



## MPC FAQ - DOT OPERATOR QUALIFICATIONS (Updated July 09, 2018)

All persons interested in obtaining US DOT Jurisdictional Operator Qualification for Task 86 and Task 87 should understand all of the requirements necessary to achieve this status. We have assembled a list of frequently asked questions.

If after reading this section you still have additional questions related to **TRAINING ONLY** please contact us via email at [dotoq@nycmpc.org](mailto:dotoq@nycmpc.org). We ask that you please do not call the office, as all calls to the office, related to **Operator Qualification TRAINING**, will be referred to the MPC website. If you email the MPC regarding a **TRAINING** question, please be specific with your question(s) and we will respond back as soon as possible.

If you have a question about Operator Qualification **NOT** related to training, please email the Plumbing Foundation at: [GOQmembership@plumbingfoundation.nyc](mailto:GOQmembership@plumbingfoundation.nyc)

We have done our best to make this list as inclusive as possible, but realize that there may be some issues that have not yet been identified.

We will make changes to this section as required. Please ensure that you are reviewing the most updated version. Questions emailed shall be responded to as soon as possible. If necessary, someone from our office will contact you directly.

### **1. I am a Licensed Master Plumber. My men and I have been installing gas piping for years working under the NYC Code. What changed that now requires us to obtain a qualification to do the same work?**

Changes in the definition of gas service piping have necessitated this requirement for **anyone** doing this work to be Operator Qualified. For a more detailed explanation please read the explanation of the required changes. The information contained therein was also a basis for much of the program and training we will now be undertaking.

### **2. How did we get here: A history and explanation of the required changes.**

Natural gas piping from the time it leaves the well head and until it passes through a gas meter is defined as **gas service piping**. That piping is regulated by the United States Department of Transportation (**US DOT**). The Code that it is regulated gas is [49-CFR Part 192](#) (click here). The Code sets the minimum requirements and standards for the installation and maintenance of gas piping systems. The agency that regulates the gas service piping is the Pipeline and Hazardous Materials Safety Agency (**PHMSA**).

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In New York State, the gas service piping is regulated by the NYS Public Service Commission (**PSC**). The PSC regulates gas service piping under [NYS 16 NYCRR Part 255](#) (click here). The PSC must meet the minimum standards set by the US DOT and may also increase those requirements.

The PSC mandates the standards for the Local Distribution Companies (**LDC**). In NYC those are National Grid and Con Edison. National Grid published the [Blue Book](#) and Con Edison published the [Yellow Book](#), which set the minimum standards for the installation, and maintenance of gas service piping. The **LDC** must meet the minimum standards set by the **US DOT**, **PSC** and may also increase those requirements.

Gas service piping is commonly referred to as **jurisdictional piping** because it is under the jurisdiction of the **US DOT**. As a licensed master plumber (**LMP**), you are licensed and work under the rules of the NYC Department of Buildings, which is the Authority Having Jurisdiction (**AHJ**) over the piping and work included in their Codes and rules. While jurisdictional piping is part of the NYC Fuel Gas Code (NYCFG 101.4.4.14), the **AHJ** is limited in their authority over it. The **AHJ** may not attempt to minimize any of the required regulations for **jurisdictional** piping.

In 2013, the **US DOT** changed the definition of gas service piping. It used to end at the first fitting inside of the building. It was extended to the outlet of the gas meter, wherever that meter is located. The outlet of the gas meter is defined as the **point of delivery**. The US DOT also added two other requirements, one was for periodic inspections of the gas service piping and that anyone installing or maintaining that piping would need to be both **operator qualified (OQ)** and enrolled in an approved Drug and Alcohol (**D/A**) monitoring program.



In response to these changes, the **PSC** started [Case 14-G-0357](#) to revise **16 NYCRR** gas safety regulations for consistent application of the more stringent US DOT gas safety standards in **49-CFR**. During this process the PSC sought and received public comments relating to proposed changes that would be required to meet the new federal standards. The MPC provided [testimony](#) during that process and was instrumental, along with our industry partners, in ultimately limiting the scope of work that will require **OQ**.

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Under the draft proposal, any person doing any jurisdictional pipe work would have to be **OQ'd** and enrolled in an approved D/A **program**. The MPC took the position that our license and the Code already provided us with the required qualification to continue to do this work without further qualifications. The reason for this was that we only work on **inert**, “**dead**” or **de-energized** gas piping. With the help of our industry ally, Plumbers Local 1, we were able to convince the **PSC** that no further training would be required for us to work on this **inert** piping. When [Case 14-G-0357](#) was resolved and adopted on April 02, 2015, licensed plumbers and their employees did not need any further qualifications to do this work.

