805(e),§195.505(e)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (e) Evaluate an individual if the operator has reason to believe that the individual is no longer qualified to perform a covered task;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operators' written plans are required to include examples of typical reasons why an individual's qualification(s) may be called into question or review. 2. Examples include physical or mental impairment, time away from the job or task, or failure to perform a task correctly including reacting and responding to AOC's. 3. The Operators' written plan should include provisions for individuals returning to perform covered tasks, and specify the criteria, i.e. training and/or evaluation, etc., which the individuals will be evaluated against.
Examples of a Probable Violation or Inadequate Procedures	1. The written operator qualification program has no provisions for determining whether an individual is no longer qualified to perform a covered task. 2. The written operator qualification program does not include a requirement to suspend an individual's qualifications to perform a specific covered task if there is reason to believe the individual may no longer be qualified to perform the covered task. 3. The written operator qualification program does not contain criteria for questioning the qualifications of individuals performing covered tasks. 4. The written operator qualification program has no provisions to evaluate and determine whether an individual is no longer qualified to perform a covered task. 5. The written operator qualification program does not require reevaluation of

	an individual who is no longer qualified to perform a covered task. 6. The operator did not implement the requirements of the written operator qualification program. 7. The operator did not reevaluate an individual who was determined not qualified to perform a specific covered task. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Written documentation of the criteria used to question or verify the qualifications of individuals performing covered tasks. 3. Written records that demonstrate the operator implemented the requirements of the Operator Qualification program regarding evaluation of an individual believed to be no longer qualified to perform a covered task. 4. Operator's records or statements. 5. Documented conversations with operator personnel who are charged with evaluating employee performance. 6. Documented conversations with individuals that required requalification of a specific covered task.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.805(f),§195.505(f)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (f) Communicate changes that affect covered tasks to individuals performing those covered tasks;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Each operator shall have a Management of Change provision to determine what circumstances result in the timely notification of the change and how the communication will be distributed to all affected parties including contractors performing covered tasks as they may be different.
Examples of a Probable Violation or Inadequate Procedures	1. The written operator qualification program does not address management and communication of change. 2. The written operator qualification program does not have provisions to communicate new activities and determine if new covered tasks should be generated. 3. The written operator qualification program does not specify how changes to the program or changes that affect covered tasks will be communicated to qualified individuals. 4. The written operator qualification program does not define the communication process of supervisors and individuals regarding the changes in procedures, tools, and techniques that affect covered tasks and the individuals performing those covered tasks. 5. The written operator qualification program does not specify how changes that affect covered tasks will be communicated to contractors. 6. The written operator qualification program does not communicate how changes that affect covered tasks are incorporated into training and initial/ subsequent evaluations for qualifications of individuals performing

	covered tasks. 7. The written operator qualification program does not communicate that individuals performing covered tasks affected by changes in equipment or procedures shall be trained as necessary and re-evaluated prior to continuing to perform the affected tasks. 8. The operator did not document the process for communicating changes that affect covered tasks. 9. The operator did not implement the requirements of the written operator qualification program for identifying and communicating changes regarding covered tasks. 10. The operator implemented a change and did not communicate the change to those individuals performing the covered task. 11. The operator did not communicate a change to a covered task to the affected individuals, to include contractors and subcontractors. 12. The operator did not communicate and incorporate additions, revisions, or deletions of covered tasks that affect its operations. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Written records that demonstrate the operator identified changes that affect covered tasks that were not communicated to those individuals performing the tasks. 3. Written records that demonstrate the operator ineffectively communicated changes that affect covered tasks to individuals performing those tasks. 4. Operator's records or statements. 5. Documented conversations with operator personnel who are charged with communicating changes. 6. Documented conversations with individuals performing covered tasks that were affected by a change in procedures/management.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.805(g),§195.505(g)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (g) Identify those covered tasks and the intervals at which evaluation of the individual's qualifications is needed;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operators must determine reevaluation intervals for all covered tasks and the individual's qualifications. 2. Some covered tasks are identified in consensus standards – which are incorporated by reference.
Examples of a Probable Violation or Inadequate Procedures	1. The written operator qualification program does not identify those task-specific covered tasks and the intervals at which re-evaluation of the individual's qualification is required. 2. The written operator qualification program does not identify the basis for scheduling subsequent re-evaluations of the individual's qualifications to perform covered tasks. 3. The operator has no documentation to support the reevaluation intervals. 4. The written operator qualification program identifies an analysis approach for determining re-evaluation intervals, but the operator has not applied the approach. 5. Operators use an across the board application of a reevaluation interval for all covered tasks with no documented justification or basis. 6. The reevaluation intervals established by the operator do not reflect the relevant factors including the complexity, criticality, and frequency of performance of the task. 7. Individuals were not re-qualified in accordance with the written operator

