

**ALCOHOL TESTING
PLAN**



DAKOTA GASIFICATION COMPANY PROCEDURE

Origination Date: 2/90	Procedure No.: 032	Revision No.: 1	Date Revised: 6/04	Page: 1 of 35
Affected Area(s): Plantwide		Originating Department: Human Resources/Technical Services		
		Final Approval: /S/ Fred Stern		Date: 11/10/04
Subject: D.O.T. Pipeline/Federal Motor Carriers Alcohol Testing Plan				

I. PURPOSE

Provide guidelines and instructions on the implementation of the alcohol testing regulation per 49 CFR Part 40, 199, and 382 as established by Research and Special Program Administration and the Federal Motor Carrier Safety Administration of the Department of Transportation.

II. RESPONSIBILITY

Responsibility for the implementation of this procedure is the Plant Manager of Dakota Gasification Company or his designee.

III. GENERAL

Implementation shall be in accordance with this procedure.

NOTE: This procedure is not all-inclusive of the requirements of Part 40, 199, and 382. All requirements of Part 40, 199, and 382 that are applicable will be adopted by DGC.

IV. REFERENCE

- 49 CFR Part 40
- 49 CFR Part 191
- 49 CFR Part 192
- 49 CFR Part 195
- 49 CFR Part 199
- 49 CFR Part 382

V. TABLE OF CONTENTS

Section I	Introduction	<u>Page</u> 3
Section II	Employee/Supervisor Alcohol Testing Provisions	7
Section III	Alcohol Tests Required	9
Section IV	Alcohol Prohibited Conduct	14
Section V	Use of Employee Who Refuses Alcohol Test	14
Section VI	Disciplinary Actions	15
Section VII	Alcohol Testing Requirements	16
Section VIII	Alcohol Testing Equipment	17



DAKOTA GASIFICATION COMPANY PROCEDURE

Title: D.O.T. Pipeline/Federal Motor Carriers Alcohol Testing Plan	Procedure No. 032	Revision No. 1	Page 2 of 35
---	-----------------------------	--------------------------	------------------------


Section IX	Alcohol Testing Personnel	<u>Page</u> 18
Section X	Disclosure of Alcohol Information/Records	19
Section XI	Employee Assistance Program (EAP)	20
Section XII	Record Keeping Procedures	21
Section XIII	Contractor Monitoring	23
Appendix A	Alcohol Personnel and Services Contacts	24
Appendix B	Job Classifications Included in Alcohol Testing Program	25
Appendix C	Evidential Breath Testing (EBT) Procedures	26
Appendix D	Contractor Alcohol Monitoring Procedures	32
Appendix E	Alcohol Collection Site	33
Appendix F	Trained Supervisors	34
Appendix G	Federal Motor Carrier Post-Accident Testing	35

I. INTRODUCTION


A. Alcohol Misuse Prevention Plan (AMPP)

1. DGC has a long-standing commitment to maintain the highest standards for employee safety and health and to help prevent accidents/injuries resulting from the misuse of alcohol by employees who perform covered functions.
2. In addition, DGC must comply with all DOT regulations and other regulations, which require affirmative actions to eliminate the impact of the misuse of alcohol in the workplace. The purpose of the alcohol misuse prevention plan is to reduce accidents that result from the misuse of alcohol, thereby reducing fatalities, injuries, and property damage.
3. The Alcohol Misuse Prevention Plan contained herein sets forth the requirements of 49 CFR Part 199, 382, and 40. Certain areas of the plan reflect DGC's policies with regard to the alcohol testing procedures and disciplinary actions resulting from positive tests.

B. Implementation of Alcohol Misuse Prevention Plan (AMPP)

1. DGC has implemented the Research and Special Programs Administration, Alcohol Regulations as set forth in 49 CFR Part 199, Subpart C, the Federal Highway Administration, Alcohol Regulations as set forth in 49 CFR Part 382, and the Department of Transportation, Procedures for Transportation Workplace alcohol Testing Programs as set forth in 49 CFR Part 40, Subpart J thru N. 
2. The privacy/confidentiality of any covered employee subject to this plan must be maintained at all times.

C. Background

1. The catalyst for the alcohol misuse prevention plan is title 49 Code of Federal Regulations (CFR) Part 199 Subpart C which requires pipeline operators subject to 49 CFR Part 192, Part 195, Part 382 and their contractors to test their employees for misuse of alcohol under the following work-related conditions: 
 - a. Post-Accident – see Section III A
 - b. Reasonable Suspicion – see Section III B
 - c. Return-to-duty – see Section III C
 - d. Follow-up – see Section III D
2. Title 49 CFR Part 382 requires the following additional types of tests for certain employees:
 - a. Random
3. Title 49 CFR Part 40 specifies procedures which must be followed by DGC when conducting alcohol misuse testing pursuant to regulations issued by agencies of the Department of Transportation.

D. Preemption Provisions

1. Except as provided in paragraph 2 of this section, Part 199 Subpart C and Part 382 preempt any state or local law, rule, regulation, or order to the extent that:
 - a. Compliance with both the state or local requirement and this regulation is not possible;
 - b. Compliance with the state or local requirement is an obstacle to the accomplishment and execution of any requirement as set forth in 49 CFR Part 199, Subpart C or Part 382; or
 - c. The state or local requirement is a pipeline safety standard applicable to interstate pipeline facilities.
2. This provision shall not be construed to preempt provisions of state criminal law that impose sanctions for reckless conduct leading to actual loss of life, injury, or damage to property, whether the provisions apply specifically to transportation employees or employers or to the general public.



E. Definitions

For purposes of this Alcohol Misuse Prevention Plan the following definitions apply:

1. Incident (pipeline) – an incident reportable under Part 191 or Part 195 involving release of gas from pipeline facilities and which results in:
 - a. A death or personal injury necessitating inpatient hospitalization; or
 - b. Estimated property damage, including cost of gas lost, to the operator or others, or both, of \$50,000 or more.
 - c. An event that is significant, in the judgment of the operator, even though it did not meet the criteria of paragraph “a” or “b”.
2. Accident (pipeline-CO2) – failure of a pipeline system that resulted in a release of hazardous liquid or carbon dioxide transported resulting in any of the following:
 - a. Explosion or fire not intentionally set by the operator.
 - b. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - (1) Not otherwise reportable under this section;
 - (2) Not one described in Sec. 195.52(a)(4);
 - (3) Confined to company property or pipeline right-of-way; and
 - (4) Cleaned up promptly.
 - c. Death of any person.





- d. Personal injury necessitating hospitalization.
 - e. Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding \$50,000.
 - f. One or more motor vehicles incurring disabling damage, requiring the vehicle(s) to be towed from the scene.
3. Air Blank – in evidential breath testing devices (EBTs) using gas chromatography technology, a reading of the device’s internal standard. In all other EBTs, a reading of ambient air containing no alcohol.
 4. Alcohol – means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.
 5. Alcohol Concentration – means the alcohol in volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an EBT conducted under the federal regulations.
 6. Alcohol Use – means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
 7. Breath Alcohol Technician (BAT) – means an individual who instructs and assists individuals in the alcohol testing process and operates an EBT.
 8. Cancelled or Invalid Test – means a test that is deemed to be invalid as listed in Appendix C of the AMPP.
 9. Commercial Motor Vehicle – a motor vehicle or combination of vehicles used in commerce to transport passengers or property if:
 - a. Gross vehicle weight rating is 26,001 or more pounds;
 - b. Gross combination weight rating is 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
 - c. The vehicle is designed to transport 16 or more passengers including the driver; or
 - d. The vehicle is used to transport materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172F).
 10. DGC – a facility that operates a synthetic natural gas and CO2 pipeline transmission system.
 11. Confirmation Test – means a second test, using an EBT, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration.
 12. Covered Employee/Covered Function (pipeline) – any person who performs on a pipeline an operating, maintenance, or emergency response function regulated by Part 192. Such person may be employed directly by the operator

or by a contractor engaged by the operator. As applied in the regulations, “employee” and “applicant for employment” have the same meaning for the purpose of these requirements. Clerical, truck driving, accounting, or other job functions not covered by Part 192 are not subject to the regulations.

13. Covered Employee (truck) – a driver or operator of a commercial motor vehicle. For pre-employment testing this includes an applicant.
14. Covered Function (safety-sensitive function) – means an operation, maintenance, or emergency-response function that is performed on a pipeline and the function is regulated by Part 192/195 or when a commercial motor vehicle driver is performing a safety-sensitive function as defined in 395.2 On Duty, paragraphs 1-7.
15. EBT (or Evidential Breath Testing device) – means an EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the .02 and .04 alcohol concentration and placed on NHTSA’s “Conforming Products List” (CPL) of evidential breath measurement devices.
16. Missed Tests – means any test that is not administered within eight (8) hours time period. These tests must be reported to the Research and Special Programs Administration (RSPA) annually and must be submitted with the annual Management Information System (MIS) Data Collection forms.
17. Operator – is defined as an owner or operator of pipeline facilities.
18. Performing (a covered function) – means an employee is considered to be performing a covered function (safety-sensitive function) during any period in which he/she is actually performing, ready to perform, or immediately available to perform such covered functions.
19. Pipeline – means all parts of the physical facilities through which product moves in transportation. This includes pipes, valves, and other appurtenances attached to pipe, compressor units, metering stations, delivery stations, holders, and fabricated assemblies.
20. Pipeline Facilities – pipeline, rights-of-way, and any equipment, facility, or building used in the transportation of product.
21. Refusal to Submit (to an alcohol test) – means that a covered employee fails to provide an adequate breath for testing without a valid medical explanation after receiving notice of the requirement to be tested in accordance with the provisions of 49 CFR Part 199 and DGC’s alcohol misuse prevention plan or engages in conduct that clearly obstructs the testing process.
22. Alcohol Screening Test (or initial test) – means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.
23. State Agency – means an agency of any of the several states, the District of Columbia, or Puerto Rico that participates under section 5 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1674) or section 205 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2009).

24. Substance Abuse Professional (SAP) – means a licensed physician (Medical Doctor or Doctor of Osteopathy); or licensed or certified psychologist, social worker, or employee assistance professional; or an addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse). All must have a knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.


F. DGC Responsibilities

1. Alcohol Program Manager (APM): Appendix A contains the name, address, and phone number of the responsible individual(s) or entities. The APM or other company designated individual shall be responsible for the preparation of an alcohol misuse prevention plan which complies with requirements of the Department of Transportation regulations as set forth in 49 CFR Parts 199 Subpart C, Part 382, and 49 CFR Part 40 Subpart J-N. The APM shall be responsible for providing oversight and evaluation of the plan; providing guidance and counseling; reviewing of all discipline applied under this plan for consistency and conformance to human resources policies and procedures; scheduling for types of testing (post-accident, reasonable suspicion, etc.); maintaining a locked file system on all alcohol test results; and overseeing the referral of employees for evaluation and treatment. DGC shall ensure that all covered employees are aware of the provisions and coverage of the AMPP. 
2. Supervisor(s): Company individuals responsible for observing the performance and behavior of employees; observation/documentation of events suggestive of reasonable suspicion; and post-accident testing if determined that it is applicable.
3. Employees: DGC shall ensure that each employee associated with its synthetic natural gas or CO2 transmission system and those employees covered by the Federal Motor Carrier Regulation are notified and aware of the provisions of the DGC AMPP and have knowledge of the requirements of the AMPP and to fully comply with the provisions of the plan. 

II. EMPLOYEE/SUPERVISOR ALCOHOL TESTING PROVISIONS

Applicability

A. Individuals Subject to Alcohol Testing

Any applicant/employee who performs on a pipeline an operating, maintenance, or emergency response function regulated by Part 192 or 195 is subject to alcohol testing under this program. This does not include clerical, truck driving, accounting, or other functions not subject to Part 192/195. The person may be employed by the operator, be a contractor engaged by the operator, or be employed by such a contractor. Also included are drivers of commercial motor vehicles covered by 49 CFR Part 382. Refer to Appendix B for specific employee titles/job classifications subject to testing under this program. 

B. Procedure for Notifying Employees

This AMPP shall be included in the DGC general procedures manual.

C. Employee Notification Criteria

- 1. General Criteria.** DGC shall provide written educational materials explaining the alcohol misuse requirements and the company's plan on how they will comply with those requirements.
- 2. Required Information.** DGC shall provide written materials to all covered employees that shall include detailed information and discussion of the following elements:
 - a.** Name of the company representative designated to answer questions for covered employees about the alcohol regulations. See Appendix A.
 - b.** List of categories of covered employees who are subject to the alcohol regulations. See Appendix B for list of employee/supervisor job classification/titles.
 - c.** Information about covered functions which provides sufficient guidance on which portions of the work day the covered employee is required to be in compliance with the AMPP.
 - d.** Information concerning covered employee conduct which specifies what is prohibited by the AMPP.
 - e.** Circumstances under which a covered employee will be tested for alcohol under the AMPP.
 - f.** Procedures that cover:
 - (1)** Testing for presence of alcohol.
 - (2)** Protection of employee rights.
 - (3)** Integrity of breath testing process.
 - (4)** Safeguarding validity of test results.
 - (5)** Assignment of test results to proper employee.
 - g.** Information concerning requirement for covered employee to submit to various types of alcohol tests.
 - h.** Information detailing what constitutes a refusal and consequences of such refusal.
 - i.** Information detailing consequences of covered employees who violate the prohibitions as set forth in the AMPP. It must address removal from performing covered functions and guidance on referral for evaluation and/or treatment.
 - j.** Information detailing consequences of covered employees who test at an alcohol concentration of 0.02 or greater but less than 0.04.
 - k.** Information detailing alcohol misuse and:
 - (1)** How it impacts on an individual's health, work and personal life.

- (2) Detecting signs and symptoms of an alcohol problem.
- (3) Intervening, evaluating, and resolving problems associated with alcohol misuse (suspicions, confrontation, referral to Employee Assistance Program – EAP).

III. ALCOHOL TESTS REQUIRED

A. Post-Accident Testing

1. For natural gas or CO2 transmission systems personnel, DGC shall promptly determine and test each covered employee for alcohol if that employee's performance contributed to the accident or cannot be completely discounted as a contributing factor to the accident. The decision not to administer an alcohol test under this section shall be based on the company's determination, using the best available information at the time of the determination, that the employee's performance could not have contributed to the accident. For truck drivers, post-accident testing will occur if there is a fatality or the driver is cited for a moving violation related to the accident (see Appendix G).
2. Each employee shall be required to submit to an alcohol test within two hours of the accident. If a test is not administered within two hours following the accident, the operator shall prepare and maintain on file a record stating the reason the test was not promptly administered. If a test is not administered within eight hours following the accident, the company shall cease all attempts to conduct an alcohol test and shall prepare and maintain on file written documentation indicating why the alcohol test was not conducted.
3. An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the company or company representative of his/her location if he/she leaves the scene of the accident prior to submission to such test, may be deemed by the company to have refused to submit to testing.
4. The employee must remain available for alcohol testing and may not consume any alcohol for eight hours following the accident or until the alcohol test has been conducted. Notwithstanding the previous statement, employees should seek and obtain emergency medical care whenever necessary. A covered employee should not be prohibited from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident.
5. The following steps will be used to guide a supervisor to a satisfactory outcome in a post-accident situation.
 - a. Verify the post-accident decision. Does the definition of accident in Section I apply to the current situation? Is it possible that the employee's actions contributed to the natural gas or CO2 accident? Was there a fatality or citation for a moving violation in conjunction with a motor vehicle accident? Document the circumstances and get statements from witnesses. Consult with the alcohol program manager (when possible) before proceeding.
 - b. Isolate and inform the employee. Remove the employee from the work place. Explain that you have reason to believe his/her performance contributed to the accident or cannot be completely discounted as a

contributing factor to the accident and therefore, they will be required to submit to an alcohol test.