After [Case 14-G-0357](#) was settled, the PSC opened up [Case 15-G-0244](#) on June 16, 2015 to establish the requirements for this work. This case was resolved and adopted on April 20, 2017. It established the requirements for conducting periodic gas inspections.

Before we detail the inspection aspect of this case, we would like to explain what changed that will require anyone working on certain aspects (more about this later) of **jurisdictional** piping to be **OQ'd** and part of an approved D/A program.

As stated, licensed plumbers and their employees already possess the basic qualifications to work on **inert** gas piping on either side of a gas meter. The PSC has determined that a valve (or gas meter bar) that is closed and that has gas upstream of that valve, would be considered to be live and subject anyone making a connection to that valve to possess the required **OQ** to make that “final” connection.

To summarize a long section, **anyone** making a final 9 (more about this later) connection to a DOT jurisdictional gas system must be **OQ'd** and a participant in an approved D/A monitoring program.

### **3. I now understand the requirement for why I need to be OQ'd to work on DOT jurisdictional gas piping systems, but why do I need to be qualified to do inspections?**

The training and qualification program required to be undertaken to obtain Operator Quailed status was created as one program that will solve two purposes. The ability to conduct required periodic inspections and the ability to make final connections to **US DOT jurisdictional gas piping**. Persons obtaining **OQ** status have the ability to do either covered task, but candidates must qualify for both. The path to how we got here is explained in detail in the section below.

When [Case 14-G-0357](#) was resolved on April 02, 2015, the primary focus was to develop a task and operator qualification requirements for an interior gas service pipe periodic inspection program to satisfy the new **US DOT** requirements. At that point there would have been no need for any additional **OQ** certification for **LMPs** or their employees. However, several things occurred that soon set other forces into motion.

On March 12, 2014, the East Harlem explosion occurred in New York City. The explosion leveled two apartment buildings, located at 1644 and 1646 Park Avenue, killing eight people, injuring at least 70 others and displacing 100 families. Because the explosion was presumed to be caused by a leak on a gas service, the Federal Government investigated through The National Transportation Safety Board (**NTSB**).

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The **NTSB** determined that the explosion was a combination of a failure by the utility and the city. In November 2015, an investigation by the **PSC** accused Con Edison of 11 violations of gas-safety regulations. The PSC found that the utility did not correctly install a gas pipe, and failed to notify the Fire Department after two reports of gas odors. The report said that undermining of a gas line by a neglected city sewer line was a contributing factor.<sup>[30]</sup> In February 2017, Con Edison agreed to pay \$153 million to settle the PSC charges. It was described by New York Governor, [Andrew Cuomo](#), as the largest payment for a gas safety incident in the state's history. The settlement will largely go to gas safety education, repairs of pipes prone to gas leaks, and costs incurred by residents and businesses as a result of the explosion. The utility did not admit to any wrongdoing.

While the investigation was undergoing another incident took place that changed the way we will do gas work in NYC. Another [gas explosion](#) occurred in the afternoon of March 26, 2015 in a building located at 121 [Second Avenue](#), in the [East Village](#) neighborhood of [New York City](#). The explosion was caused by an illegal tap into a gas meter. The explosion caused two deaths, injured at least nineteen people, four critically, and the resulting fire completely destroyed three adjacent buildings at 119, 121, and 123 Second Avenue.

On August 21, 2015, another incident took place at a John F. Kennedy High School, in the Marble Hill section of the Bronx, that seriously injured three workers and caused heavy damage to several floors of the NYC high school. Nearly 140 firefighters responded to the scene. One worker went to the hospital in critical condition; the other two suffered serious, but non-life-threatening injuries. All three were taken to the burn unit at Jacobi Medical Center. Authorities said construction crews were working on a sixth floor gas line when the explosion occurred, seriously burning the workers.

In retrospect, all of these incidents were preventable and they created an outcry for a change that could prevent future incidents such as this.

In early 2016, the NYC City Council introduced a package of new legislation that would attempt to address the causes of these incidents and create solutions that would prevent them from happening again. One piece of legislation was Intro 1088 that was introduced on February 24, 2016. This proposed legislation would require the periodic inspection of all gas piping located within a building. It encompassed both the US DOT jurisdictional pipe and the gas pipe covered under the NYC FGC. This legislation was signed into law, on December 06, 2016, as [Local Law 152](#).

As [Case 15-G-0244](#) was being resolved, the utilities and the industry thought it would benefit everyone if **LMPs** and their employees could perform the periodic inspection for both the utility and the DOB. In order for this to happen, **LMPs** and their employees would have to comply with the **US DOT** standards for conducting these inspections, since gas service piping is **US DOT jurisdictional**. The final resolution of this case permitted Operator Qualified **LMPs** and their employees, who are enrolled in an approved **D/A** maintenance program, to conduct these inspections.

