



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

**NOTICE TO INTERSTATE GAS AND HAZARDOUS LIQUID PIPELINES
AND LIQUEFIED NATURAL GAS FACILITY OPERATORS AFFECTED BY
HURRICANE DORIAN**

RE: Emergency Stay of Enforcement for Operators Affected by Hurricane Dorian

In light of Hurricane Dorian, PHMSA recognizes that pipeline and liquefied natural gas (LNG) facility operators impacted by events 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.

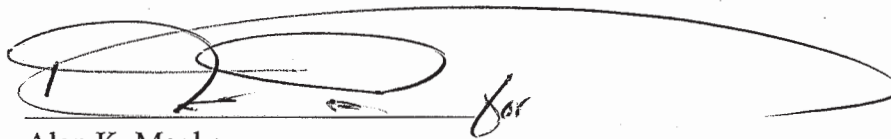
Federal regulations in 49 C.F.R. part 192, subpart N, and part 195, subpart G, require pipeline operators to ensure through evaluation that each worker performing critical safety activities, known as “covered tasks,” are qualified under the operator’s written OQ program. Likewise, the regulations require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

In light of the response and recovery efforts, this Notice advises pipeline and LNG operators affected by Hurricane Dorian that PHMSA does not intend to take any enforcement action relating to their 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 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 as a result of the impacts of the storm 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 storm. This document, and the associated enforcement stay, is effective on September 1, 2019, 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 letter 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 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 any questions related to this notification, and long-term issues they may be facing as a result of the storm.

ISSUED THIS FIRST DAY OF SEPTEMBER, 2019 IN WASHINGTON, D.C.

A handwritten signature in black ink, appearing to read 'A. Mayberry', is written over a horizontal line.

Alan K. Mayberry
Associate Administrator for Pipeline Safety