	qualification program. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 3. Written list of task reevaluation time frames. 4. Written Qualification Records of individual reevaluations. 5. Written documentation of the basis for reevaluation intervals. 6. Documented conversations with operator personnel who are charged with establishing the reevaluation intervals. 7. Documented conversations with individuals performing tasks outside of the reevaluation interval.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.805(h),§195.505(h)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (h) After December 16, 2004, provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities;
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46866, Aug. 27, 1999
Last Amendment	192-100, 70 FR 10332, Feb. 25, 2005 192-100A, 70 FR 34693, June 15, 2005 195-84, 70 FR 10332, Feb. 25, 2005 195-84A, 70 FR 34693, June 15, 2005
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	192,195 Date: 12/7/2009 **Advisory Bulletin ADB-09-03 Pipeline Safety: Operator Qualification (OQ) Program Modifications** Informs pipeline operators about the standardized notification process for operator qualification (OQ) plan transmittal from the operator to PHMSA; about the addition to PHMSA's glossary of definitions of the terms "*Observation of on-the-job performance*" as applicable to determining employee qualification and "*Significant*" as applicable to OQ program modifications requiring notification; and lastly about clarifications to assist operators to ensure OQ reviews are being done in conjunction with O&M reviews. The *periodic review of work* done in accordance with sections 192.605(b)(8) and 195.402(c)(3) as contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The *periodic review of work* language contained in the Advisory Bulletin is not enforceable. 192 Date: 3-26-2008 **Advisory Bulletin ADB-08-02 Pipeline Safety: Issues Related to Mechanical Couplings Used in Natural Gas Distribution Systems** Due to variables related to age of couplings, specific procedures and installation practices, and conditions specific to certain regions of the country, it is difficult to cite common criteria affecting all failures that operators should address. However, PHMSA advises operators of gas distribution pipelines using mechanical couplings

to do the following to ensure compliance with 49 CFR part 192 as it relates to Operator Qualification:
(3) Review personnel qualifications to ensure they address leak surveys sufficiently.

192,195
Date: 11/22/2006
Advisory Bulletin ADB-06-03 Accurately Locating and Marking Underground Pipelines Before Construction-Related Excavation Activities Commence Near the Pipelines.
Operators were reminded to use qualified personnel for locating and marking pipelines. Specific to operator qualification, the following were required:

- Make sure that individuals locating and marking the pipelines have the knowledge, skills, and abilities to read and understand pipeline alignment and as-built drawings, and that they know what other buried utilities exist in the construction area.
- Use qualified personnel for locating and marking pipelines. At a minimum, they should have received appropriate training such as that outlined in the National Utility Locating Contractors Association locator training standards and practices.
- Operators should use the full range of safe locating excavation practices. In particular, pipeline operators should ensure the use of qualified personnel to accurately locate and mark the location of its underground pipelines**.**

192, 195
Date: 11-19-2004
Advisory Bulletin ADB 04-05 Implementation of Operator Qualification (OQ) Requirements Mandated by the Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355, 116 Stat. 2985) (PSIA 2002).

