



U.S. Department  
of Transportation

Pipeline and Hazardous Materials  
Safety Administration

**NOTICE TO NATURAL GAS AND HAZARDOUS LIQUID PIPELINES  
AND LIQUEFIED NATURAL GAS FACILITY OPERATORS AFFECTED  
BY THE NOVEMBER 30, 2018 ALASKA EARTHQUAKE**

RE: Emergency Stay of Enforcement for State of Alaska Operators  
Affected by the November 30, 2018 Earthquake near Anchorage, Alaska

In the aftermath of the recent earthquake, PHMSA recognizes that pipeline and liquefied natural gas facility (LNG) operators impacted by this severe seismic event may be faced with resource constraints while engaged in response and recovery efforts. Limited resources and the exigencies of the response and recovery effort may require service by pipeline personnel that may not fully meet federal operator qualification (OQ) and employment drug testing requirements.

Federal regulations in 49 C.F.R. part 192, subpart N, and part 195, subpart G, require pipeline operators to ensure through evaluation that each worker performing critical safety activities, known as "covered tasks," are qualified under the operator's written OQ program. Likewise, the regulations require pre-employment and random drug testing for workers who perform certain activities, known as "covered functions," under 49 C.F.R. § 199.105.

This Notice notifies pipeline and LNG operators affected by the November 30<sup>th</sup> Anchorage earthquake that PHMSA does not intend to take any enforcement action relating to their temporary noncompliance with operator qualification requirements found in 49 C.F.R. §§ 192.801-192.809 and 195.501-195.509, or pre-employment and random drug testing requirements found in 49 C.F.R. § 199.105(a), (c) arising from the use of personnel for pipeline activities related to response and recovery. Operators who determine they cannot comply with these requirements because of limited resources must notify the PHMSA National Safety Coordinator, Rod Seeley, at 281-513-1741 or [Rodrick.M.Seeley@dot.gov](mailto:Rodrick.M.Seeley@dot.gov) and must maintain documentation of instances in which they are unable to fully comply with these requirements. Please note that this enforcement stay applies only to operators faced with limited resources resulting from the impacts of the earthquake and does not relieve them from acting reasonably by using trained, non-impaired workers to perform operations and maintenance tasks.

**PHMSA** takes this temporary action while we continue to prepare for and monitor the recovery efforts following the earthquake. This document, and the associated enforcement stay, is effective on December 1, 2018, and will remain in effect until 45 days from the date of this

Notice, unless PHMSA determines in writing that it should be extended. Nothing in this Notice prohibits PHMSA from rescinding this stay and enforcing the incorporated provisions if it determines that a significant safety issue or other circumstance warrants doing so, including finding there is no longer a need for the stay.

Furthermore, pipeline and LNG operators subject to this stay remain responsible for the safe operation of their systems and nothing in this Notice relieves operators from compliance with any other applicable provisions of the federal pipeline safety regulations. Operators are encouraged to communicate with Mr. Rod Seeley with any questions related to this notification, and longer term safety or compliance issues they may be facing as a result of the earthquake.

ISSUED THIS 1<sup>st</sup> DAY OF DECEMBER, 2018 IN WASHINGTON, D.C.

A handwritten signature in blue ink, appearing to read "A. Mayberry".

*F02*  
Alan K. Mayberry  
Associate Administrator for Pipeline Safety