- c. Transport the employee. The potentially affected employee should not be allowed to proceed alone to (the collection site may be at the accident scene) or from the collection site. In addition to the safety concerns for the employee, accompanying the employee also assures that there is no opportunity en route to the collection site for the employee to ingest anything that could affect the outcome of the alcohol test.
- d. Document the events. Record the activity performed that supports the determination to conduct a post-accident alcohol test. This documentation of the employee's activity should be prepared and signed by the supervisor and remain on file.
- e. Denial should be an expected reaction. If a person knows he/she will test positive, he/she may give many explanations and protestations, wanting to avoid submission to an alcohol test. If he/she is not under the influence of alcohol, vehement denial also would be expected. Listen to the employee and carefully evaluate the employee's explanation. Remember, a request for an alcohol test is not an accusation; it is merely a request for additional objective data.
- f. Following administration of alcohol test. After returning from the collection site, the employee should not be allowed to return to performing any covered functions if their alcohol test result is positive and if any disciplinary action is pending.

B. Reasonable Suspicion Testing

Reasonable suspicion testing is designed to provide the company with a tool (in conjunction with supervisor training on the signs and symptoms of alcohol misuse) to identify alcohol-affected employees who may pose a danger to themselves and others in their job performance. Employees may be at work in a condition that raises concern regarding their safety or productivity. Supervisors must then make a decision as to whether there is reasonable suspicion to believe an employee is using or has used alcohol.

1. Supervisor Reasonable Suspicion Determinations

- a. The company's determination that reasonable suspicion exists to require a covered employee to undergo an alcohol test shall be based on specific articulated observations concerning the appearance, behavior, speech, or body odors of the employee. The required observations shall be made by a supervisor who has received at least 60 minutes of training in detecting the symptoms of alcohol misuse.
- b. The supervisor's observation must be made just before, during, or just after the employee has ceased performing a covered function.
- c. The supervisor who makes such a determination that reasonable suspicion exists shall not be authorized to conduct the breath alcohol test on that employee.

2. In making a determination of reasonable suspicion, the factors to be considered include, but are not limited to the following:
 - a. Adequately documented pattern of unsatisfactory work performance, for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance, especially when there is some evidence of alcohol related behavior on or off the work site.
 - b. Physical signs and symptoms consistent with alcohol abuse.
 - c. Evidence of prohibited alcohol use, possession, sale, or delivery while on duty.
 - d. Occurrence of a serious or potentially serious accident that may have been caused by human error, or flagrant violations of established safety, security, or other operational procedures.
3. The following steps will be used to guide the supervisor to a satisfactory outcome in a reasonable suspicion situation.
 - a. Verify the reasonable suspicion decision. Anonymous tips must be taken seriously, but should not be the sole reason to initiate a request for a specimen. Hearsay is not an acceptable basis for reasonable suspicion referral. If witnesses saw a specific event or behavior, ask them to describe what they saw. How far away were they? How long did they observe the person? What, if anything, caused them to believe it was alcohol related? On what basis did they reach their conclusion? Before proceeding further, obtain concurrence or approval from another supervisor to proceed with reasonable suspicion alcohol testing.
 - b. Isolate and inform the employee. Remove the employee from the work location. Explain that there is reasonable suspicion to believe the employee's performance is being affected by alcohol. Ask the employee to explain the suspected behavior and to describe the events that took place from his/her perspective. Ask if there is any medication or physical condition that would explain the behavior. A persuasive explanation may or may not deter you from asking for the employee to submit to an alcohol test. If there is still a reasonable belief that alcohol is a factor in the situation/incident, a request for testing should be made; if no reasonable belief is determined then a request for testing should not be made. If the decision to test is made, inform the employee that they are being requested to accompany the supervisor to the specimen collection site to conduct an alcohol test. Inform the employee of the consequences of refusal to submit to alcohol testing.
 - c. Review your findings. During the conversation, observe physical and mental symptoms. Be sure to document any characteristics that either support or contradict initial information. In all cases, a reasonable suspicion decision must be made by a supervisor who has received the required training. This creates greater objectivity, provides additional observation, and generally strengthens and defends the reasonable cause determination.
 - d. Transport the employee. The potentially affected employee should not be allowed to proceed alone to or from the collection site. In addition to

the safety concerns for the employee, accompanying the employee also assures that there is no opportunity en route to the collection site for the employee to ingest anything that could affect the alcohol test result.

- e. Document the events. Record the behavior signs and symptoms that support the determination to conduct a reasonable suspicion alcohol test. This documentation of the employee's conduct should be prepared and maintained on file to document the request for reasonable suspicion alcohol testing.
 - f. Denial should be an expected reaction. If a person knows he/she will test positive, he/she may give many explanations and protestations, wanting to avoid alcohol testing. If he/she is not under the influence or affected by alcohol, vehement denial also would be expected. Listen to the employee and carefully evaluate the employee's explanation. Remember, a request to submit to an alcohol test is not an accusation; it is merely a request for additional objective data.
 - g. Following administration of an alcohol test. After returning from the collection site, the employee should not be allowed to return to performing any covered functions if their alcohol test is positive and if any disciplinary action is pending. The employee should make arrangements to be transported home. The employee should be instructed not to drive any motor vehicle due to the reasonable suspicion belief that he/she may be under the influence of alcohol. **If the employee insists on driving, the proper local enforcement authority may be notified that an employee who the company believes may be under the influence of alcohol is leaving the premises driving a motor vehicle.**
4. If a reasonable suspicion test is not administered within two hours following the determination, the company shall prepare and maintain on file a record stating the reasons why the test was not promptly administered. If the required test is not administered within eight hours of the determination, the company shall cease all attempts to administer an alcohol test and shall state in the record the reasons for not administering the test. Upon request such records shall be made available to RSPA or its designee.
5. The company shall not permit a covered employee to report for duty or remain on duty requiring the performance of covered functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech, or performance indicators of alcohol misuse, nor shall the employee be permitted to perform or continue to perform covered functions until:
- a. An alcohol test is administered and the employee's alcohol concentration measures less than 0.02; or
 - b. The start of the employee's next regularly scheduled duty period, but not less than eight hours following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions as contained in the AMPP.
6. Except as provided above, DGC shall not take any action under 49 CFR Part 199 or Part 382 against a covered employee based solely on the employee's behavior and appearance in the absence of an alcohol test.

C. Random Testing

1. Not required for pipeline employees.
2. Random testing is required for motor carrier operators and shall follow the annual guidelines established by the Federal Motor Carrier Safety Administration Administrator.

D. Return-to-Duty Testing

1. The company shall ensure that before an employee may return-to-duty to perform covered functions after engaging in conduct prohibited by Sec. 199.215 through 199.233 that the employee shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. The company shall not permit an employee who refuses to submit to an alcohol test to perform or continue to perform covered functions.
2. If the substance abuse professional makes a determination that some form of evaluation and/or treatment is required, then the employee must comply with the recommended provisions in order to be considered eligible to return-to-duty.

E. Follow-up Testing

1. Following the determination that a covered employee is in need of assistance in resolving problems associated with alcohol misuse, the employee will be subject to unannounced follow-up alcohol testing as directed by a substance abuse professional. An employee who returns to duty shall be subject to a reasonable program of follow-up alcohol testing, without prior notice, for up to 60 months after his or her return-to-duty.
2. The employee shall be subject to at least six, unannounced alcohol follow-up tests during the first 12 months following his/her return-to-duty. The substance abuse professional may terminate the requirement for follow-up testing at any time after the initial six tests have been completed, if the substance abuse professional makes the determination that such testing is no longer warranted.
3. Follow-up testing shall be conducted just before the employee is to perform, while an employee is performing, or just after the employee has ceased performing a covered function.

F. Provisions Governing Retesting of Covered Employee

1. A covered employee, tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04, shall not be permitted to perform or continue to perform covered functions until:
 - a. The employee's alcohol concentration measures less than 0.02 in another alcohol test administered in compliance with this plan; or
 - b. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the alcohol test.

2. A covered employee (for driving purposes) tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not be permitted to perform or continue to perform covered functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.
3. Except as provided above, the company shall not take any action under 49 CFR Part 199 or Part 382 against a covered employee based solely on test results showing an alcohol concentration less than 0.04. However, this does not prohibit the company from taking any disciplinary action.

IV. ALCOHOL PROHIBITED CONDUCT

A. General

The company shall provide guidance to all covered employees regarding the various types of alcohol-prohibited conducts.

B. Alcohol Concentration

A covered employee shall be prohibited from reporting for duty or remaining on duty requiring the performance of covered functions while having an alcohol concentration of 0.04 or greater. If a company representative has actual knowledge that a covered employee has an alcohol concentration of 0.04 or greater, the employee shall not be permitted to perform or continue to perform covered functions.

C. Pre-Duty Use

DGC shall prohibit a covered employee from using alcohol within four hours prior to performing covered functions, or, if an employee is called to duty to respond to an emergency, within the time period after the employee has been notified to report for duty. If the company has actual knowledge that a covered employee has used alcohol within four hours prior to performing covered functions or within the time period after the employee has been notified to report for duty, the employee shall not be permitted to perform or continue to perform covered functions. The call-out exception does not pertain to truck drivers – four-hour rule always holds.

D. On-Duty Use

The company shall prohibit a covered employee from using alcohol while performing covered functions. If a company representative has actual knowledge that a covered employee is using alcohol while performing covered functions, the employee shall not be permitted to perform or continue to perform covered functions.

V. USE OF EMPLOYEE WHO REFUSES ALCOHOL TEST

A. General

Refusal to submit to a post-accident, reasonable suspicion, or follow-up alcohol test shall result in the covered employee not being allowed to perform or to continue to perform any covered functions.

B. Refusal to Test

Refusal to test will be treated as a positive test (0.04 or greater).

VI. DISCIPLINARY ACTIONS

A. General

A covered employee who has an alcohol test administered and the alcohol concentration is greater than 0.02 shall not be permitted to perform covered functions or continue to perform covered functions.

B. Required Referrals and Evaluations

1. No covered employee who has violated the rules on alcohol misuse or refuses to submit to testing can perform any covered function unless and until that employee has:
 - a. Been evaluated by a SAP to determine whether the employee is in need of assistance in resolving problems related to alcohol use.
 - b. Completed any treatment recommended by the SAP.
 - c. Been evaluated by a SAP to ensure that the employee has properly followed the treatment program.
 - d. The employee has undergone a return-to-duty alcohol test with resulting alcohol concentration of less than 0.02.

C. SAP Evaluations

Treatment and rehabilitation will not be provided by the company, SAP under contract, or SAP not affiliated with the operator.

D. Disciplinary Actions

Employees who test positive for alcohol at a level of 0.04 or greater will be promptly released from duty and suspended with pay. They must report to a SAP, designated by the EAP, who will evaluate the need for rehabilitation. Once rehabilitation begins they will be on sick pay. Rehabilitation program costs will be the responsibility of the employee. Once rehabilitation ends, the SAP must authorize a return-to-duty, and the required return-to-duty test must be passed with a reading of less than 0.02 before resuming safety-sensitive duties. If, in the future, an employee who has received the test results and treatment outlined in this paragraph should ever test positive (0.04 or above) again, that employee will be terminated immediately.

Under DGC's policy, employment is also terminated in accordance with the following:

1. An employee who tested positive but declines evaluation or fails to report for evaluation by the SAP within 3 calendar days of notification of suspension and who has not been authorized to return to work will be considered to have voluntarily terminated employment effective 8 a.m. on the first business day occurring following the third day.

2. An employee who tested positive and, at their own expense, refuses to enter a recommended rehabilitation program or fails to report to the program for 3 calendar days will be considered to have voluntarily terminated employment effective 8 a.m. on the first business day occurring following the third day.
3. An employee who has entered and completed, or entered and withdrawn from, a rehabilitation program and who has not been authorized to return to work by the SAP within 5 calendar days of completion of withdrawal, will be considered to have voluntarily terminated employment effective 8 a.m. on the first business day following the fifth day.
4. An employee who has been authorized to return to work by the SAP following an alcohol-related suspension (0.04 or greater) will be terminated from employment upon any subsequent confirmed positive alcohol test (0.04 or greater), or refusal to submit to alcohol testing or failure to report for testing.
5. On-duty use or possession of alcohol will result in disciplinary action, which may include termination of employment.
6. When an employee tests 0.02 or greater, but less than 0.04, two times within a six-month period, the employee will be relieved from duty with pay and referred to a SAP. The employee will be treated just as if the reading had been 0.04 or greater. See C.1 above. Any subsequent positive test above 0.02 in the next six months will result in termination of employment.

VII. ALCOHOL TESTING REQUIREMENTS

A. Scope

1. The alcohol testing procedures contained herein and in Appendix C shall be complied with by the designated alcohol testing sites.
2. These procedures address the requirements contained in 49 CFR Part 40 Subpart C.

B. General

1. The alcohol testing site shall have all necessary personnel, materials, equipment facilities, and supervision to provide for the testing and processing of alcohol test results. An independent medical facility may also be utilized as an alcohol testing site provided the other applicable requirements of Appendix C are met.
2. An alcohol testing site shall be any suitable location where a breath alcohol test can be collected under conditions set forth in Appendix C, including a properly equipped mobile facility. A designed alcohol testing site shall provide for privacy during the testing period and completion of all necessary record procedures.
3. Detailed alcohol testing procedures are outlined in Appendix C.
4. Random Testing

Every driver shall submit to random alcohol testing. The minimum annual rate shall be 10 percent of the average number of drivers or the annual percentage rate established by the Federal Motor Carrier Safety Administration

Administrator. The minimum annual percentage rate is located in the Federal Register.

C. Federal Motor Carriers 49 CFR Part 382

1. 382.201 – Alcohol Concentration

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having actual knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.

2. 382.205 – On-duty Use

No driver shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.

3. 382.207 – Pre-duty Use

No driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions

4. 382.211 – Refusal to Submit to a Required Alcohol or Controlled Substances Test

No driver shall refuse to submit to a post-accident alcohol or controlled substances test required under 382.303, a random alcohol or controlled substances test required under 283.305, a reasonable suspicion alcohol or controlled substances test required under 382.307, or a follow-up alcohol or controlled substances test required under 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

VIII. ALCOHOL TESTING EQUIPMENT

A. General

The company shall use only approved Evidential Breath Testing (EBT) devices for conducting the alcohol testing provisions required in the AMPP.