RSPA's Office of Pipeline Safety (RSPA/OPS) issued an advisory bulletin to owners and operators of natural gas and hazardous liquid pipeline systems concerning the minimum requirements for operator qualification programs for personnel performing covered tasks on a pipeline facility based on revisions in the Pipeline Safety Act of 2002.

For this code section:

"1. An operator OQ program must include a periodic requalification component that provides for examination or testing of individuals, including:

A method for examining or testing the qualifications of individuals, which may include written examination, oral examination, observation during on-the-job performance, on-the-job training, simulations, and other forms of assessment. The method may not be limited to observation of on-the-job performance, except with respect to tasks for which RSPA/OPS has determined that such observation is the best method of examining or testing qualifications. The results of any such observations shall be documented in writing.

	In accordance with the OQ review protocols and existing industry practice, the requalification intervals established by operators must reflect the relevant factors including the complexity, criticality, and frequency of performance of the task, and be justified by appropriate documentation. 2. **A program to provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.**"
Other Reference Material & Source	Final Rule preamble dated August 27, 1999. The OQ Final Rule preamble does not require that the written qualification program be incorporated into an Operator's Operations and Maintenance Plan. The Final Rules preamble states, "This rule does not require that the written qualification program be incorporated into an operator's Operation and Maintenance Plan." (64FR46863) 192, GPTC, API 1161, ASME B31Q
Guidance Information	1. ***Kinder Morgan Energy Partners, LP [5-2009-5033] (Final Order - Dec. 13, 2010)*** Found that the operator failed to provide adequate training, based upon evidence that the accident resulted, in part, from a failure to take appropriate actions related to a specific covered task, that the root cause analysis recommended review of the contractor selection process, that a supervisor's qualification was revoked following the accident, and that the operator acknowledged the need for additional training. The Order noted that operators cannot, through the use of contractors, "evade" their obligation to provide adequate training. CO. 2. ***Enbridge Energy Partners, LP [3-2008-5011] (Final Order - Aug. 17, 2010)*** Found that the operator failed to provide training in a specific covered task involved in a major accident. The Final Order ruled that the installation of Weld+Ends couplings was a separate covered task, rather than part of a more generalized "Pipeline Repair" task identified by the operator. The installation of such couplings involved "specific knowledge, skills, and abilities to ensure the task is performed in a manner that ensures safety" and therefore could not be "lumped in together with other types of pipeline repairs into a combined OQ item." CP, CO
Examples of a Probable Violation or Inadequate Procedures	1. The operator did not amend the written operator qualification to provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities. 2. The written operator qualification program does not include any training requirements. 3. The written operator qualification program does not identify the role of training in the qualification of covered tasks, such as new hires, re-evaluations, corrective performance re-evaluations, or management of change revisions. 4. The operator has not identified how contractor employee training will be accomplished or documented. 5. The operator did not identify the need for task specific training. 6. The operator did not provide training to ensure the individuals had the proper knowledge, skills and assessments to perform the task in a safe

	manner. 7. The operator did not implement the requirements of the written operator qualification program for training of individuals performing covered tasks. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 3. Written Qualification Records. 4. No documentation to demonstrate that individuals were provided training as necessary. 5. Operator's records or statements. 6. Documented conversations with individuals receiving training in individual tasks. 7. Documented conversations with operator personnel who are charged with providing training.
Other Special Notations	The *periodic review of work* done in accordance with sections 192.605(b)(8) and 195.402(c)(3) as contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The *periodic review of work* language contained in the Advisory Bulletin is not enforceable