The enhanced training program was originally conceived to provide LMPs and their employees with the ability to obtain **OQ** and conduct these inspections. Early in the process the industry asked if they could receive the same training and qualifications as utility OQ personnel who are permitted to open and close a

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gas meter. While that received an immediate negative response, we were able to negotiate the ability to have specific training included that would enable us to make the “final” connection to **US DOT jurisdictional** gas service piping. As the program creation progressed, other training, such as purging, was added to address other important gas safety concerns.

#### **4. What exactly does a periodic inspection consist of?**

The process of conducting a periodic inspection is included in [Covered Task 86](#). Covered tasks are activities that define the work that is to be performed, the frequency of that work and the qualifications required to perform that work.

An overview of the process is that an **OQ'd** operator will perform three separate functions. The first inspection is a leak survey, utilizing a Gas Measurement Indicator (**GMI**) to check a system for gas leaks. The second inspection is to visually inspect the gas piping for corrosion. The last inspection is to look for abnormal operating conditions (**AOC**). The person doing the inspection will complete a report of the inspection and follow a procedure if any leaks, excessive corrosion or **AOCs** are encountered. Covered Task 86 also includes important gas safety training regarding purging gas systems in and out of service. This training in of itself is invaluable for anyone receiving it.

#### **5. NYC enacted LL 152/2016. What is the difference between this and US DOT periodic inspections? Will I have to retrain to conduct these inspections when they start?**

The industry has been meeting with the DOB to determine what qualifications inspectors will need, the final inspection process and, finally, the reporting process. The DOB has stated verbally that they would accept the training program. At this time, the final qualifications, inspection and reporting requirements have not been finalized. The law provides that the Commissioner shall determine these by rule. As of July 01, 2018 a rule has not been promulgated. When it is, the public will have the opportunity to make comments.

#### **6. What exactly does maintenance of a gas pipeline involve?**

The process of performing maintenance tasks on US DOT jurisdictional gas piping is included in [Covered Task 87](#). Covered tasks are activities that define the work that is to be performed, the frequency of that work and the qualifications required to perform that work.

An overview of the process is that an **OQ'd** operator will make the final connection to a **US DOT jurisdictional** gas pipe.

#### **7. NYC enacted LL 150/2016. What is the difference between this and US DOT requirements for maintenance of gas pipelines? Will I have to retrain to meet the DOB requirements?**

The DOB is in the process of formulating a rule to determine what requirements will need to be met to obtain a **gas work qualification** under [LL150 of 2016](#). The law already establishes that anyone seeking a **limited gas work qualification**, after January 01, 2019, must attend a 16 hour course provided by an

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approved training agency. It also sets forth the experience requirements for obtaining a **gas work qualification**, but not what the actual process required to obtain the qualification will be. It is most likely that the DOB will require a candidate for a **gas work qualification** to pass a written exam that will test the candidate's knowledge of the NYC FGC.

8. Every industry has their own special vocabulary. As the training and testing for USDOT GAS OQ was being developed all parties were exposed to new terminology. Most of these terms are defined in both the Federal and State Codes. Some were coined in the development of the training program. **For a detailed explanation and links to some of the most important terms please [click here](#).**

9. What is the process to obtain Operator Qualification?

**Note:** Operator Qualification is available to Utility personnel, NYC Licensed Master Plumber and their employees only.

**There are five simple steps to obtaining Operator Qualification:**

**Step 1:** Licensee (employer firm) applies for membership in the Plumbing Foundation Gas Operator Qualification program. The licensee sponsors qualified employees seeking to achieve Operator Qualification (OQ).

**Step 2:** Candidates seeking OQ must pass a pre-employment drug test which will be coordinated by Clarity Testing through the Plumbing Foundation.

**Step 3:** Candidates must obtain required training.

**Step 4:** Candidates must pass the written examinations and the practical examination.

**Step 5:** Candidates successfully completing steps 1-4 will be issued an OQ card. Providing the OQ'd person maintains employment with a NYC Licensed Master Plumber firm and follows all other requirements of the program, they will be permitted to undertake Task 86 and Task 87 covered work.

It's that simple. Five easy steps. Since the MPC's role in this process is limited to only **TRAINING** of plumbers who are not Local One members, we recommend that you visit the Plumbing Foundation's website and FAQ section to answer any question **not related** to training.

[Click Here for FAQs on Operator Qualification](#) to review the Plumbing Foundation's FAQ list regarding all aspects of the program **not related** to training.

[Click here for our FAQ section for training information only.](#)

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