B. Screening Devices

1. The company shall require its testing contractor to utilize a log book to record information relative to screening alcohol tests, if the EBT being utilized does not have:

a. Capabilities to be attached independently or by direct link to a separate printer, print a result in triplicate (or three consecutive identical copies) of each breath test;

- b. Capabilities to assign a unique and sequential number to each completed test so that the number can be read by the Breath Alcohol Technician (BAT) and the employee before each test and be printed out on each copy of the result;
 - c. Capabilities of printing out the manufacturer's name of the device, serial number and time of the test.
2. A log book shall be used for each device that does not meet the above criteria and the log book shall include the following information: test number, date of test, name of BAT, location of test, test result and initials of the employee taking each test.

C. Confirmation Devices

The company shall utilize an EBT for confirmation testing that has the capabilities listed above in paragraph 1. The EBT shall also be able to distinguish alcohol from acetone at the 0.02 alcohol concentration level, be capable of testing an air blank prior to each collection of breath, and performing an external calibration check.

D. NHTSA Conforming Products List

All devices that will be used by the company's contractor for alcohol testing are NHTSA approved BAT devices. NHTSA has model specifications for EBT devices. NHTSA periodically publishes an updated Conforming Products List, which states which devices have met NHTSA standards.

IX. ALCOHOL TESTING PERSONNEL

BAT Training Requirements

A. General

BAT must meet each of the requirements of this section and Subpart J of 49 CFR Part 40.

- 1. **Basic Information** – You must be knowledgeable about the alcohol testing procedures in this part and the current DOT guidance.
- 2. **Qualification Training** – Must receive qualification training meeting the following requirements.
 - a. Qualification training must be in accordance with the DOT Model BAT course. The training can also be provided using a course of instruction equivalent to the DOT Model courses. On request, the Office of Drug and Alcohol Policy and Compliance (ODAPC) will review BAT instruction courses for equivalency.
 - b. Qualification training must include training to proficiency in using the alcohol testing procedures of Subpart J of Part 40 and in the operation of the particular alcohol testing device(s).
 - c. The training must emphasize that you are responsible for maintaining the integrity of the testing process, ensuring the privacy of employees being tested, and avoiding conduct or statements that could be viewed as offensive or inappropriate.

- d. The instructor must be an individual who has demonstrated necessary knowledge, skills, and abilities by regularly conducting DOT alcohol tests as a BAT for a period of at least a year, who has conducted BAT training, as applicable under this part for a year, or who has successfully completed a "train the trainer" course.
3. Initial Proficiency Demonstration – Following your completion of qualification training, you must demonstrate proficiency in alcohol testing under this Subpart J of Part 40 by completing seven consecutive error-free mock tests (BATs).
 - a. Another person must monitor and evaluate your performance, in person or by a means that provides real-time observation and interaction between the instructor and trainee, and attest in writing that the mock collections are "error-free". This person must be an individual who meets the requirements of paragraph (2)(d).
 - b. These tests must use the alcohol EBT testing devices.
 4. Refresher Training – Every five years from the date of qualification.
 5. Error Correction Training – a mistake in the alcohol testing process that causes a test to be cancelled (i.e., a fatal or uncorrected flow), the BAT must undergo error correction training. This training must occur within 30 days of the date you are notified of the error that led to the need for retraining.

X. DISCLOSURE OF ALCOHOL INFORMATION/RECORDS

A. General

1. The company shall maintain all alcohol related testing information including results and other appropriate records in a secure manner to prevent the disclosure of such information to unauthorized personnel.
2. The APM or designee shall maintain a locked file system, which will contain the alcohol testing information and records. The file shall be maintained as confidential. Employee files shall be handled on strict "need to know" basis.
3. Alcohol test results shall not be included in personnel files.

B. Disclosure Provisions

1. The company shall not release covered employee information that is contained in records as required to be maintained by the provisions of the AMPP and in accordance with federal requirements except as required by law or when expressly authorized or required by 49 CFR Parts 199, 382, and 40.
2. A covered employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol, including any records pertaining to his/her alcohol tests. The company shall promptly provide the requested records. Access to an employee's records shall not be contingent upon payment for records other than those specifically requested.
3. The company shall permit access to all facilities utilized in complying with the requirements of 49 CFR Parts 199, 382, and 40 to the Secretary of Transportation or any DOT or state agency with regulatory authority.

4. The company shall make available copies of all results for alcohol testing and any other information pertaining to the administrative process of the operator's AMPP as required by 49 CFR Parts 199, 382, and 40 when requested by the Secretary of Transportation or any DOT or state agency with regulatory authority. When specified by the agency the information shall include name-specific alcohol test results, records, and reports.
5. When requested by the National Transportation Safety Board as part of an accident investigation, the company shall disclose information related to its administration of any post-accident alcohol tests administered following the accident under investigation.
6. The company shall make records available to a subsequent employer upon receipt of the written request from the covered employee. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the employee written request.
7. The company may disclose required information pertaining to a covered employee to the employee or the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol test administered as required by the AMPP and the regulations set forth in 49 CFR Parts 199, 382, and 40 or from the company's determination that the covered employee engaged in prohibited alcohol conduct, including, but not limited to, a workers compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.
8. The company shall release information regarding a covered employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person or organization. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.

XI. EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. Scope of Program

The AMPP or EAP will provide education and training on alcohol misuse to all employees. The education shall include:

1. Information material, which shall be distributed to all covered employees.
2. An EAP telephone number for employee assistance, which shall also be displayed on bulletin boards and distributed to all covered employees.

B. Supervisor Training

1. Supervisory personnel responsible for those employees under Parts 199 and 382 shall receive training under the alcohol misuse prevention plan. The training shall include at least one 60-minute period of training on the specific, physical, behavioral, speech, and performance indicators of probable alcohol misuse. This training shall be for supervisors who may determine whether an employee must be alcohol tested for reasonable suspicion.

XII. RECORD KEEPING PROCEDURES

A. General

The company APM **and/or** its testing contractor shall maintain the alcohol testing records in accordance with the provision set out in the AMPP. Records shall be maintained for the specified periods of time as required in 49 CFR Parts 199, 382, and 40.

B. Record Retention Provisions

1. The following types of records shall be maintained for a minimum period of five years.
 - a. Records of employee alcohol test results with results indicating an alcohol concentration of 0.02 or greater.
 - b. Documentation of refusals to take required alcohol tests.
 - c. Calibration documentation of each EBT used in alcohol testing, including records of the results of external calibration checks.
 - d. Employee referrals and evaluations.
 - e. Management Information System (MIS) annual alcohol report data.
2. The following types of records shall be maintained for a minimum period of two years.
 - a. Records related to the collection process (except calibration of EBT devices).
 - b. Records related to training.
 - c. Records of the inspection and maintenance of each EBT used in employee testing.
 - d. Documentation of the testing contractor's compliance with the Quality Assurance Plan (QAP) for each EBT it uses for alcohol testing under the AMPP.
 - e. Records of the training and proficiency testing of each BAT used in employee testing.
 - f. Log books used in conjunction with EBTs.
3. The following types of records shall be maintained for a minimum period of one year.
 - a. Records of all test results below 0.02.

C. Maintenance of Specific Types of Records

1. The following types of records related to the collection process shall be maintained:
 - a. Collection log books, if used.
 - b. Calibration documentation for EBT devices.
 - c. Documentation of BAT training.
 - d. Documents generated in connection with decisions to administer reasonable suspicion alcohol tests.
 - e. Documents generated in connection with decisions to administer post-accident alcohol tests.
 - f. Documents verifying existence of a medical explanation of the inability of a covered employee to provide adequate breath for alcohol testing.
 - g. Documents pertaining to "Missed Tests".
2. The following types of records related to test results:
 - a. DGC's copy of the alcohol test form, including the results of the test.
 - b. Documents related to the refusal of any covered employee to submit to a required alcohol test.
 - c. Documents presented by a covered employee to dispute the result of an alcohol test administered under the AMPP.
3. Records related to other violations outlined in the AMPP.
4. The following types of records related to referrals and evaluations:
 - a. Records pertaining to a determination by a SAP concerning a covered employee's need for assistance.
 - b. Records concerning a covered employee's compliance with the recommendations of the SAP.
5. Records related to the MIS annual alcohol misuse testing data. The company shall submit the required alcohol misuse MIS testing data to RSPA as prescribed by the regulations.
6. The following types of records related to education and training of employees and supervisors:
 - a. Materials on alcohol misuse awareness, including a copy of the company's policy on alcohol misuse.
 - b. Documentation of compliance with the requirements of 199.231.
 - c. Documentation of training provided to supervisors for the purposes of qualifying the supervisors to make a determination concerning the need for alcohol testing based on reasonable suspicion.

- d. Certification that any training conducted under the AMPP compliance with the requirements of 40 CFR Part 199, 382, and 40.

XIII. CONTRACTOR MONITORING

- A. DGC will not cover contract employees under its plan. DGC will provide in its written business contract that all contractors utilized to work on the SNG or CO2 transmission systems must establish and implement alcohol breath testing, education, and training in accordance with Part 199, 382, and 40 for covered functions.
 1. DGC remains responsible for ensuring contractor compliance with the requirements on Parts 199 and 40.
- B. Contractors shall retain copies of appropriate alcohol testing records as required by 49 CFR Part 199 and Part 40. The records and access to the contractor's property shall be readily accessible for inspection by the company, RSPA, and representatives of those state agencies under which jurisdiction DGC operates.
- C. Confirmation of contractor compliance/monitoring – Refer to Appendix D for specific guidance in how to develop an effective contractor compliance and monitoring program.

DGC can, **at its discretion**, and as an alternative to the above guidance provide coverage for the contractor employees by including them in the company's alcohol testing program for the duration of the contract or work project. When contractor employees are covered under the company's AMPP, the contractor shall ensure that their employees comply with all the provisions contained in the company's AMPP.

APPENDIX A – ALCOHOL PERSONNEL AND SERVICES CONTACTS

1. Alcohol Program Manager (APM)

DGC
Deb Haga 873-6896

2. Substance Abuse Professional (SAP)

Dr. Ron Tello
Career Care
MedCenter One Health Systems
222 North Seventh Street
Bismarck, ND 58501

3. Breath Analysis Technician (BAT)

Sakakawea Medical Center
Hazen, ND 58545

4. Employee Assistance Program (EAP)

St. Alexius Medical Center
Bismarck, ND 58501
800-327-7195

APPENDIX B – JOB CLASSIFICATIONS INCLUDED IN ALCOHOL TESTING PROGRAM

Operations Personnel

Gas Processing
Boilerhouse / O₂ Plant

Maintenance Personnel

Gas Processing
Boilerhouse / O₂ Plant
Shift Maintenance
E&I Maintenance
Inspection / Reliability
Class A Drivers

Plant Engineering

Protection Services

Area Management

Any contractor who may provide any services on any portion of DGC's gas or CO₂ pipeline transmission system

APPENDIX C – EVIDENTIAL BREATH TESTING (EBT) PROCEDURES

A. Scope

The EBT procedures set forth in this appendix address all the requirements as set forth in 49 CFR Part 40 and specifies the required form and disposition of such testing forms.

B. Alcohol Testing Form and Log Book

1. The BAT shall utilize the Breath Alcohol Testing form provided by the company or its testing contractor. The alcohol testing form must comply with the provisions as contained in 49 CFR Part 40 with regard to the information that must be contained on the form. The form must address the specific requirements contained in Part 40.59. The form may not be modified or revised.
2. DGC may utilize a form that is directly generated by an EBT and may omit the space for affixing a separate printed result to the testing form. The form shall provide triplicate or three consecutive identical copies with copy 1 (white copy) being retained by the company, copy 2 (green copy) shall be provided to the employee, and copy 3 (blue copy) shall be retained by the BAT.
3. The company or its testing contractor shall use a log book in conjunction with any EBT used for screening tests that does not meet the requirements listed under Section VIII of the AMPP.
4. The breath alcohol testing form may include such additional information as may be required for billing or other legitimate purposes necessary to the testing, provided that personal identifying information on the individual (other than the social security number or employee identification number) may not be provided.

C. Breath Testing Locations

1. The company shall ensure that there are sufficient breath testing sites or the available BATs are located within a reasonable proximity.
2. DGC's testing contractor shall conduct the testing in a location that affords visual and aural privacy to the employee being tested. The location shall prevent unauthorized personnel from seeing or hearing test results. All necessary equipment, personnel, and materials for conducting the alcohol testing shall be provided at the testing site.
3. A mobile collection facility, such as a van that is equipped for alcohol testing, that meets the requirements set forth in the AMPP may be utilized.
4. No unauthorized persons shall be permitted access to the testing site when the EBT remains unsecured or in order to prevent such individuals from seeing or hearing a test result.
5. In some circumstances the company's testing contractor may have to conduct such alcohol testing outdoors at the scene of an accident that does not meet the requirements as specified in post-accident provisions of the AMPP, then the BAT shall provide the necessary visual and aural privacy to the employee to the greatest extent practicable.

6. The BAT shall supervisor only one employee's use of the EBT at a time. The BAT shall not leave the alcohol testing site while the testing process is in progress.

D. Breath Alcohol Testing Preparations

1. When an employee arrives at the alcohol testing site, the BAT shall ensure that the individual is positively identified as the employee selected for alcohol testing (e.g., through presentation of photo identification or identification by the company's representative). If the employee's identity cannot be established, the BAT shall not proceed with the alcohol test. If the employee requests, the BAT shall show proper identification to the employee.
2. The BAT shall explain the alcohol testing process to the employee.
3. If the employee fails to arrive at the assigned time, the BAT should contact the appropriate authority to obtain guidance on any action to be taken.

E. Screening Test Procedures

1. The BAT shall begin the alcohol testing process by completing Step 1 on the Alcohol Breath Testing form. The employee shall then complete Step 2 by signing the certification. Refusal by the employee to sign the certification shall be regarded as a refusal to take the alcohol test.
2. The BAT shall select an individually sealed mouthpiece and it shall be opened in full view of the employee and attach it to the EBT in accordance with the manufacturer's instructions.
3. The BAT shall instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT instrument indicates that an adequate amount of breath has been obtained.
4. If the EBT does not meet the requirements listed under Section VIII of the AMPP, the BAT shall show the employee the result displayed on the EBT. The BAT shall record the displayed result, test number, testing device, serial number of the testing device, time, and quantified result in Step 3 of the form. The BAT shall record in the log book the test number, date of the test, name of the BAT, location, and quantified test result. The employee shall then initial the log book entry.
5. If the EBT provides a printed result but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath alcohol test form in the designated space. The result shall be secured in such a manner that will provide clear evidence of removal, such as the use of tamper-resistant tape.
6. If the EBT prints the test result directly onto the alcohol form, then the BAT shall show the employee the result displayed on the EBT.
7. If the result of the screening alcohol test is a breath alcohol concentration of less than 0.02, the BAT shall date the form and sign the certification in Step 3 of the

form. The employee shall then sign the certification and fill in the date in Step 4 of the form. If the employee does not sign the certification in step 4 or does not initial the log book entry for a test, it shall not be considered a refusal to be tested. In this event, the BAT shall note the employee's failure to sign or initial in the "Remarks" section of the form.