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.805(i), §195.505(i)
Section Title	Qualification Program
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (i) After December 16, 2004, notify the Administrator or a state agency participating under 49 U.S.C. Chapter 601 if the operator significantly modifies the program after the Administrator or state agency has verified that it complies with this section. Notifications to PHMSA may be submitted by electronic mail to InformationResourcesManager@dot.gov, or by mail to ATTN: Information Resources Manager DOT/PHMSA/OPS, East Building, 2nd Floor, E22-321, New Jersey Avenue, S.E. Washington, DC 20590.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	192-100, 70 FR 10332, Feb. 25, 2005 192-100A, 70 FR 34693, June 15, 2005 195-84, 70 FR 10332, Feb. 25, 2005 195-84A, 70 FR 34693, June 15, 2005
Interpretation Summaries	

Advisory Bulletin/Alert Notice Summaries	192,195 Date: 12/7/2009 **Advisory Bulletin ADB-09-03 Pipeline Safety: Operator Qualification (OQ) Program Modifications** Informs pipeline operators about the standardized notification process for operator qualification (OQ) plan transmittal from the operator to PHMSA; about the addition to PHMSA's glossary of definition of the term "*Significant*" as applicable to OQ program modifications requiring notification; and lastly about clarifications to assist operators to ensure OQ reviews are being done in conjunction with O&M reviews. Applicable to this section: 1. Operators should send notifications of significant modification of an OQ Program to the OPS Information Resource Manager by e-mail at InformationResourcesManager@phmsa.dot.gov or mail to U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety, Information Resources Manager, 1200 New Jersey Avenue, SE East Building, 2nd Floor (PHP-10), Room E22-321, Washington, DC 20590. 2. Operators subject to regulation by State agencies are required to send OQ notifications directly to each State agency. 3. Regardless of the delivery method, each notification to PHMSA should include: OPID(s), operator name(s), HQ address; Name of individual submitting notification, Data/email/phone number, Commodity (gas/ liquid/both), PHMSA Region(s) where pipeline(s) operate, and names of

	respective facilities or pipeline systems where changes apply; and complete plan accompanied by revision/change log and effective date of change(s). The plan should be notated such that changed areas of the plan can be readily identified. Employee-specific information (i.e., social security numbers) and testing material are not needed. 192,195 Date: 11-19-2004 **Advisory Bulletin ADB 04-05 Implementation of Operator Qualification (OQ) Requirements Mandated by the Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355, 116 Stat. 2985) (PSIA 2002).** RSPA's Office of Pipeline Safety (RSPA/OPS) issued an advisory bulletin to owners and operators of natural gas and hazardous liquid pipeline systems concerning the minimum requirements for operator qualification programs for personnel performing covered tasks on a pipeline facility based on revisions in the Pipeline Safety Act of 2002. The applicable portions to this rule section: 3. If the operator of a pipeline facility significantly modifies a program that has been reviewed for compliance by RSPA/OPS, the operator must notify RSPA/OPS of the modifications. RSPA/OPS will review such modifications in accordance with applicable laws and regulations.
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	Operators must notify OPS (or State agency) of significant modifications to their program after the Administrator or state agency has verified that it complies with this section.
Examples of a Probable Violation or Inadequate Procedures	1. The written operator qualification program does not have a provision that the operator must notify OPS (or State agency) of significant modifications to their program after the Administrator or state agency has verified that it complies with this section. 2. Operators have not notified OPS (or State agency) of significant modifications to their program after the Administrator or state agency has verified that it complies with this section. 3. The operator did not implement the requirements of the written operator qualification program for providing updates to the regulatory authority. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*

Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan regarding notifying regulatory agencies. 3. Written records of notifications to Administrator (or a state agency). 4. Written Qualification Records. 5. Operator's records or statements. 6. Documented conversations with operator personnel who are charged with providing notifications.
Other Special Notations	The definition of *significant* contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The definition of *significant* contained in the Advisory Bulletin is not enforceable.

