



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

8701 South Gessner, Suite 1110
Houston, TX 77074

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 22, 2009

Mr. Victor Gaglio
Sr. Vice President Operations & Engineering
Columbia Gas Transmission Company
P.O. Box 1273
Charleston, WV 25314

CPF 4-2009-1014M

Dear Mr. Gaglio:

On July 28-31, 2008, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Columbia Gas Transmission Company (CGT) and its subsidiaries' Operator Qualification (OQ) Plan at your office in Charleston, West Virginia.

On the basis of the inspection, PHMSA has identified the apparent inadequacies within CGT's written OQ Plan, as described below:

1. §192.805 Qualification program.

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;

CGT does not make provisions in its plan for languages other than English, to effectively communicate with unqualified individuals who speak and comprehend languages other than English.

CGT must amend its OQ Plan to provide for languages other than English for effective communication of directions for task activities and reactions to AOCs to unqualified individuals who speak and comprehend languages other than English.

2. §192.805 Qualification program.

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 as defined in Part 191;**

CGT's Plan does not include provisions for review of an individual's performance of a covered task as part of its incident/accident review. Provisions had been recommended for inclusion in CGT's Accident/Incident Form, but had not, as of the time of inspection, been formalized as part of Columbia's program.

CGT must amend its OQ Plan to include provisions for review of an individual's performance of a covered task as part of the incident/accident review process.

3. §192.805 Qualification program.

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;**

CGT's Plan does not include procedures for management of change to ensure such changes are timely identified and incorporated into, communicated to the individuals, and how such changes are implemented in the program.

CGT must amend its OQ Plan to include procedures for management of change to ensure such changes are timely identified and incorporated into CGT's Plan, and communicated to the individuals, including contractor individuals, and how such changes are implemented in the program. Communication should include back communication with third party qualification providers to identify if contract employees have been involved in incidents on other jobs.

4. §192.807 Recordkeeping.

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).**

CGT's Plan should identify all abnormal operating conditions (AOCs) that would be reasonably recognizable by an individual performing a covered task, whether it is specific to that task or general in nature, which may be encountered in the performance of a covered task. Review of CGT's records for the qualification of welders did not include general AOCs as part of the specific covered task AOCs for which the welders were qualified.

With respect to identification of the covered tasks the individual is qualified to perform; CGT's records covered only task specific AOCs and did not address the documentation of the individuals' demonstration of recognition of the General Abnormal Operating Conditions that were identified in CGT's Plan Appendix I. Individuals should be able to recognize both the general and task specific AOCs associated with the performance of each specific covered task.

CGT must amend its OQ Plan to include procedures for the documentation for demonstration of recognition of General AOCs, as well as task Specific AOCs.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended Plan to my office within 60 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended Plan, this enforcement action will be closed.

In correspondence concerning this matter, please refer to **CPF 4-2009-1014M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous
Materials Safety Administration

Enclosures: *Response Options for Pipeline Operators in Compliance Proceedings*