

**APPENDIX E: Summary of 4 CSR 240-40.030(12)(D) Operator Qualification Requirements and Definitions**

Pipeline facility means “new and existing pipelines, rights-of-way, and any equipment, facility, or building used in the transportation of gas or in the treatment of gas during the course of transportation.”<sup>1</sup>

4 CSR 240-40.030(12)(D)1.B. defines “covered task” as:

“an activity, identified by the operator, that –

- (I) Is performed on a pipeline facility;
- (II) Is an operations, maintenance or emergency-response task;
- (III) Is performed as a requirement of this rule<sup>2</sup>; and
- (IV) Affects the operation or integrity of the pipeline.”

4 CSR 240-40.030(12)(D)2.C. defines “qualified” as:

“Qualified means that an individual has been evaluated and can:

- (I) Perform assigned covered tasks; and
- (II) Recognize and react to abnormal operating conditions.”<sup>3</sup>

Therefore in order for an individual to be considered qualified to perform covered tasks, an individual must be evaluated.

4 CSR 240-40.030(12)(D)2.B. defines “evaluation (or evaluate)” as:

“Evaluation (or evaluate) means a process consisting of training and examination, established and documented by the operator, to determine an individual’s ability to perform a covered task and to demonstrate that an individual possesses the knowledge and skills under paragraph (12)(D)4.

After initial evaluation for paragraph (12)(D)4., subsequent evaluations for

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<sup>1</sup> 4 CSR 240-40.030(1)(B)(33) – Definitions.

<sup>2</sup> Rule means 4 CSR 240-40.030 Safety Standards – Transportation of Gas by Pipeline.

<sup>3</sup> 4 CSR 240-40.030(12)(D)2.A. defines abnormal operating condition as a condition identified by the operator that may indicate a malfunction of a component or deviation from normal operations that may: (I) Indicate a condition exceeding design limits; (II) Result in a hazard(s) to persons, property, or the environment; or (III) Require an emergency response.

paragraph (12)(D)4. can consist of examination only. The examination portion of this process shall be conducted by one or more of the following:

- (I) Written examination;
- (II) Oral examination; or
- (III) Hands-on examination, which could involve observation supplemented by appropriate queries. Observations can be made during:
  - (a) Performance on the job,
  - (b) On the job training, or
  - (c) Simulations.”

4 CSR 240-40.030(12)(D)4. requires that personnel to whom this subsection applies must possess the knowledge and skills necessary to:

- “A. Follow the requirements of this rule that relate to the covered tasks they perform;
- B. Carry out the procedures in the procedural manual for operations, maintenance and emergencies established under (12)(C)<sup>4</sup> ([49 CFR] 192.605) that relate to the covered tasks they perform;
- C. Utilize instruments and equipment that relate to the covered tasks they perform in accordance with manufacturer’s instructions;
- D. Know the characteristics and hazards of the gas transported, including flammability range, odorant characteristics and corrosive properties;
- E. Recognize potential ignition sources;
- F. Recognize conditions that are likely to cause emergencies, including equipment or facility malfunctions or failure and gas leaks, predict potential consequences of these conditions and take appropriate corrective action;
- G. Take steps necessary to control any accidental release of gas and to minimize the potential for fire or explosion; and

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<sup>4</sup> 4 CSR 240-40.030(12)(C) requires that, among other things, an operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response.

- H. Know the proper use of firefighting procedures and equipment, fire suits and breathing apparatus by utilizing, where feasible, a simulated pipeline emergency condition.”

*Program Requirements:*

4 CSR 240-40.030(12)(D)3. requires that each operator have and follow a written qualification program that includes provisions to:

- “A. Identify covered tasks;
- B. Ensure through evaluation that individuals performing covered tasks are qualified and have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities;
- C. Allow individuals that are not qualified pursuant to this subsection to perform a covered task if directed and observed by an individual that is qualified;
- D. Evaluate an individual if the operator has reason to believe that the individual’s performance of a covered task contributed to an incident meeting the Missouri reporting requirements in 4 CSR 240-40.020(4)(A);
- E. Evaluate an individual if the operator has reason to believe that the individual is no longer qualified to perform a covered task;
- F. Communicate changes, including changes to rules and procedures, that affect covered tasks to individuals performing those covered tasks and their supervisors, and incorporate those changes in subsequent evaluations;
- G. Identify the interval for each covered task at which evaluation of the individual’s qualifications is needed, with a maximum interval of thirty-nine (39) months;
- H. Evaluate an individual’s possession of the knowledge and skills under paragraph (12)(D)4. at intervals not to exceed thirty-nine (39) months;
- I. Ensure that covered tasks are:
  - (I) Performed by qualified individuals, or
  - (II) Directed and Observed by qualified individuals”

*Record Keeping:*

4 CSR 240-40.030(12)(D)8. requires that each operator maintain records that demonstrate compliance with this subsection.

- “A. Qualification records shall include:
  - (I) Identification of the qualified individual(s);
  - (II) Identification of the covered tasks the individual is qualified to perform;
  - (III) Date(s) of current qualification; and
  - (IV) Qualification Methods<sup>5</sup>
- 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 (5) years.”<sup>6</sup>

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<sup>5</sup> 4 CSR 240-40.030(12)(D)8.A.

<sup>6</sup> 4 CSR 240-40.030(12)(D)8.B.