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.807(a),§195.507(a)
Section Title	Recordkeeping
Existing Code Language	Each operator shall maintain records that demonstrate compliance with this subpart. (a) Qualification records shall include: (1) Identification of qualified individual(s); (2) Identification of the covered tasks the individual is qualified to perform; (3) Date(s) of current qualification; and (4) Qualification method(s).
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Operator qualification records are required for all individuals under the operator qualification program, for example, employee personnel, contractors, subcontractors, and mutual assistance personnel. 2. Records are comprehensive to include: Identification of qualified individual(s); Identification of the covered tasks the individual is qualified to perform; Date(s) of current qualification; and Qualification method(s). 3. Operators may employ many databases and tools to track and accumulate information pertinent to the operator qualification program, and these resources must be well-linked or integrated so that everyone has consistent information and access to the information that might need it, especially field offices. 4. An Operator's qualification records must include those elements identified in sections 192.807(a)(1) - (a)(4) and 195.507(a)(1) - (a)(4) of the regulations.
Examples of a Probable	1. The operator has no qualification records. 2. The qualification records do not include all of the information required by the regulations: (1) identification of qualified individual(s); (2) identification of

Violation or Inadequate Procedures	the covered tasks the individual is qualified to perform; (3) date(s) of current qualification; and (4) qualification method(s). 3. Operators do not maintain records that demonstrate contractor or subcontractor qualifications for work being performed at their sites. 4. Operator records show deficiencies in evaluation and qualification of individuals that have been performing covered tasks. Examples are lack of qualification records, inadequate records, irregularities in documentation (such as missing signatures), individuals signing their own evaluations for qualification, qualifications not broken down on a task-by-task basis, , no evaluation for AOC recognition and reaction, all evaluation points not addressed. 5. The operator did not have qualification records for all individuals (employees, contractor, subcontractor, and individuals under a mutual agreement) performing covered tasks, or the qualification records are incorrect. 6. The operator did not implement the requirements of the written operator qualification program. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. Written Qualification Records. 3. Operator's records or statements. 4. Missing, incomplete, or inadequate data on qualification records. 5. Individual qualification records with dates of qualification, requalification, training received, and the method of qualification that do not meet the covered task. 6. Documented conversations with operator personnel who are charged with maintaining records to demonstrate compliance with the operator qualification program.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192, 195
Revision Date	6 22 2016
Code Section	§192.807(b),§195.507(b)
Section Title	Recordkeeping
Existing Code Language	Each operator shall maintain records that demonstrate compliance with this subpart. (b) Records supporting an individual's current qualification shall be maintained while the individual is performing the covered task. Records of prior qualification and records of individuals no longer performing covered tasks shall be retained for a period of five years.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. Records are required for all individual qualifications including operator personnel contractor, subcontractor, or mutual assistance personnel. 2. Operators may employ many databases and tools to track and accumulate information pertinent to the individual qualifications, and these resources must be well-linked or integrated so that everyone has consistent information and access to the information that might need it, especially field offices. 3. An individual's current qualification shall be maintained by the Operator while the individual is performing the covered task. Records of an individual's prior qualification – and records of individuals no longer performing covered tasks – shall be retained by the Operator for a period of five years.
Examples of a Probable Violation or Inadequate Procedures	1. The operator has no qualification records for an individual currently performing a covered task, or these records are not maintained for the period while the individual is performing a covered task. 2. The operator has no qualification records for an individual's prior qualification, or these records are not retained for at least 5 years. 3. The operator has no qualification records for an individual no longer performing a covered task, or these records are not retained for at least 5 years. 4. The qualification records are incomplete and do not support an individual's