8. If a test result printed by the EBT does not match the displayed result, the BAT shall note the disparity in the "Remarks" section. Both the BAT and the employee shall initial or sign the notation. The alcohol test is invalid and the company's representative and the employee shall be so advised.
9. At this point, no further testing is authorized. The BAT shall transmit the result of less than 0.02 to the APM or other representative in a confidential manner. The company shall receive and store the information so as to ensure that confidentiality is maintained as required in the AMPP.
10. If the result of the screening test is an alcohol concentration of 0.02 or greater, then the BAT shall perform a confirmation test. If the confirmation test will be conducted by a different BAT, then the BAT who conducts the screening test shall complete and sign the form and log entry. The BAT will upon completion of the alcohol test provide the employee with Copy 2 of the breath alcohol testing form.

F. Confirmation Test Procedures

1. When a BAT other than the one who conducted the screening test is required to conduct the confirmation test, the new BAT will require the employee to provide positive identification such as photo ID card or identification by a company representative. The BAT will upon request of the employee being tested provide such identification.
2. The BAT shall instruct the employee not to eat, drink, put any object or substance in his/her mouth and, to the extent possible, not belch during the waiting period just prior to the confirmation test being conducted. This waiting period shall begin with the completion of the screening test and shall not be less than 15 minutes, but must be within 20 minutes of the completion of the screening test. The BAT shall explain to the employee that the reason for this is to prevent any accumulation of mouth alcohol leading to an artificially high reading and that it is for the benefit of the employee to comply with these instructions. The BAT shall also explain that the test will be conducted at the end of the required waiting period, even if the employee has disregarded the instructions. Should the BAT become aware that the employee has not complied with the instructions as provided, the BAT shall note the observations in the "Remarks" section of the form.
3. When a BAT other than the one who conducted the screening test is required to conduct the confirmation test, the new BAT shall initiate a new Breath Alcohol Testing form. The BAT shall then completion Step 1 on the form and the employee shall then complete Step 2 by signing the certification. If the employee should choose not to sign the certification, the BAT shall then make an appropriate notation in the "Remarks" section indicating the employee's refusal to take the alcohol test. The BAT shall note in the "Remarks" section that a different BAT conducted the screening test.

4. The BAT shall open, in the presence of the employee, a new individually-sealed mouthpiece and attach the mouthpiece to the EBT in accordance with the manufacturer's instructions. The BAT will then instruct the employee to blow forcefully into the mouthpiece for at least six seconds or until the EBT indicates that an adequate amount of breath has been obtained.
5. The BAT shall ensure, prior to the confirmation test being administered to the employee, that the EBT shall register 0.00 on an air blank. If the reading is greater, the BAT shall conduct one more air blank. Should the EBT again register greater than 0.00, the testing shall not proceed using that EBT. An EBT taken out of service because of failure to perform an air blank accurately shall not be used for testing until a check of external calibration is conducted and the EBT is found to be within the accepted tolerance limits. Alcohol testing using another EBT may proceed.
6. In the event that the screening and confirmation test results are not identical, the confirmation test result shall be deemed to be the final result on which any disciplinary action by DGC may be taken in order to comply with the requirements of the AMPP and any applicable federal requirements.
7. If the EBT provides a printed result but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath alcohol test form in the designated space. The result shall be secured in such a manner that will provide clear evidence of removal, such as the use of tamper-evident tape.
8. If the EBT prints the test result directly onto the alcohol form, then the BAT shall show the employee the result displayed on the EBT.
9. After the confirmation test is completed, the BAT shall date the form and sign the certification in Step 3 of the form. The employee shall then be instructed to sign the certification and fill in the date in Step 4. If the employee should elect to not sign the certification or to provide his/her initials in the log book entry for the test conducted, it shall not be considered as a refusal to be tested. The BAT shall then note the employee's failure to sign or initial the log book entry in the "Remarks" section of the testing form.
10. If a test result printed by the EBT does not match the displayed result, the BAT shall note the disparity in the "Remarks" section. Both the BAT and employee shall initial or sign the notation on the testing form. The test shall be considered "invalid" and the company representative and the employee shall be so advised.
11. The BAT shall transmit all alcohol testing results to the APM or other designated company representative in a confidential manner. All communications by BATs shall be to the APM only and may be provided in writing, in person, or by telephone or electronic means. The BAT shall ensure that immediate transmission of test results to the company is conducted in order for the company to prevent the employee from performing covered functions.
12. Should the initial transmission not be accomplished in writing, but via telephone notification, the APM or designee shall establish a mechanism to verify the identity of the BAT providing the information. The BAT shall follow the initial

transmission by providing to the APM a copy of the breath alcohol testing form. The test results shall be stored in such a manner so as to protect confidentiality of the results and to eliminate the disclosure of information to unauthorized persons.

G. Refusals to Test and Uncompleted Tests

1. Refusal by an employee to complete and sign Step 2 of the breath alcohol testing form, to provide breath, to provide an adequate amount of breath, or otherwise to cooperate with the testing process in a way that prevents the completion of the test shall be noted by the BAT in the "Remarks" section of the form. The testing process shall be terminated and the BAT shall immediately notify the APM.
2. If a screening or confirmation test cannot be completed or if an event occurs to invalidate the test, the BAT shall, if practicable, begin a new screening or confirmation test using a new breath alcohol testing form with a new sequential test number.

H. Inadequate Amount of Breath

1. If the employee is unable, or alleges that he/she is unable, to provide a sufficient amount of breath to permit a valid breath test because of a medical condition, the BAT shall again instruct the employee to attempt to provide an adequate amount. If the employee refuses to make the attempt, the BAT shall immediately inform the APM.
2. If the employee attempts and fails to provide an adequate amount of breath, the BAT shall so note in the "Remarks" section of the testing form and shall immediately inform the APM. The APM shall direct the employee to obtain, as soon as practical after the attempt, an evaluation from a licensed physician who is acceptable to DGC concerning the employee's medical ability to provide an adequate amount of breath.
3. If the physician determines, in his/her reasonable medical judgment, that a medical condition has or could have precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall not be deemed as a refusal to take an alcohol test. The physician shall provide to the APM a written statement of the basis of his/her condition.
4. If the physician, in his/her reasonable medical judgment, is unable to make the determination that a medical condition has precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall be regarded as a refusal to take a test. The physician shall provide a written statement of the basis for his/her conclusion to the APM.

I. Invalid Tests

A breath alcohol test shall be invalid under the following circumstances.

1. The EBT does not pass its next external calibration check. This invalidates all test results of 0.02 or greater on tests conducted since the last valid external calibration test. This would not invalidate any negative tests conducted.
2. The BAT does not observe the minimum 15-minute waiting period prior to conducting the confirmation test.
3. The BAT does not perform an air blank of the EBT before a confirmation test or an air blank does not result in a reading of 0.00 prior to the administration of an alcohol test.
4. The BAT does not sign the breath alcohol testing form.
5. The BAT fails to note in the remarks section of the form that the employee has failed or refused to sign the form following the recording or printing on or attachment to the form of the test results.
6. An EBT fails to print a confirmation test result.
7. The sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number of alcohol concentration on the printed result.

J. Quality Assurance Plans

1. In order to be used in either screening or confirmation alcohol testing, an EBT shall have a Quality Assurance Plan (QAP) developed by the manufacturer.
2. The testing contractor shall be responsible for the BAT following the QAP when using the EBT.

APPENDIX D – CONTRACTOR ALCOHOL MONITORING PROCEDURES

A. Objective

In order to assure a contractor's compliance with DOT's regulations, the following procedures are to be followed in determining compliance with the alcohol misuse testing regulations as set forth in 49 CFR Part 199 Subpart B, Part 382 and 49 CFR Part 40 Subpart C.

B. Procedures for Determining Compliance

1. **Qualifying Potential Contractor(s)**. Qualification of the potential contractor as it pertains to alcohol policies/procedures is assured by requesting the potential contractor to submit a copy of its AMPP for review and compliance with RSPA/DOT regulations. After review of the AMPP is completed, written correspondence to the contractor will advise it whether or not the AMPP plan is acceptable or in need of further additions, deletions, revisions or clarifying language. The review of the contractor plan shall be completed utilizing the criteria established in the RSPA Alcohol Misuse Inspection form. Appendices made to the contractor's plan shall be attached to previously submitted AMPP plans. Upon approval of the addendum, a letter of acceptance is then sent to the contractor. The contractor is now eligible to bid on the DGC contract work that would be covered under Parts 199 and 40.
2. **Monitoring Contractor's Compliance**. The contractor may be required to provide information on their employees who will perform covered functions for the operator. This information may include the name and job title of its employees who will perform any work or functions covered by Part 199 under that contract. A list of each of the contractor's covered employees may be distributed to appropriate company personnel and job sites.
3. **Statistical Submission**. All contractors will be required to submit AMPP testing statistical information on a periodical basis, which may be based on the duration of the contract.
4. **Statistical Record Retention**. The company shall maintain a complete file on each contractor's statistical drug testing data reports. The company shall make available these reports when required by the RSPA Administrator, designated representative, or representatives of those state agencies under which jurisdiction the company operates.

APPENDIX E – ALCOHOL TESTING SITE

Sakakawea Medical Center
Hazen, ND

APPENDIX F – TRAINED SUPERVISORS

The following DGC personnel have been trained as required for making reasonable cause determinations:

- All Operations and Maintenance Supervision
- Pipeline technicians (Operations)

APPENDIX G – FEDERAL MOTOR CARRIER POST-ACCIDENT TESTING

Type of Accident Involved	Citation Issued to the CMV Driver	Test Must Be Performed by Employer
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

**PUBLIC AWARENESS
PLAN**

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

MANAGEMENT STATEMENT OF SUPPORT

The Vice President – Generation, Basin Electric Power Cooperative will support and provide financial and manpower resources as needed for the development, implementation and management of this public awareness program.

PUBLIC AWARENESS PROGRAM OBJECTIVES

The Objectives of this Public Awareness Program are:

- To educate the public and key stakeholders that the Basin Electric Power Cooperative's Groton Generation Station and Deer Creek Generation Station pipeline natural gas is not odorized so individuals need to rely on their senses of hearing and sight. In the event of any incident that could possibly damage the integrity of the pipeline and cause a leak and when it is not obvious that there is a leak, the area must be avoided until gas monitoring equipment can be brought to the location and positively ascertain whether or not natural gas is present. Preventing access to the subject area may save lives.
- To raise the awareness of the affected public and key stakeholders of the presence of buried natural gas lines in the counties traversed by the Basin Electric Power Cooperative (BEPC) pipelines. A more informed public will also understand that they have a significant role in helping to prevent third-party damage accidents.
- To help excavators understand the steps that they may take to prevent third party damage and respond properly if they cause damage to our facilities.
- To help emergency response agencies, that may assist BEPC in an emergency, understand the proper actions to take in response to a gas release or emergency.
- To assist the public in understanding the role of pipeline in transporting energy, that pipelines are a relatively safe mode of transportation, that pipeline operators undertake measures to prevent pipeline accidents and anticipate and plan for management of accidents.

The only equipment relative to the natural gas pipelines not inside a fenced and locked area is the buried pipe itself and cathodic protection test stations.

A. Public Awareness Policy

Our goal is to ensure the safety of those living and/or working near our gas pipelines. Public awareness is a critical component of our overall safety program. Every employee of BEPC is committed to fulfilling our public awareness responsibilities as described in this Public Awareness Program.

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

B. Program Administration

The Manager - Distributed Generation is responsible for the development and overall implementation and management of the Program (Program Administrator). In addition, the Program Administrator is responsible for various other aspects of the Public Awareness Program including, but not limited to:

- Conducting a periodic review of the performance of this program. This will be an annual internal assessment of the program and its implementation. Refer to Paragraph J.
- Ensuring that funding and resource allocation requests for the Plan are established at the level necessary to manage the Plan and submitted in a timely manner to receive Upper Management approval.
- Conducting a program effectiveness survey once every four years. Refer to Paragraph J.
- Ensuring that the Plan is modified to reflect the findings of the internal assessment and effectiveness evaluations

The Groton Generation Station Operation and Maintenance Supervisor and Deer Creek Generation Station Plant Manager shall assist the Program Administrator in the overall conduct of this Public Awareness Program. Their responsibilities are to ensure that:

- Target audiences are identified
- Message(s) appropriate to each audience are identified
- Appropriate media are selected to transmit each message to each audience
- Appropriate message delivery frequencies are identified for each message and audience
- Messages are delivered as specified in the plan
- Public education materials are prepared
- Ads are placed on television, radio and in newspapers.
- BEPC's public awareness efforts are coordinated with those of the South Dakota State One Call System
- Company personnel are trained on the content and implementation of this program.
- A list of each of the following stakeholder audiences is developed and maintained.
- Government and emergency response officials will be obtained by contacting each county government in which BEPC operates facilities.
- The names, addresses and telephone numbers of excavators will be obtained through a review of the "Yellow Pages" for each type of excavator listed below.

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

- Public Works and street, road and highway departments will be identified by contacting each city and county government in which BEPC operates facilities.
- Individuals living or working near the BEPC pipelines. This may be developed by matching nine-digit zip code numbers to areas which are traversed by BEPC's underground transmission lines. Addresses, but not names of individuals, within these zip codes will be listed. *NOTE: If media other than direct mail will be used to reach individuals living or working near pipelines (e.g. newspaper, radio or television), then a list of addresses does not need to be maintained.*

C. Affected Facilities

All of BEPC's natural gas transmission facilities are included in this Public Awareness Program.

