

Mr. William C. Barbeau  
Director  
State of Minnesota  
Office of Pipeline Safety  
175 Aurora Avenue  
St. Paul, MN 55103

Dear Mr. Barbeau:

I am responding to your letter of November 21, 1990, regarding welder qualifications under 49 CFR 192.227 and limitations on welders under 49 CFR 192.229.

As you requested, we are addressing the following:

1. "The code does not clearly specify that welders who qualify under API Standard 1104 or ASME are automatically qualified under the less stringent Appendix C. It is the understanding of this Office that they are not."

Section 192.227 provides that to weld on low stress pipe (less than 20 percent of SMYS), a welder must be qualified by one of these methods: Appendix C of Part 192, Section 3 of API Standard 1104, or Section IX of the ASME Boiler and Pressure Vessel Code. Although each method is a route to qualification on low stress pipe, the methods contain different requirements, API Standard 1104 and the ASME Code being more stringent than Appendix C. It is not possible to perform a single test weld that can satisfy both Appendix C and one of the other methods. Therefore, a welder who qualifies under API Standard 1104 or the ASME Code does not automatically qualify under Appendix C.

2. "The code does not clearly specify under what conditions welders may downgrade their qualification from API Standard 1104 to Appendix C. It is the understanding of this Office that they cannot."

Section 192.227 does not permit an operator to change the basis of a welder's qualification from one method to another except by qualification under the other method. A welder who wishes to qualify under Appendix C must perform one or more welds that are acceptable under Appendix C requirements.

3. "It is unclear to this Office whether the welder in question would have been eligible to

re-qualify under API Standard 1104 after October 28, 1990. Does six calendar months mean, for instance, April 27 through October 27, or could it mean April 27 through October 31? T.S.I. has previously expressed to our office that six calendar months means date to date, e.g., March 15 - September 15."

Section 192.229(c) provides that a welder qualified under API Standard 1104 "may not weld unless within the preceding 6 calendar months the welder has had one weld tested and found acceptable under section 3 or 6 of API Standard 1104." In this provision, the term "calendar month" serves as an expression of time. We have always applied the term consistent with its ordinary dictionary sense, which is the period between a day in one month and the corresponding day in the next month, or the end of the next month if there is no corresponding day. Six calendar months is the period between a day in one month and the corresponding day in the sixth month thereafter, or the last day of that month if there is no corresponding day.

According to your letter, the welder was last re-qualified under API Standard 1104 on April 27, 1990. In addition, we assume that between then and October 27, 1990, the welder had not performed an acceptable test weld as required by §192.229(c). Therefore, the 6-calendar-month period ended midnight, October 27, 1990. After that expiration date, the welder was not permitted to weld on a gas pipeline without re-qualifying under §192.227. Passage of the 6-calendar-month period does not affect a welder's eligibility to re-qualify under §192.227.

Please let me know if you need further assistance in this matter.

Sincerely,

/signed/

George W. Tenley, Jr.  
Associate Administrator for  
Pipeline Safety