	current or prior qualification. 5. The operator did not implement the requirements of the written operator qualification program to maintain records of individual qualifications for covered tasks. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. Written Operator Qualification program. 2. The operator has no qualification records. 3. Written qualifications of all individuals currently performing covered tasks. 4. No written record of prior individual qualifications for the five year retention time period prior to the performance of the task. 5. Operator databases and tools to track and accumulate information pertinent to individuals' qualifications are not well-linked or integrated so that everyone has consistent information and access to the information that might need it, especially field offices. 6. No records of individual qualifications for contractor, subcontractor, or mutual assistance individuals performing covered tasks. 7. Written Qualification Records.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.809(a),§195.509(a)
Section Title	General
Existing Code Language	(a) Operators must have a written qualification program by April 27, 2001. The program must be available for review by the Administrator or by a state agency participating under 49 U.S.C. Chapter 601 if the program is under the authority of that state agency.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	192-100, 70 FR 10332, Feb. 25, 2005 192-100A, 70 FR 34693, June 15,2005 195-84, 70 FR 10332, Feb. 25, 2005 195-84A, 70 FR 34693, June 15, 2005
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	192,195 Date: 12/7/2009 **Advisory Bulletin ADB-09-03 Pipeline Safety: Operator Qualification (OQ) Program Modifications** Specific to this section regarding enforcement: … 3. PHMSA will inspect annual review records to assure OQ Plans are being evaluated and may take compliance action where non-compliance is found. The *annual review records* language contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The *annual review records* language contained Advisory Bulletin is not enforceable. 192,195 Date: 11-19-2004 **Advisory Bulletin ADB 04-05 Implementation of Operator Qualification (OQ) Requirements Mandated by the Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355, 116 Stat. 2985) (PSIA 2002).** **SUMMARY:** The bulletin reminded system owners and operators that the deadline for modifying their OQ programs to comply with the additional statutory requirements in Section 13 of the Pipeline Safety Improvement Act of 2002 to December 17, 2004. The bulletin also advised system owners and operators that reviews of OQ programs conducted by RSPA/OPS inspectors after December 17, 2004, would consider whether the programs are in compliance with these additional statutory requirements, even if the relevant provisions of the pipeline safety

	regulations are not amended by that date.
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	
Examples of a Probable Violation or Inadequate Procedures	1. The operator does not have a written operator qualification program. 2. Records are missing or insufficient to determine the initial date of the written operator qualification program. 3. The operator did not make the written operator qualification program available for review. 4. The operator did not implement the requirements of the written operator qualification program. *Depending on the circumstances, some of the examples listed in this section may be inadequate plans and procedures, and not probable violations. Thus, the enforcement tool to address these issues would be a Notice of Amendment and not a Notice of Probable Violation or a Warning Letter. Section 3 of the Enforcement Procedures provides guidance on selecting the appropriate enforcement action.*
Examples of Evidence	1. No Written Operator Qualification program. 2. No Written Qualification Records. 3. Written Operator Qualification program established after April 27, 2001, or no implementation date listed on the program. 4. Documented conversations with operator personnel who are charged with developing, maintaining, and/or implementing the operator qualification program. 5. No documentation to demonstrate that the operator implemented the operator qualification program. 6. Operator's records or statements do not demonstrate compliance with the operator qualification regulations.
Other Special Notations	The *annual review records* language contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The *annual review records* language contained Advisory Bulletin is not enforceable.

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.809(b),§195.509(b)
Section Title	General
Existing Code Language	(b) Operators must complete the qualification of individuals performing covered tasks by October 28, 2002.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	1. All operators are required to comply with the qualification of employees regardless of the size of their operations. 2. ***Montana Refining Company, Inc., [5-2006-5027] (Final Order - Nov. 21, 2008)*** The Final Order rejected an operator's argument that a "one person pipeline operation" cannot "readily comply" with the OQ requirements of **§ 195.509(b).** The Order explained that the text of §195.509 does not include an exception for any particular class of operators, and the regulatory history confirms that §195.509 is intended to apply to all operators, regardless of size. "Thus an operator of a three-mile-long crude oil pipeline, even if managed by a single employee, is bound by the requirements of § 195.509 to the same extent as an operator of a multistate crude oil pipeline operated by hundreds of employees." CP.
Examples of a Probable Violation or Inadequate Procedures	1. Individuals were not qualified in accordance with the operator's qualification program. 2. Records are missing or insufficient to determine the dates of qualification.