D. Stakeholder Audiences

The following stakeholder audiences have been identified:

1. Affected Public In Areas In Which BEPC Operates Natural Gas Transmission Lines
 - a. Individuals living/working near our facilities
2. Emergency Officials In Areas In Which BEPC Operates Natural Gas Transmission Lines
 - a. Fire departments
 - b. Police/Sheriff departments
3. Public Officials In Areas In Which BEPC Operates Natural Gas Transmission Lines
 - a. Mayor(s)
 - b. City and County Managers
 - c. Planning boards
 - d. Zoning boards
 - e. Licensing departments
 - f. Permitting departments
 - g. Building Code Enforcement departments
4. Excavators In Areas In Which BEPC Operates Natural Gas Transmission Lines
 - a. Construction companies
 - b. Excavation equipment rental companies
 - c. Public works officials
 - d. Public street, road and highway departments (maintenance and construction)
 - e. Timber companies
 - f. Fence building companies

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

- g. Drain tiling companies
- h. Landscapers
- i. Well drillers
- j. Home builders
- k. Land developers
- l. One-Call centers

E. Message Type, Content and Frequency

The following messages type and content will be sent to each stakeholder audience via the media listed at the frequency indicated:

E.1 Affected Public			
Stakeholder Audience	Message Type	Frequency	Suggested Delivery Method and/or Media
Residents Adjacent to BEPC Transmission Facilities	Baseline Messages: <ul style="list-style-type: none"> • Pipeline purpose and reliability • Awareness of hazards and prevention measures undertaken • Damage Prevention Awareness • One –call requirements • Leak Recognition and Response • Pipeline location information • How to get additional information • What to do • Who to contact • Availability of pipeline operators through NPMS 	Baseline Frequency Annual	Baseline Activity: • Targeted Distribution of Print Materials
		Supplemental Frequency: • Additional frequency and supplemental efforts as determined by specifics of the pipeline segment or environment	Supplemental Activity: • Public Service Announcements, OR • Paid Advertising,

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

E.2 Emergency Officials			
Stakeholder Audience	Message Type	Frequency	Suggested Delivery Method and/or Media
Emergency Officials	Baseline Messages: <ul style="list-style-type: none"> • Pipeline purpose and reliability • Awareness of hazards and prevention measures undertaken • Emergency Preparedness Communications • How to get additional information • What to do • Who to contact 	Baseline Frequency Annual	Baseline Activity: <ul style="list-style-type: none"> • Print Materials, OR • Group Meetings
		Supplemental Frequency: <ul style="list-style-type: none"> • Additional frequency and supplemental efforts as determined by specifics of the pipeline segment or environment 	Supplemental Activity: <ul style="list-style-type: none"> • Telephone Calls • Personal Contact • Videos and CDs
E.3 Local Public Officials			
Public Officials	Baseline Messages: <ul style="list-style-type: none"> • Pipeline purpose and reliability • Awareness of hazards and prevention measures undertaken • Emergency Preparedness Communications • How to get additional information 	Baseline Frequency Three Years	Baseline Activity: <ul style="list-style-type: none"> • Targeted Distribution of Print Materials
		Supplemental Frequency: <ul style="list-style-type: none"> • Additional frequency and supplemental efforts as determined by specifics of the pipeline segment or environment 	Supplemental Activity: <ul style="list-style-type: none"> • Group Meetings • Telephone Calls • Personal Contact

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

E.4 Excavators			
Stakeholder Audience	Message Type	Frequency	Suggested Delivery Method and/or Media
Excavators / Contractors	Baseline Messages:	Baseline Frequency	Baseline Activity:
	<ul style="list-style-type: none"> • Pipeline purpose and reliability • Awareness of hazards and prevention measures undertaken • Leak Recognition and Response • One-Call Requirements • How to get additional information 	Annual	<ul style="list-style-type: none"> • One-Call Center Outreach, OR • Group Meetings
		Supplemental Frequency:	Supplemental Activity:
		<ul style="list-style-type: none"> • Additional frequency of communication to those third parties and other relevant audiences. • Review records to determine if some pipeline sections indicate an elevated potential for third party damages. 	<ul style="list-style-type: none"> • Personal contact. • Group Meetings
One-Call Centers	Baseline Messages:	Baseline Frequency	Baseline Activity:
	<ul style="list-style-type: none"> • Pipeline location information • Other requirements of the applicable one-Call Center 	<ul style="list-style-type: none"> • Requirements of the applicable One-Call Center 	<ul style="list-style-type: none"> • Membership in Appropriate One-Call Center • Requirements of the Applicable One-Call Center • Maps (as required)
	Supplemental Messages:	Supplemental Frequency:	Supplemental Activity:
	<ul style="list-style-type: none"> • One-Call system performance • Accurate line location information • One-Call system improvements 	<ul style="list-style-type: none"> • As changes in pipeline routes or contact information occur or as required by state requirements 	<ul style="list-style-type: none"> • Targeted Distribution of Print Materials • Personal Contact • Telephone Calls • Maps (as required)

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

F. SUPPLEMENTAL ENHANCEMENTS OF BASIN ELECTRIC POWER COOPERATIVE'S BASELINE PUBLIC AWARENESS PROGRAM

- **Scope and Purpose**

This section provides guidance on how BEPC may enhance its baseline program with supplemental program components when a more intensive effort is needed to increase pipeline safety awareness.

The term "program enhancement" refers to BEPC's decision to supplement its Public Awareness Program beyond the baseline. This section provides guidance when BEPC's consideration of relevant factors along the pipeline route indicates that supplemental program enhancement is warranted.

When subsequent periodic program evaluations are performed, BEPC will assess what components of the Public Awareness Program that should be enhanced. Three primary forms of enhancement are provided for consideration in the development and administration of BEPC's Public Awareness Program:

Increased Frequency (shorter interval)

Increased frequency refers primarily to providing communications to specific stakeholder audiences on a more frequent basis (shorter interval) than the baseline interval to reach the intended audience.

Enhanced Message Content and Delivery / Media Efforts

Enhanced message content and delivery / media efforts refer to providing additional or supplemental communications activities beyond those identified in the baseline, using an enhanced or custom-tailored message content and/or different, or additional, delivery methods/media to reach the intended audience.

Coverage Areas

Coverage areas refer to broadening or widening the stakeholder audience coverage area beyond those contained in the baseline for delivery of certain communications messages. This can also be considered relative to widening the buffer distance for reaching the stakeholder audience along the pipeline route.

BEPC may consider each of the following factors applied along the entire route of the pipeline system:

- Potential hazards
- High Consequence Areas (HCAs)
- Population density
- Land development activity
- Land farming activity
- Third-party damage incidents
- Environmental considerations
- Pipeline history in an area
- Specific local situations

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

- Regulatory requirements
- Results from previous Public Awareness Program evaluations
- Other relevant needs

Perception of Hazards: BEPC will consider the hazards associated with the pipeline as perceived by either BEPC or the audience. For example, if a pipeline segment has experienced multiple third-party damage, BEPC will consider increasing the frequency of messages to those third-parties and other relevant audiences where appropriate.

G. Development of Program Materials

The Program Administrator is responsible for ensuring that appropriate materials are developed and/or acquired for each communications activity listed above. Currently the suggested media to be used for contact would be direct mail (contact) and/or e-mail notices and updates (where e-mail addresses are available), targeted local cable TV and radio ads and educational videos and CD ROMs.

The Public Awareness Program will be conducted in English and in other languages commonly understood by a significant number of and concentration of the non-English speaking population in our service area. To determine the languages that should be considered the Program Administrator may contact local election boards to determine in what languages voting ballots are required to be provided.

No non-English speaking populations have been identified

H. Program Implementation

The Program Administrator is responsible to ensure that each target audience identified above receives the appropriate materials via the specified media (e.g. mass mailings, emergency official meetings) at the frequency specified in the preceding table. The Program Administrator should prepare an annual estimate of the resources required to manage the Program and request that the appropriate budget and human resources are available. The Program Administrator shall annually audit the program to ensure that the minimum requirements of the regulation are met and that all plan actions have been carried out.

I. Management of Input/Feedback/Comments Received

It is anticipated that the implementation of this public awareness program will generate requests for further information from those in the stakeholder audiences contacted. All inquiries shall be directed to the affected Generation Station Supervisor / Manager.

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

J. Measuring the Effectiveness of This Program

The Program Administrator shall cause an audit of this plan to be conducted annually by a panel consisting of company employees from generation, engineering and construction, and external relations and communications.

The panel will determine if the following objectives are being met: (1) Has the Public Awareness Program been developed and written to address the objectives, elements and baseline schedule as described in Section 2, RP 1162 and the remainder of this RP? and (2) Has the Public Awareness Program been implemented and documented according to the written plan?

BEPC will document damages and near-miss information internally. This data will be evaluated annually to determine bottom-line results in damages and near-misses. If data indicates a need for additional awareness measures this plan will be supplemented.

The Program Administrator will use surveys conducted no more than 4 years apart, or as the findings from evaluations require, to measure the program's effectiveness in regard to:

- Whether the information is reaching the intended stakeholder audiences (Plan's goal is to reach 20% of intended stakeholder groups)
- If the recipient audiences are understanding the messages delivered
- Whether the recipients are motivated to act in accordance with the information provided
- If the implementation of the public awareness program is impacting bottom line results (such as reduction in the number of incidents caused by third-party damage)

This will include, at minimum:

- Tracking the number of calls received in response to materials
- Reviewing the incidence of 3rd party damage to BEPC's facilities
- Reviewing evaluations performed by the One Call system
- Reviews following group meetings
- Contacting a random sample of each stakeholder audience, confirming their receipt of the materials and assessing their understanding of the target message(s) (through direct mail and/or telephone surveys)

If the results of the evaluation show that one or more target audience is not effectively receiving the target message the Program Administrator shall review the message type, content and delivery method to determine if more effective means of communication are available.

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

K. Records

The Program Administrator shall cause the following records to be maintained at the affected Generation Stations:

- Lists, records or other documentation of stakeholder audiences with whom BEPC has communicated
- Copies of all materials provided to each stakeholder audience
- Results of pre-tests and effectiveness assessments, including follow-up actions and expected results.
- Results of all program audits and evaluations
- The record retention of each of these items is a minimum of five (5) years.

Due to recent concerns about pipeline security by RSPS/OPS use of detailed maps that would be available to the public will be avoided.

**BASIN ELECTRIC POWER COOPERATIVE
NATURAL GAS PIPELINE
PUBLIC AWARENESS PROGRAM**

ADDENDUM A

BEPC elected to join the Pipeline Association for Public Awareness (PAPA) July, 2010. As a result, PAPA will be providing services for the portion of BEPC's Public Awareness Program that addresses Emergency Responders, Public Officials and Excavators in the Area. BEPC will continue to execute the portion of the Public Awareness Program that addresses the "Affected Public" stakeholders.

BEPC will actively participate in PAPA.

**DAMAGE PREVENTION
PROGRAM**

**BASIN ELECTRIC POWER COOPERATIVE
DAMAGE PREVENTION PROGRAM**

1. PURPOSE:

This procedure establishes a Damage Prevention Program to help prevent damage to Basin Electric Power Cooperative (BEPC) gas pipeline facilities in the vicinity of excavation activities. This procedure helps satisfy the requirements of 49 CFR Part 192.614 Damage Prevention Program. It also helps satisfy pertinent state statutes for intrastate pipelines pertaining to excavation activities.

2. RESPONSIBILITY FOR ADMINISTRATION:

Location Management.

3. GENERAL:

- 3.1 Section 192.614 of the Federal Regulations requires that an operator of buried pipelines, in all class locations, have a written program to prevent possible damage to a buried pipeline facility by "excavation activities". "Excavation activities" include, but are not limited to excavation, boring, tunneling, backfilling, removal of above or below ground structures, blasting, plowing (installation of flexible pipe, such as drain tile, or cable without open trenching), and other earth digging, disturbing or moving activities. Also included are abandoned pipelines where ownership has been transferred to a third party through a bill of sale or other legally binding document.
- 3.2 Pipelines excluded from the requirements of this Procedure are offshore pipelines and those to which BEPC physically controls access. Physical control means enclosure using fence or equivalent structures, with lockable gates controlled only by BEPC, posting of guards, or similar equivalent means.
- 3.3 This procedure is the BEPC's written "Damage Prevention Program". The program covers all BEPC facilities; however each location must develop and maintain a list of all excavators operating within their area. The program may be conducted locally or centrally and must contain at least the following items:
 - 3.3.1 The requirements of Section 5 of this Procedure.
 - 3.3.2 The identification of excavators who normally engage in excavation activities in areas in which BEPC pipelines are located.
 - 3.3.3 The communication of information about BEPC's damage prevention program to excavators and the general public who conduct business or live along the pipeline.
 - 3.4.4 Reference Public Education Program Procedure for details regarding 3.4.2 and 3.4.3 above.

**BASIN ELECTRIC POWER COOPERATIVE
DAMAGE PREVENTION PROGRAM**

4. RELATED PROCEDURES:

Public Awareness Program

5. PROCEDURE:

- 5.1 Provide for the receipt of routine notices of planned excavation activities. Accomplish this through use of one-call notification systems. If notification is received directly from an excavator request the caller to contact the One-Call Center by dialing 811.
 - 5.1.1 Document requests for line marking using printouts from a one-call system.
- 5.2 Respond to each notice received. If a BEPC pipeline is not located in the vicinity of a planned excavation, communicate such to the excavator, as required by state law or regulation. If the BEPC is unable to clearly identify the specific excavation site or determines that the excavation site may be in close proximity to a BEPC pipeline BEPC will contact the excavator with the following information:
 - 5.2.1 Advise when the pipeline will be marked, what marking will be provided, and how to identify the marking. Markers will be consistent with American Public Works Association (APWA) uniform color code.
 - 5.2.2 Schedule and conduct an "on-site" meeting to verify the exact excavation site relative to the location of the pipeline facility. Advise excavator that no excavation may commence until completion of the "on-site" meeting.
 - 5.2.3 If excavation will be within 25 feet of the pipeline facility, advise excavator that BEPC intends to have a representative present during the excavation activity.
 - 5.2.4 Document those notifications that actually require marking or some other significant activity on the one-call printout. Document the activity required and that it was accomplished.
- 5.3 Locate and mark pipelines in areas where excavation activities are observed, anticipated, or will occur as indicated by notification.
 - 5.3.1 Use maps, as built documents, and other available data, as necessary, to assist in assuring that all facilities in a specific area are located and marked.
 - 5.3.2 Mark pipelines within forty-eight (48) hours (two business days) of receipt of notification, or as prescribed by state law or regulations, unless the notifying party agrees to extend this time.

**BASIN ELECTRIC POWER COOPERATIVE
DAMAGE PREVENTION PROGRAM**

- 5.3.3 Use temporary flags or other more permanent markers, at least as visible, if the type and duration of activity so dictates. Be sure markers coincide with the description given in Section 5.2.1.
 - 5.3.4 Mark bend areas and other changes of direction so that the pipe's location is clearly delineated. Set markers on straight pipeline sections at intervals required by conditions of the site and job, but not to exceed 100 feet.
 - 5.3.5 If practical, locate and mark pipelines when a requester's representative is present.
 - 5.3.6 Remove markers when the work has been completed, when practical.
 - 5.3.7 The minimum length of pipeline to be marked shall be as required by conditions of the site and job.
 - 5.4 Assign a BEPC representative to be present when excavation activities occur within 25 feet of the pipeline. In the event of parallel encroachments or other circumstances where this provision will require a representative to be present for long time durations, and there is to be no crossing of BEPC's pipeline, the Location Management may make other provisions to assure no damage is done to the pipeline.
 - 5.5 In the event of a pipeline crossing, assign a BEPC representative to be present when excavation activities occur. The BEPC "on – site" personnel shall ensure:
 - 5.5.2.1 All excavation within 24"(or as specified by State One Call rules) of the unexposed pipeline shall be by manual means. After top exposure, excavation up to 18" from the side of the exposed pipeline may proceed by mechanical means if the BEPC representative is satisfied it may be done safely with the equipment and operator available.
 - 5.5.2.2 Require protection and support of the pipe if necessary.
 - 5.5.2.3 Perform an inspection of the exposed pipe and/or coating in accordance with the Operating Procedure Manual.
- NOTE: All distances given in this section are minimum distances for BEPC employee guidance. State One Call rules should be adhered to.**
- 5.6 If an outside party is seen approaching or working over BEPC's pipeline, immediately delay the excavation activity until BEPC facilities have been located.
 - 5.6.1 If the pipeline easement or permit agreement does not allow excavation activities or facility installation, delay the activities through mutual agreement with the outside party, if possible.