Examples of Evidence	1. No Written Operator Qualification program. 2. No Written Qualification Records. 3. Records indicate individuals performing covered tasks were not qualified. 4. Documented conversations with operator personnel who are charged with qualifying individuals. 5. No documentation to demonstrate that the operator implemented the operator qualification program. 6. Operator's records or statements do not demonstrate compliance with the operator qualification regulations.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.809(c),§195.509(c)
Section Title	General
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (c) Work performance history review may be used as a sole evaluation method for individuals who were performing a covered task prior to October 26, 1999.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	192-90, 66 FR 43523, Aug. 20, 2001 195-72, 66 FR 43523, Aug. 20, 2001
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 116, ASME B31Q
Guidance Information	1. Documentation from an operator to identify the covered task, the individual performing the task, and the last time the task was performed would be necessary to document compliance. 2. ***Black Hills Operating Company, LLC, [4-2005-5027] (Final Order - Apr. 19, 2006)*** Found that the operator had violated 49 C.F.R. §§195.505 and 195.509(c) by failing to ensure through evaluation that 7 individuals performing covered tasks were qualified. The operator argued that when it took over operations of the pipeline on March 1, 2002, the identified individuals had been performing covered tasks for the former operators of the pipeline, and the operator submitted training records of the former operators to support its contention that the individuals had been performing the covered tasks prior to October 26, 1999. The Final Order noted that training records of former operators do not satisfactorily demonstrate that individuals performing covered tasks had been evaluated to determine their ability to perform covered tasks. CO, CP.
Examples of a Probable Violation or Inadequate Procedures	1. The operator used work performance history review as a sole evaluation method to qualify individuals on tasks they had not performed. 2. The operator used work performance history review as a sole evaluation method to qualify individuals. 3. The operator used work performance history review as a sole evaluation method to qualify individuals but did not have documentation that the covered

	task had been performed. 4. The operator did not follow the requirements of their written operator qualification program, which stated that work performance history review would not be used as the sole evaluation method for qualification. 5. The operator did not document the acceptability of using work performance history review as an evaluation method. Examples are: no documented work performance history review process (grandfathering of long-term employees); forms not signed and/or dated by supervisors and/or employees – or signed and dated forms – to document work performance history as a sole evaluation method, but no record(s) or documentation that the employee ever performed the task(s); the operator's check list (or list of tasks) to note work performance history review as the sole evaluation method for employees, continues to be used by the operator to note tasks currently performed by the employee. 6. Records are missing or insufficient to determine the method and date of qualification. 7. The operator did not implement the requirements of the written operator qualification program.
Examples of Evidence	1. No Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 3. No Written Qualification Records. 4. Written Evaluation Records show work performance history review was used as the sole method to qualify individuals on tasks they had not performed. 5. Documented conversations with operator personnel who are charged with individual performance evaluations. 6. No documentation to demonstrate that the operator implemented the operator qualification program. 7. Operator's records or statements do not demonstrate compliance with the operator qualification regulations.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.809(d),§195.509(d)
Section Title	General
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (d) After October 28, 2002, work performance history may not be used as a sole evaluation method.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	Work performance history may not be used as a sole evaluation method.
Examples of a Probable Violation or Inadequate Procedures	1. The operator did not follow the requirements of their written operator qualification program, which must state that work performance history review may not be used as the sole evaluation method for qualification. 2. The operator did not document the acceptability of using work performance history review as an evaluation method. Examples are: no documented work performance history review process (grandfathering of long-term employees); forms not signed and/or dated by supervisors and/or employees, or forms with no records of task(s) performed; supervisors acknowledged that no records of task(s) performance existed, but signed forms indicate individual(s) performed task "acceptably." 3. Records are missing or insufficient to determine the method and date of qualification.

Examples of Evidence	1. Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan regarding work performance history review and the dates applicable to compliance are in error. 3. Written Qualification Records. 4. Documented conversations with operator personnel who are charged with individual performance evaluations. 5. No documentation to demonstrate that the operator implemented the operator qualification program. 6. Operator's records or statements do not demonstrate compliance with the operator qualification regulations. 7. Documented conversations with operator personnel who are charged with qualifying individuals. 8. Records identifying work performance history used as sole evaluation method for qualification.
Other Special Notations	

Enforcement Guidance	Qualification of Pipeline Personnel Parts 192,195
Revision Date	6 22 2016
Code Section	§192.809(e),§195.509(e)
Section Title	General
Existing Code Language	Each operator shall have and follow a written qualification program. The program shall include provisions to: (e) After December 16, 2004, observation of on-the-job performance may not be used as the sole method of evaluation.
Origin of Code	192-86, 64 FR 46853, Aug. 27, 1999 195-67, 64 FR 46853, Aug. 27, 1999
Last Amendment	192-100, 70 FR 10332, Feb. 25, 2005 192-100A, 70 FR 34693, June 15, 2005 195-84, 70 FR 10332, Feb. 25, 2005 195-84A, 70 FR 34693, June 15, 2005
Interpretation Summaries	
Advisory Bulletin/Alert Notice Summaries	192, 195 Date: 11-19-2004 **Advisory Bulletin ADB 04-05 Implementation of Operator Qualification (OQ) Requirements Mandated by the Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355, 116 Stat. 2985) (PSIA 2002).** RSPA's Office of Pipeline Safety (RSPA/OPS) issued an advisory bulletin to owners and operators of natural gas and hazardous liquid pipeline systems concerning the minimum requirements for operator qualification programs for personnel performing covered tasks on a pipeline facility based on revisions in the Pipeline Safety Act of 2002. For this code section: “1. An operator OQ program must include a periodic requalification component that provides for examination or testing of individuals, including: A method for examining or testing the qualifications of individuals, which may include written examination, oral examination, observation during on-the-job performance, on-the-job training, simulations, and other forms of assessment. **The method may not be limited to observation of on-the-job performance, except with respect to tasks for which RSPA/OPS has determined that such observation is the best method of examining or testing qualifications. The results of any such observations shall be documented in writing.**

	In accordance with the OQ review protocols and existing industry practice, the requalification intervals established by operators must reflect the relevant factors including the complexity, criticality, and frequency of performance of the task, and be justified by appropriate documentation. 2. A program to provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.”
Other Reference Material & Source	192, GPTC, API 1161, ASME B31Q
Guidance Information	Observation of on-the-job performance may not be used as the sole method of evaluation.
Examples of a Probable Violation or Inadequate Procedures	1. The operator used observation of on-the-job performance as a sole evaluation method to qualify individuals on tasks performed. 2. The operator did not follow the requirements of their written operator qualification program, which must state that observation of on-the-job performance would not be used as the sole evaluation method for qualification. 3. The operator did not document the acceptability of using observation of on-the-job performance as an evaluation method. 4. Records are missing or insufficient to determine the method and date of qualification.
Examples of Evidence	1. No Written Operator Qualification program. 2. Copy of written qualification program or applicable portion that shows omission or deficiency in the plan. 3. No Written Qualification Records. 4. Written Evaluation Records show observation of on-the-job performance was used as the sole method to qualify individuals on tasks they performed. 5. Documented conversations with operator personnel who are charged with individual performance evaluations. 6. No documentation to demonstrate that the operator implemented the operator qualification program. 7. Operator’s records or statements do not demonstrate compliance with the operator qualification regulations.
Other Special Notations	The definition of *on the job performance* contained in Advisory Bulletin ADB-09-03 is intended to be advisory in nature. The definition of *on the job performance* contained in the Advisory Bulletin is not enforceable.