**BASIN ELECTRIC POWER COOPERATIVE
DAMAGE PREVENTION PROGRAM**

- 5.6.2 Advise the outside party that BEPC does not allow encroachments without prior agreement, and any such encroachment must be within requirements specified by BEPC.
- 5.6.3 Advise the outside party that if the excavation activities are determined to have caused damage, or may have an adverse effect on the future maintenance and operation of BEPC's facilities, they can be held responsible for current and future damages, and if the need arises, the relocation of BEPC's facilities.
- 5.6.4 If a mutual agreement cannot be reached or excavation activities continue, contact BEPC's Office of General Counsel.
- 5.7 In the event of planned blasting near BEPC pipelines, determine if possible damage may have resulted.
 - 5.7.1 If blasting occurs and it is determined there is possible damage, conduct a leakage survey to verify the integrity of the pipeline.
- 5.8 Support and participate in one-call organizations. When one-call systems are not statewide or when a state has more than one system, BEPC will determine location participation, on a BEPC basis, to obtain the most effective results. Supporting one system is desirable where more than one system exists which provides coverage for the same geographic.
 - 5.8.1 Whenever pipelines are in the geographic boundaries of an operational one-call system, some activities required by this procedure may be performed by the one-call organization. If this is the case, the activities do not need to be duplicated by the Location program.
 - 5.8.1.1 A one-call organization's identification of excavators (Public Education Program) is acceptable if it results from proactive steps to identify all potential excavators in the state or region. A listing of excavators who have called the Center is reactive and not satisfactory.
 - 5.8.2 Whenever procedure requirements are performed by a one-call organization and subsequently not directly carried out by BEPC, periodic confirmation shall occur to assure correct performance.
 - 5.8.3 Use a one-call system prior to any BEPC excavation if an excavation location is served by a one call system.
 - 5.8.4 Assure that the one-call center database being used for the Location's facilities is correct by verifying it periodically, consistent with the center's policy or request. Promptly update this database to reflect pipeline additions and removals.

6. RECORDS:

**BASIN ELECTRIC POWER COOPERATIVE
DAMAGE PREVENTION PROGRAM**

- 6.1 Retain the original one-call printout, or a copy, for one year after completion of the project involved, for each notification requiring field marking or investigating.
- 6.2 Maintain factual records when BEPC representatives request that excavation activities be delayed or stopped because of unauthorized excavation or some problem.
- 6.3 Maintain records above for a longer time period in the event of litigation or other unresolved situations.

**ABNORMAL
OPERATIONS**

Basin Electric Power Cooperative
Operator Qualification Program
Abnormal Operating Conditions

Tab BEPC-1000 through BEPC-13000

Abandonment of Facilities

Abnormal Operating Conditions Relevant to this task:

- Fire or Explosion
- Leaking Gas
- Odor Report
- Static Electricity Discharge

BEPC-2000

Cathodic Protection - Inspection of Protective Coating

Abnormal Operating Conditions Relevant to this task:

Leaking Gas
Corrosion

Cathodic Protections - Internal Pipe Inspection

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion

Leaking Gas

Corrosion

Cathodic Protections - Monitoring (Rectifier, Electrical Isolation)

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas
Corrosion
Electrical Shock
Loss of Rectifier Operation

BEPC-2300

Cathodic Protections - Installation of Protective Coating

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion

Leaking Gas

Corrosion

BEPC-2400

Cathodic Protections - Monitor for Corrosion, includes Atmospheric

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas
Component Failure
Corrosion
Contact with Foreign Structures

Cathodic Protections - Remedial Action

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas
Corrosion
Electrical Shock

BEPC-3000

Conduct Pressure Test

Abnormal Operating Conditions Relevant to this task:

Component Failure

Emergency Response

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas
Loss of Service
Low Pressure
High Pressure
Component Failure
Unintended opening or closing of valves
Significant loss of communication

Emergency Response Make Safe

Abnormal Operating Conditions Relevant to this task:

- Fire or Explosion
- Leaking Gas
- Loss of Service
- Low Pressure
- High Pressure
- Component Failure
- Unintended opening or closing of valves
- Significant loss of communication

BEPC-5000

Inspect Third Party Excavation

Abnormal Operating Conditions Relevant to this task:

Leaking Gas
Component Failure
Damage to System
Corrosion
Loss of Service

BEPC-6000

Repair Procedures

Abnormal Operating Conditions Relevant to this task:

- Fire or Explosion
- Leaking Gas
- Loss of Service
- Corrosion
- Component Failure

BEPC-7000

Gas Leak Detection Survey

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas

Locate Pipe

Abnormal Operating Conditions Relevant to this task:

**Fire or Explosion
Leaking Gas
Loss of Service
Low Pressure
Component Failure
Corrosion**

Pipelines - Remedial Action

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion
Leaking Gas
Damage to Other Utilities
Soil Subsidence
Corrosion
Contact with Foreign Structures
Component Failure
Low Pressure
Loss of Service

BEPC-10000

Accidental Ignition Prevention

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion

BEPC-11000

Pipeline Purging Procedure

Abnormal Operating Conditions Relevant to this task:

Fire or Explosion

Leaking Gas

Static Electricity Discharge

Continuing Surveillance

Abnormal Operating Conditions Relevant to this task:

- Leaking Gas
- Component Failure
- Corrosion
- ROW Encroachment

Valve Maintenance

Abnormal Operating Conditions Relevant to this task:

- Loss of Service
- Low Pressure
- Unintended Valve Closure
- Leaking Gas
- Component Failure
- Corrosion
- Erosion
- Loss of Cover

**OPERATOR'S
QUALIFICATION
PLAN**

BASIN ELECTRIC POWER COOPERATIVE

Approved by: Tony Skonhovd
FileNet Document # :

Revision No. : 001
Effective Date: 02/09/2010

TITLE: Pipeline Operator Qualification Manual Review and Modification

This Operator Qualification Manual shall be reviewed and updated by Basin Electric Power Cooperative (BEPC) at intervals not exceeding 15 months, but at least once each calendar year

Date	BEPC OQ Manual Review By	Manual Review Comment or Modifications to BEPC Pipeline OQ	BEPC OQ Manual Modifications By	BEPC OQ Manual Modifications Requested By
09/01/2005		BEPC Pipeline Manual Developed		
03/23/2007	Tony Skonhovd	Review BEPC Pipeline OQ		
09/01/2009		Pipeline Operator Qualification Contract set up with Terry Hanson of GTS Gas Training Specialties. Phil McClain who previously provide this service to BEPC passed away.	BEPC Tony Skonhovd	BEPC Tony Skonhovd
11/23/2009	Tony Skonhovd	Review BEPC Pipeline OQ after SD PUC visit on 11-18-2009.		
02/04/2010		Added N. Operator Qualification Program Changes or Modifications 1. Notify the SD PUC under 49 U.S.C. Chapter 601 if the operator significantly modifies the program after the SD PUC has verified that it complies with this section. Page 15 of BEPC OQ Manual	BEPC Tony Skonhovd	SD PUC on Inspection 11-18-2009
02/09/2010		2. If changes are made that affect covered tasks these changes must be communicated to all individuals who perform this covered task. Page 15 of BEPC OQ Manual	BEPC Tony Skonhovd	SD PUC on Inspection 11-18-2009
02/09/2010		3. If changes are made to an O&M manual procedure. These changes to the O&M manual may need to be included or updated in the OQ training modules if they apply. Page 15 of BEPC OQ Manual	BEPC Tony Skonhovd	SD PUC on Inspection 11-18-2009
02/12/2010		192.805(b) Each operator shall have and follow a written qualification program. The program shall include provisions to: (b) Ensure through evaluation that individuals performing covered task are qualified.	BEPC Tony Skonhovd	SD PUC on Inspection 11-18-2009
05/25/2010	Tony Skonhovd	Review BEPC Pipeline OQ		
06/30/2010	Kevin Tschosik & Matt Ehrman	General review and modifications to include the addition of Deer Creek Station gas pipeline.	BEPC Kevin Tschosik & Matt Ehrman	Not Applicable

Basin Electric
Power Cooperative

Operator
Qualification
Program

FOR THE NATURAL GAS PIPELINES

**BASIN ELECTRIC POWER COOPERATIVE
OPERATOR QUALIFICATION PROGRAM**

TABLE OF CONTENTS

Background	1
Purpose	2
Scope	2
Definitions (192.803)	3
Qualification Program (192.805)	
A) Identification of Covered Tasks	4
B) Abnormal Operating Conditions	5
C) Evaluation Process	5
D) Non-Qualified Individuals	7
E) Performance Contributing to an Incident	8
F) Reasonable Cause to Verify Qualification	8
G) Communication of Changes to Covered Tasks	10
H) Training	10
I) Evaluation Intervals	11
J) Record Keeping	11
K) Roles and Responsibilities	12
L) Contractors	13
M) Mutual Aid	14
N) Operator Qualification Program Changes or Modifications.	15

**BASIN ELECTRIC POWER COOPERATIVE
OPERATOR QUALIFICATION PROGRAM**

TABLE OF CONTENTS

Determination of Covered Tasks	Appendix "A"
Identified Covered Task	Appendix "B"
Covered Task Matrix	Appendix "C"
Abnormal Operating Conditions	Appendix "D"

BACKGROUND

The Pipeline Safety Act of 1992 (Sections 106 and 205), and the Accountable Pipeline Safety and Partnership Act of 1996 (Section Four), required the Research and Special Programs Administration (RSPA) of the U.S. Department of Transportation (DOT) to adopt regulations requiring all individuals who operate and maintain pipeline facilities "be qualified to operate and maintain the pipeline facilities" and have "the ability to recognize and react appropriately to abnormal operating conditions that may indicate a dangerous situation or a condition exceeding design limits".

The PHMSA rule (published in 49 CFR 192) applies to all individuals who perform covered tasks regardless of whether they are employed by the operator, a contractor, or any other entity performing a covered task on behalf of the operator. The Rule states that each operator is responsible for identifying which activities performed on its pipeline facility are covered tasks.

PURPOSE

To establish the requirements and responsibilities for the qualification of individuals who perform covered tasks, and to ensure compliance with the Rule published in 49 CFR, Part 192 on August 27, 1999, by RSPA.

This document is intended to serve as the written qualification program developed for Basin Electric Power Cooperative (BEPC) to satisfy the requirements of the PHMSA rule.

SCOPE

This program applies to employees of BEPC and agents who perform covered tasks on pipeline facilities; and all activities necessary to qualify individuals to perform covered tasks, and to recognize and react to abnormal operating conditions.

It establishes the procedures for the identification of covered tasks performed by BEPC and its agents. It also defines the procedure to be used in the qualification and/or re-qualification of individuals who perform those covered tasks.

The BEPC will administer the development and implementation of this Program. BEPC will also direct the qualification of individuals performing covered tasks. A list of individuals performing covered tasks will be developed and reviewed annually by BEPC to ensure relevancy with actual work activities and covered tasks.

BEPC will administer the Operator Qualification Program and perform all obligatory record keeping functions.

DEFINITIONS

Abnormal Operating Condition(AOC)

Abnormal operating condition means a condition identified by the operator that may indicate a malfunction of a component or deviation from normal operations that may:

1. Indicate a condition exceeding design limits; or
2. Result in a hazard(s) to persons, property, or the environment.

Covered Task

A task/activity identified by BEPC that is performed on their facilities and that meets the four-part test prescribed in the Rule (see the Identification of Covered Tasks section of the Program)

Evaluation

A documented process, established by the operator, to determine an individual's ability to perform a covered task by any combination of the following:

1. Written examination
2. Oral examination
3. Work performance history review
4. Observation during;
 - (a) Performance on the job
 - (b) On the job training
 - (c) Simulations, or other forms of assessment.

Incident (49 CFR Part 191.3)

1. An event that involves a release of gas from a pipeline or of liquefied natural gas or gas from an LNG facility, and:
 - (a) A death or personal injury necessitating in-patient hospitalization; or
 - (b) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$50,000 or more
2. An event that results in an emergency shutdown on an LNG facility
3. An event that is significant, in the judgement of the operator, even though it did not meet the criteria of paragraphs (1) or (2)

Pipeline (49 CFR Part 191.3)

All parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenances attached to pipe; compressor units; metering stations; delivery stations; and holders and fabricated assemblies.

Pipeline Facility (49CFR Part 192.3)

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

Qualified

Describes an individual who has been evaluated as being able to properly perform a covered task and to recognize and react to abnormal operating conditions, which may be encountered during performance of the covered task.

Initial Qualification

Qualification, at any time, of individuals who were not performing a covered task

Subsequent Qualification

Subsequent evaluation of an individual's qualification, after initial qualification, at the interval established by BEPC.

Span of Control (SOC)

The maximum number of unqualified individuals a qualified individual may have under their direct supervision simultaneously performing a specific Covered Task.

A) IDENTIFICATION OF COVERED TASKS

BEPC shall identify tasks that are subject to the OPS regulations on Operator Qualification in 49 CFR Part 192.801 - 809 as follows:

For the purpose of this Plan, a four-part test shall be used to determine whether a task is a "covered task". A task must meet all four criteria to be a covered task.

The four-part test criteria are shown below.

- 1) Is performed on a pipeline facility;
- 2) Is an operations or maintenance task;
- 3) Is performed as a requirement of 49 CFR Part 192; and
- 4) Affects the operation or integrity of the pipeline.

Appended to this Plan, as Appendix A, is the list of BEPC's Covered Tasks and the matrix used to identify them.

B) ABNORMAL OPERATING CONDITIONS

As part of the training and qualification process, personnel performing covered tasks are instructed on normal operating criteria for each task to enable them to recognize and react when an abnormal operating condition (AOC) is encountered.

The appropriate actions to take may include:

- 1) Making the necessary adjustments to bring the equipment or settings back to normal operating conditions
- 2) Replacing the component(s)
- 3) Immediately notifying the appropriate management of the abnormal operating condition and initiating emergency procedures.
- 4) Complete the appropriate paperwork to initiate the necessary corrective action.

C) EVALUATION PROCESS

An individual's qualification to perform a covered task will be evaluated using one or more of the evaluation methods identified in this Plan.

Evaluation Methods

Evaluation methods and qualification criteria applied to a covered task may vary from task to task. The evaluation method chosen for any specific covered task shall include one or more of the following:

- 1) Written examination
- 2) Oral examination
- 3) Work performance history review
- 4) Observation during:
 - a) Performance on the job
 - b) On-the-job training, or
 - c) Simulations, or
 - d) Other forms of assessment

Written examination for covered task require a minimum 70% as a pass/fail criteria, if a score of 100% was scored on the pretest then the post test is not required. If an individual does not meet the 70% pass criteria the administrator will have to reset the test in the MEA Energy web site. A minimum of 2 day separation needed for retest can be taken.

Retaking of the test will be required until a 70% or higher is achieved. Gas Training Specialties (GTS) is our administrator.

Performance Hands on Training is also provided by GTS for the cover tasks under our Pipeline OQ Program. If an individual fails the Performance Hands on training a minimum 2 day separation is needed before a retest can be taken.

Subsequent to October 28, 2002, work performance history may not be used as a sole evaluation method.

BEPC personnel or agents who perform covered tasks must successfully pass evaluation methods administered. When performing hands-on simulations the person must demonstrate the ability to properly follow the procedure for the activity. Qualification methods are tailored to demonstrate that each individual has the knowledge, skills and ability to perform covered tasks.

Special needs (hearing, dyslexia, ability to read, etc.) will be accommodated on an individual basis. However, the content of the tests shall be consistent for all individuals being evaluated.

Evaluator Criteria

Persons with the responsibility for evaluating an individual's qualifications to perform covered tasks will have the required knowledge, through training or experience, to ascertain that individual's ability to (1) perform the covered task, and (2) recognized and react to abnormal operating conditions that might surface while performing those tasks.

The Evaluator need not be qualified under this plan for the identified Covered Task being evaluated. If an evaluation requires that the individual being evaluated perform work on a covered pipeline facility, a qualified individual must be present and have the qualifying individual under SOC.

Evaluation Categories

Initial Qualification: The qualification of individuals who did not perform a particular covered task on a regular basis prior to August 27, 1999 (the published date). Initial qualification is required for individuals who have let their qualifications expire.

Subsequent Qualification: The evaluation of an individual's qualification to perform one or more covered tasks, after the individual's initial qualification, at intervals established by BEPC.

The subsequent qualification process may utilize different evaluation criteria than were used for transitional or initial qualification.

Evaluation Process

The evaluation of qualification for a given covered task will include an individual's ability to:

- 1) Perform the assigned covered task(s).
- 2) Recognize and react to abnormal operating conditions that may be encountered during the performance of covered task(s) for which qualified.
- 3) Direct and observe unqualified individuals

BEPC, through its pipeline consultants, will establish the method and acceptance criteria used to consistently and objectively determine an individual's qualifications.

D) NON-QUALIFIED INDIVIDUALS

BEPC permits non-qualified individuals to perform covered tasks under certain circumstances, including but not limited to the non-qualified individual's participation in on-the-job training or when working as part of a crew. However, under all circumstances the following conditions must be met:

Non-qualified individuals may perform a covered task if:

- 1) A qualified individual is assigned to direct and observe non-qualified individual(s) during the performance of a covered task
- 2) A qualified individual is able to take immediate corrective actions should the qualified individual observe work being performed that is not in accordance with BEPC's procedures, or is being performed in an unsafe manner.
- 3) The ratio of non-qualified individuals to a qualified individual is such that the qualified individual can recognize and react to an abnormal operating condition immediately. The ratio of non-qualified to qualified individuals may vary in accordance with the complexity of the task. Some tasks may require a direct one-to-one ratio while other tasks may allow several non-qualified individuals to be observed by one qualified individual.

If a language barrier exists to the point that makes communication difficult

between the non-qualified individual and the qualified individual, and an interpreter is not available, the task shall not be performed by the non-qualified individual.

On-the-job training may not be used for welding and tapping. BEPC will not allow these tasks to be performed under direct observation due to their complexity and critical nature. Qualification for these covered tasks must be completed prior to being performed on BEPC's system. Modifications of this type will be performed by a certified repair contractor.

E) PERFORMANCE CONTRIBUTING TO AN INCIDENT

If there is reason to believe that an individual's performance of a covered task contributed to an incident, as defined under 49 CFR Part 191, that individual will immediately be deemed unqualified to perform that task, unless directly supervised by someone who is, and will subsequently be re-qualified to perform that covered task.

A letter stating the reason for the individual's specific task disqualification, including the investigation outcome, will be supplied to the individual's training file stating the reason for disqualification. This documentation will be provided by the immediate supervisor with approval by Manager Distributed Generation. Once the individual is re-qualified, a follow-up letter will be provided to the individual's training file demonstrating the fact that the individual is now able to perform the specific task.

The individual shall be requalified in accordance with this Plan.

F) REASONABLE CAUSE TO VERIFY QUALIFICATION

BEPC shall attempt to requalify an individual if there is reason to believe that the individual is no longer qualified to perform a covered task. Concerns regarding an individual's ability to perform a covered task may be prompted by a number of circumstances and reported to supervision by any person.

BEPC shall perform periodic field reviews of individuals as they are performing their covered tasks to determine if the individual is no longer qualified to perform the specific covered task.

The field review shall consist of, at a minimum, observation of the individual to ensure that the task is performed in accordance with BEPC's Operations and Maintenance Manual or BEPC's Emergency Plan. Each field review shall be

documented in BEPC's Training Log and is to include the name of the individual performing the review, the identity of the individual being reviewed, date of observation, location of review, task being performed and result of observation.

Possible reasons to verify an individual's qualification(s) include, but are not limited to:

1. Loss of motor skills, vision, impairment, etc.
2. A statement from a physician
3. Prolonged period of non-performance of the covered task(s)
4. Unsatisfactory performance
5. Complaints from peers or others
6. Violation of Company Policy, standards or practice as they relate to covered tasks
7. Individual request for re-qualification (self-disqualification)

Incident or performance related evaluations will conform to the following requirements:

- 1) The individual's supervisor will ask an Evaluator to perform the evaluation.
- 2) The Evaluator will investigate the individual's actions, including interviews with the employee and witnesses. The investigation will focus on the employee's recognition and reaction to AOC's, knowledge, skill, and capability requirements of the task.
- 3) The Evaluator will determine if the individual remains qualified or if the qualification is suspended. When an individual retains qualification, their next evaluation dates remain as scheduled.
- 4) The Evaluator will document the evaluation in a report to the supervisor.
- 5) Facility Management will update the individual's records accordingly.

BEPC will suspend an individual's qualifications for such items as:

- 1) Willful or repeated failure to perform Covered Task in accordance with established Company policies or procedures'
- 2) Physical impairment the prevents the individual from performing Covered Task with reasonable accommodation as required by the American's With Disabilities Act,
- 3) When an individual's performance of a Covered Task contributed to an incident,
- 4) Violation of Company policy regarding substance abuse,

- 5) When there is reason to believe an individual is no longer qualified to perform a Covered Task,
- 6) When the individual no longer performs the Covered Task,
- 7) When an individual has applied for and has been approved for a Leave of Absence that will take them away from their regular duties for 90 days or longer
- 8) When Management receives a report that an individual's performance of a Covered Task may negatively affect system operations. They shall notify the appropriate Plant Manager who shall undertake a review. Criteria in the review will include any applicable peer reviews, specific examples, situations, etc., discussions with the individual in question and the reporting individual(s). Supervisors will determine whether and individual is no longer qualified to perform a Covered Task.
- 9) Pending the results of a Drug / Alcohol test following an incident or accident.

Qualification may be reinstated once the individual's ability to perform the covered task has been established consistent with the "Evaluation Process" in this Plan.

A letter stating the reason for the individual's specific task disqualification will be supplied to the individual's training file stating the reason for disqualification. This letter will be provided by the immediate supervisor with approval by the Manager Distributed Generation. Once the individual is re-qualified, a follow-up letter will be provided to the individual's training file demonstrating the fact that the individual is now able to perform the specific task.

G) COMMUNICATION OF CHANGES TO COVERED TASKS

BEPC shall communicate all significant changes that affect a covered task to the individuals who perform that covered task. Any individual who observes the need for a change may communicate that need to the employee's immediate supervisor for appropriate action. The request for change will be evaluated by Manager Distributed Generation.

These changes may have:

- Limited impact on a covered task and require no communication or further action.
- Moderate impact on a covered task and require only communication of the change.

- Significant impact on a covered task, requiring communication of the covered task process change and possible requalification for the affected task.

These changes may include, but are not limited to:

- Significant modifications to company policies or procedures
- Significant changes in state or federal regulations
- Significant changes to BEPC's Operation and Maintenance Plan and/or Emergency Plan.
- Use of new equipment, materials and/or technology that significantly affects covered tasks

The need to communicate will vary depending upon the impact of the change on the covered task. The employee's immediate supervisor will immediately communicate all changes that affect a covered task to the individuals who perform that covered task. Documentation will be maintained regarding the communication of the change on BEPC's "Training Record" maintained by Facility Management. The "Training Record" shall reflect the date the change was communicated, the information relayed, the affected individuals and the individual communicating the change. In the event the change requires additional training, the training shall also be documented through BEPC's "Training Record" and the affected individuals will be re-evaluated as to their qualification for the affected covered task.

H) TRAINING

The above requirements are accomplished through an on-going training program. This program includes workshops, classroom activities and various other training methods that are designed to address the many covered tasks performed by each individual.

All training and evaluation shall be conducted by or be in accordance with this qualification program.

All hands-on activities shall be conducted at BEPC's facility, a natural gas facility of similar design or at workshops designated for the specific competencies and skills identified as covered tasks.

I) EVALUATION INTERVALS

Where appropriate, BEPC shall establish time intervals to reevaluate the

qualifications of individuals performing covered tasks. The following criteria will be applied to each covered task to determine the appropriate subsequent qualification interval applied to that task:

- 1) Repetitive nature
- 2) Level of risk
- 3) Complexity
- 4) Existence of checks and balances
- 5) Statutory requirements

The time between an individual's date of qualification for a specific Covered Task and the expiration date of that qualification is referred to as the "Qualification Interval".

For purposes of remaining qualified, an individual is considered to be qualified to perform a Covered Task through the expiration date of the qualification interval.

Employees, who have not been re-qualified within the specified time interval, shall not perform a covered task unless under direct supervision of a qualified individual or until re-qualification is achieved in accordance with this program.

J) PLAN EVALUATION

In accordance with 49 CFR Part 192, Subpart N, the Manager Distributed Generation shall evaluate the Plan's Covered Tasks once each calendar year, not to exceed 15 months, for applicability with BEPC's operations and recommend improvements and / or implementation of new tasks.

K) RECORD KEEPING

BEPC shall ensure maintenance of records demonstrating each individual's qualifications to perform a covered task through use of electronic or hard copy methods.

These records shall contain:

- 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

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 years.

L) ROLES AND RESPONSIBILITIES

It is the responsibility of BEPC to:

- Coordinate the development and maintenance of the written Operator Qualification program
- Coordinate the identification of covered tasks and associated abnormal operating conditions
- Identify which covered tasks are associated with specific job functions
- Maintain/update covered tasks list
- Coordinate the initial and subsequent qualifications of individuals performing covered tasks
- Assign intervals at which employees must be reevaluated in order to remain qualified
- Maintain a database of qualified individuals that are available to support the assignment, to perform a covered task or to direct and observe non-qualified individuals
- Assign only qualified individuals to perform covered tasks or to direct and observe non-qualified individuals
- Review contractor qualification programs
- Assist in selecting qualified individuals to qualify others performing covered tasks
- Acquire, provide and coordinate training desirable to support the OQ program
- Maintain OQ records as required by the Rule
- Ensure and/or perform initial and subsequent evaluations of employees under their supervision
- Communicate changes to policies and procedures affecting covered tasks
- Perform reviews of individuals when an incident occurs while performing covered tasks
- Identify individuals who may need re-qualification due to concerns with performance of a covered task

M) CONTRACTORS

All contractors performing work for BEPC shall be required to submit documentation that their employees, who may be performing covered tasks on BEPC's transmission facilities, have been properly qualified to perform those tasks. Contractors performing work that does not qualify as a covered task, as identified by BEPC, are not required to submit documentation in regards to their OQ program. Outside contractors performing a covered task for BEPC shall qualify in accordance with one of the following methods:

1. May qualify through the use of BEPC's program
2. Shall perform the covered tasks under the direct supervision of a qualified individual.
3. BEPC shall accept qualifications obtained under the programs of other operators or contractors provided that the conditions are met in accordance with Subpart N and other applicable parts of 49 CFR 192. Further, BEPC shall provide, verify and document in accordance with Subpart N that the operator or contractor complies with the Operator Qualification Program.

Prior to accepting the qualifications of individuals qualified under a contractor's program, BEPC shall review and approve the program and qualification criteria by documenting and filing the contractor's program and/or contract employee qualifications. BEPC shall review the contractors covered tasks to ensure their consistency with BEPC's covered tasks. All contractors, or subcontractors, performing covered tasks for BEPC shall be required to perform such covered tasks consistent with BEPC's requirements. BEPC will not allow a contractor to perform a covered task without the direct supervision of the inspector who shall ensure that all tasks are performed in accordance with BEPC requirements.

BEPC shall accept qualifications (certification) of individuals received from nationally recognized agencies, such as, but not limited to American society of Non-Destructive Testing (ASND), National Association of Corrosion Engineers (NACE) and American Petroleum Institute (API).

In the event a contractor hired by BEPC employs non-English speaking personnel, BEPC shall require the contractor to provide a sufficient number of interpreters to affect adequate communication with all contract employees.

BEPC shall recognize all manufacturers' authorized personnel as qualified to perform operations and maintenance functions on their product. These products include, but are not limited to control devices, valves, regulators and other products installed on pipeline facilities.

BEPC shall ensure maintenance of records for all contract employees demonstrating each individual's qualifications to perform a covered task through use of electronic or hard copy methods.

These records shall contain:

- 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

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 years.

N) MUTUAL AID

Individuals from other entities performing covered tasks on behalf of BEPC must be evaluated and qualified consistent with BEPC's operator qualification program requirements prior to being allowed to perform covered tasks on BEPC's pipeline facilities.

BEPC shall accept qualifications (certification) of individuals received from nationally recognized agencies, such as, but not limited to American society of Non-Destructive Testing (ASND), National Association of Corrosion Engineers (NACE) and American Petroleum Institute (API).

BEPC shall accept qualifications obtained under the programs of other operators provided that the conditions are met in accordance with Subpart N and other applicable parts of 49 CFR 192. Further, BEPC shall provide, verify and document in accordance with Subpart N that the operator complies with the Operator Qualification Program.

BEPC will recognize all manufacturers' authorized personnel as qualified to perform operations and maintenance functions on their product. These products include, but are not limited to control devices, valves, regulators and other products installed on pipeline and distribution facilities.

BEPC will ensure maintenance of records for all individuals providing mutual aid demonstrating each individual's qualifications to perform a covered task

through use of electronic or hard copy methods.

These records shall contain:

- 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

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 years.

O) Operator Qualification Program Changes or Modifications.

Periodic review of procedures and regulations is needed to verify if any changes are required or needed to the BEPC Operator Qualification program.

1. Notify the SD PUC under 49 U.S.C. Chapter 601 if the operator significantly modifies the program after the SD PUC has verified that it complies with this section.
2. If changes are made that affect covered tasks these changes must be communicated to all individuals who perform this covered task.
3. If changes are made to an O&M manual procedure. These changes to the O&M manual may need to be included or updated in the OQ training modules if they apply.

Determination of Covered Tasks
Basin Electric Power Cooperative

Covered Task	49CFR192 Subpart	49CFR192 Rule	Title/Description	Affects the Operation or Integrity of the Pipeline					Covered Task
				Performed as a Requirement of 49 CFR 192 Operations or Maintenance Task	Performed on a Pipeline Facility	NO	NO	NO	
	A	192.1	Scope of part	N	N	Y	N	NO	
	A	192.3	Definitions	N	N	Y	N	NO	
	A	192.5	Class locations	N	N	Y	Y	NO	
	A	192.7	Incorporation by reference	N	N	Y	N	NO	
	A	192.9	Gathering Lines	N	N	Y	Y	NO	
	A	192.11	Petroleum gas systems	N	N	Y	Y	NO	
	A	192.13	General	N	N	Y	Y	NO	
	A	192.14	Conversion to service subject to this part	N	N	Y	Y	NO	
	A	192.15	Rules of regulatory construction	N	N	Y	N	NO	
	A	192.16	Customer notification	N	N	Y	Y	NO	
	B	192.51	Scope	N	N	Y	N	NO	
	B	192.53	General	N	N	Y	Y	NO	
	B	192.55	Steel pipe	N	N	Y	Y	NO	
	B	192.55(a)	New steel pipe	N	N	Y	Y	NO	
	B	192.55(b)	Used steel pipe	N	N	Y	Y	NO	
	B	192.55(c)	New or used steel pipe	N	N	Y	Y	NO	
	B	192.55(d)	Steel pipe not previously used	N	N	Y	Y	NO	
	B	192.55(e)	New steel pipe that has been cold expanded	N	N	Y	Y	NO	
	B	192.57	Reserved	N	N	Y	Y	NO	
	B	192.59	Plastic pipe	N	N	Y	Y	NO	
	B	192.59(a)	New plastic pipe	N	N	Y	Y	NO	
	B	192.59(b)	Used plastic pipe	N	N	Y	Y	NO	
	B	192.59(c)	Pipe of a diameter not listed in a specification	N	N	Y	Y	NO	
	B	192.61	Reserved	N	N	Y	Y	NO	
	B	192.63	Marking of materials	N	N	Y	Y	NO	
	B	192.65	Transportation of pipe	N	N	Y	Y	NO	
	C	192.101	Scope	N	N	Y	N	NO	
	C	192.103	General	N	N	Y	Y	NO	
	C	192.105	Design formula for steel pipe	N	N	Y	Y	NO	
	C	192.107	Yield strength (S) for steel pipe	N	N	Y	Y	NO	
	C	192.109	Nominal wall thickness (t) for steel pipe	N	N	Y	Y	NO	
	C	192.111	Design factor (F) for steel pipe	N	N	Y	Y	NO	
	C	192.113	Longitudinal joint factor(E) for steel pipe	N	N	Y	Y	NO	
	C	192.115	Temperature derating factor (T) for steel pipe	N	N	Y	Y	NO	
	C	192.117	Reserved	N	N	Y	Y	NO	
	C	192.119	Reserved	N	N	Y	Y	NO	
	C	192.121	Design of plastic pipe	N	N	Y	Y	NO	
	C	192.123	Design limitations for plastic pipe	N	N	Y	Y	NO	
	C	192.125	Design of copper pipe	N	N	Y	Y	NO	
	D	192.141	Scope	N	N	Y	N	NO	
	D	192.143	General Requirements	N	N	Y	Y	NO	
	D	192.144	Qualifying metallic components	N	N	Y	Y	NO	
	D	192.145	Valves	N	N	Y	Y	NO	
	D	192.147	Flanges and flange accessories	N	N	Y	Y	NO	
	D	192.15	Passage of internal inspection devices	N	N	Y	Y	NO	
	D	192.151	Tapping	N	N	Y	Y	NO	
	D	192.153	Components fabricated by welding	N	N	Y	Y	NO	
	D	192.155	Welded branch connections	N	N	Y	Y	NO	
	D	192.157	Extruded outlets	N	N	Y	Y	NO	
	D	192.159	Flexibility	N	N	Y	Y	NO	
	D	192.161	Supports and anchors	N	N	Y	Y	NO	
	D	192.161(a)	Strain, forces, vibration	N	N	Y	Y	NO	
	D	192.161(b)	End force	N	N	Y	Y	NO	
	D	192.161(c)	Designed and installed	Y	N	Y	Y	NO	
	D	192.161(d)	50% or more of SMYS	N	N	Y	Y	NO	
	D	192.161(e)	Fixed object	N	N	Y	Y	NO	
	D	192.161(f)	Connection to new branches	N	N	Y	Y	NO	
	D	192.163	Compressor stations: Design and construction	N	N	Y	Y	NO	

	D	192.165	Compressor stations: Liquid removal	N	N	Y	Y	NO
	D	192.167	Compressor stations: Emergency shutdown	N	N	Y	Y	NO
	D	192.169	Compressor stations: Pressure limiting devices	N	N	Y	Y	NO
	D	192.171	Compressor stations: Additional safety equipment	N	N	Y	Y	NO
	D	192.173	Compressor stations: Ventilation	N	N	Y	Y	NO
	D	192.175	Pipe-type and bottle-type holders	N	N	Y	Y	NO
	D	192.177	Additional provisions for bottle-type holders	N	N	Y	Y	NO
	D	192.179	Transmission line valves	N	N	Y	Y	NO
	D	192.181	Distribution line valves	N	N	Y	Y	NO
	D	192.183	Vaults:Structural design requirements	N	N	Y	Y	NO
	D	192.185	Vaults: Accessibility	N	N	Y	Y	NO
	D	192.187	Vaults: Sealing, venting and ventilation	N	N	Y	Y	NO
	D	192.189	Vaults: Drainage and waterproofing	N	N	Y	Y	NO
	D	192.191	Design pressure of plastic fittings	N	N	Y	Y	NO
	D	192.193	Valve installation in plastic pipe	N	N	Y	Y	NO
	D	192.195	Protection against accidental over-pressure	N	N	Y	Y	NO
	D	192.197	Pressure of gas, high-pressure distribution systems	N	N	Y	Y	NO
	D	192.199	Requirements for design of pressure relief and limiting devices	N	N	Y	Y	NO
	D	192.199(a)	Materials	N	N	Y	Y	NO
	D	192.199(b)	Valves and valve seats	N	N	Y	Y	NO
	D	192.199(c)	Designed and installed for ready operation and testing	N	N	Y	Y	NO
	D	192.199(d)	Supports and anchors	N	N	Y	Y	NO
	D	192.199(e)	Discharge stacks, vents, or outlet ports	N	N	Y	Y	NO
	D	192.199(f)	Installed to prevent hammering and impairment of relief capacity	N	N	Y	Y	NO
	D	192.199(g)	Designed and installed to prevent any single incident	N	N	Y	Y	NO
	D	192.201	Required capacity of pressure relieving and limiting stations					
	D	192.201(a)	Installation and set point	N	N	Y	Y	NO
	D	192.201(b)	More than one pressure regulating or compressor station	Y	N	Y	Y	NO
	D	192.201(c)	Low pressure distribution system	N	N	Y	Y	NO
	D	192.203	Instrument, control, sampling pipe and components	N	N	Y	Y	NO
	D	192.023(a)	Applicability	N	N	Y	Y	NO
	D	192.203(b)	Materials and design	N	N	Y	Y	NO
	E	192.221	Scope	N	N	Y	N	NO
	E	192.225	Welding - General					
	E	192.225(a)	Welding by qualified welder with qualified procedures	N	N	Y	Y	NO
	E	192.225(b)	Record of procedures	N	N	Y	Y	NO
	E	192.227	Qualification of welders	N	N	Y	Y	NO
	E	192.229	Limitations on welders					
	E	192.229(a)	Qualifications based on NDE	N	N	Y	Y	NO
	E	192.229(b)	Engaged in welding in proceeding 6 months	N	N	Y	Y	NO
	E	192.229(c)	A welder qualified under 192.227(a)	N	N	Y	Y	NO
	E	192.229(d)	A welder qualified under 192.227(b)	N	N	Y	Y	NO
	E	192.231	Protection from weather	N	N	Y	Y	NO
	E	192.233	Miter joints	N	N	Y	N	NO
	E	192.235	Preparation for welding	N	N	Y	Y	NO
	E	192.241	Inspection and test of welds					
	E	192.241(a)	Visual inspection of welds	N	N	Y	Y	NO
	E	192.241(b)	NDE of welds	N	N	Y	Y	NO
	E	192.241(c)	Acceptability of welds	N	N	Y	Y	NO
	E	192.243	Nondestructive testing	N	N	Y	Y	NO
	E	192.245	Repair or removal of defects					
	E	192.245(a)	Removal & repair of unacceptable welds	N	N	Y	Y	NO
	E	192.245(b)	Repair process & inspection	N	N	Y	Y	NO
	E	192.245(c)	Repair in a previously repaired area	N	N	Y	Y	NO
	F	192.271	Scope	N	N	Y	Y	NO
	F	192.273	General					
	F	192.273(a)	Pipeline design & installation	N	N	Y	Y	NO
	F	192.273(b)	Joining in accordance with written procedures	N	Y	Y	Y	NO
	F	192.273(c)	Joint inspection	N	N	Y	N	NO
	F	192.275	Cast iron pipe	N	N	Y	Y	NO
	F	192.277	Ductile iron pipe	N	N	Y	Y	NO
	F	192.279	Copper pipe	N	N	Y	Y	NO
	F	192.281	Plastic pipe					
	F	192.281(a)	Disturbance of plastic pipe joints	N	N	Y	N	NO
	F	192.281(b)	Solvent cement joints	N	Y	Y	Y	NO
	F	192.281(c)	Heat-fusion joints	N	N	Y	N	NO
	F	192.281(d)	Adhesive joints	N	Y	Y	Y	NO
	F	192.281(e)	Mechanical joints	N	N	Y	N	NO
	F	192.283	Plastic pipe: qualifying joining procedures	N	N	Y	Y	NO
	F	192.285	Plastic pipe: qualifying persons to make joints	N	N	Y	Y	NO
	F	192.287	Plastic pipe: inspection of joints	N	N	Y	Y	NO
	G	192.301	Scope	N	N	Y	Y	NO
	G	192.303	Compliance with specifications and standards	N	N	Y	Y	NO
	G	192.303	Compliance with specifications and standards	N	N	Y	Y	NO
Repair Procedures	G	192.307	Inspections of materials	Y	Y	Y	Y	YES
Repair Procedures	G	192.309	Repair of steel pipe	Y	Y	Y	Y	YES
	G	192.311	Repair of plastic pipe	N	N	Y	N	NO
	G	192.313	Bends and elbows	N	N	Y	Y	NO
	G	192.315	Wrinkle bends in steel pipe	N	N	Y	Y	NO
Continuing Surveillance	G	192.317	Protection from hazards	Y	Y	Y	Y	YES
Repair Procedures	G	192.319(a)	Transmission lines hoop stress of 20% or more of SMYS	Y	Y	Y	Y	YES

	I	192.469	External corrosion control: Test stations	Y	N	Y	Y	NO
	I	192.471	External corrosion control: Test leads					
	I	192.471(a)	Test lead connection	N	N	Y	Y	NO
	I	192.471(b)	Test lead attached to minimize adverse affects	N	N	Y	Y	NO
	I	192.471(c)	Bared test lead and bared metallic area coating	N	N	Y	Y	NO
	I	192.473	External corrosion control: Interference currents					
	I	192.473(a)	Stray current program	Y	N	Y	Y	NO
	I	192.473(b)	Impressed current type cathodic protection system installation	N	N	Y	N	NO
	I	192.475	Internal corrosion control: General provisions					
	I	192.475(a)	Transportation of corrosive gas	N	N	Y	Y	NO
Cathodic Protection - Internal Pipe Inspection	I	192.475(b)	Inspection of removed pipe	Y	Y	Y	Y	YES
	I	192.475(c)	Storage of gas containing hydrogen sulfide in holders	N	N	Y	Y	NO
	I	192.477	Internal corrosion control: Monitoring	N	N	Y	Y	NO
	I	192.479	Atmospheric corrosion control: General					
Cathodic Protection - Installation of Protective Coating	I	192.479(a)	Pipelines installed after July 31, 1971	Y	Y	Y	Y	YES
	I	192.479(b)	Pipelines installed before August 1, 1971					
	I	192.479(b)(1)	Determine areas of atmospheric corrosion	N	N	Y	Y	NO
	I	192.479(b)(2)	Taked remedial action	N	N	Y	N	NO
	I	192.479(b)(3)	Clean and coat or jacket	N	N	Y	Y	NO
Cathodic Protection - Monitor for Corrosion	I	192.481	Atmospheric corrosion control: Monitoring	Y	Y	Y	Y	YES
Cathodic Protection - Remedial Action	I	192.481	Atmospheric corrosion control: Monitoring	Y	Y	Y	Y	YES
	I	192.483	Remedial measures: General					
Cathodic Protection - Remedial Action	I	192.483(a)	Protective coating	Y	Y	Y	Y	YES
Cathodic Protection - Remedial Action	I	192.483(b)	Cathodic protection	Y	Y	Y	Y	YES
Cathodic Protection - Remedial Action	I	192.483(c)	Repaired pipe	Y	Y	Y	Y	YES
	I	192.485	Remedial measures: Transmission lines					
Cathodic Protection - Remedial Action	I	192.485(a)	General corrosion: Transmission lines	Y	Y	Y	Y	YES
Cathodic Protection - Remedial Action	I	192.485(b)	Localized corrosion pitting: Transmission lines	Y	Y	Y	Y	YES
	I	192.485(c)	Strength of pipe	N	N	Y	Y	NO
	I	192.487	Remedial measures: Distribution lines					
	I	192.487(a)	General corrosion	N	N	Y	Y	NO
	I	192.487(b)	Localized corrosion pitting	N	N	Y	Y	NO
	I	192.489	Remedial measures: Cast-iron and ductile-iron pipelines					
	I	192.489(a)	General graphitization	N	N	Y	Y	NO
	I	192.489(b)	Localized graphitization	N	N	Y	Y	NO
	I	192.491	Corrosion control records	N	Y	N	Y	NO
	J	192.501	Scope	N	N	Y	Y	NO
Conduct Pressure Test	J	192.503	General requirements	Y	Y	Y	Y	YES
	J	192.505	Steel pipeline, hoop stress of 30 percent or more of SMYS					
Conduct Pressure Test	J	192.505(a)	Strength testing in accordance with this section	Y	Y	Y	Y	YES
	J	192.505(b)	Compressor station, regulator station and measuring station	N	N	Y	Y	NO
Conduct Pressure Test	J	192.505(c)	Test duration	Y	Y	Y	Y	YES
	J	192.505(d)	Manufacturer certified component other than pipe	N	N	Y	Y	NO
Conduct Pressure Test	J	192.505(e)	Preinstallation strength test	Y	Y	Y	Y	YES
	J	192.507	Hoop stress less than 30 percent of SMYS	N	N	Y	N	NO
	J	192.509	Test requirements for pipelines to operate below 100 p.s.i.g.	N	N	N	Y	NO
	J	192.511	Test requirements for service lines	N	N	N	Y	NO
	J	192.513	Test requirements for plastic pipelines	N	N	N	Y	NO
	J	192.515	Environmental protection and safety requirements					
	J	192.515(a)	Safety requirements	Y	Y	Y	N	NO
	J	192.515(b)	Environmental requirements	Y	Y	Y	N	NO
	J	192.517	Records	Y	Y	Y	N	NO
	K	192.551	Scope					
	K	192.553	General requirements	N	N	Y	Y	NO
	K	192.553	General requirements	N	N	Y	Y	NO
	K	192.553	General requirements	N	N	Y	Y	NO
	K	192.555	Hoop stress of 30 percent or more of SMYS in steel pipelines					
	K	192.555(a)	Requirements of this section	N	N	Y	Y	NO
	K	192.555(b)(1)	Review of design, operating, and maintenance and testing	N	N	Y	Y	NO
	K	192.555(b)(2)	Repairs, replacements or alterations	Y	N	Y	Y	NO
	K	192.555(c)	Pipeline constructed before September 12, 1970	N	N	Y	Y	NO
	K	192.555(d)(1)	Not qualified under paragraph (c)	N	N	Y	Y	NO
	K	192.555(d)(2)	Not qualified under paragraph (c)	N	N	Y	Y	NO
	K	192.555(e)	Increase in increments	N	N	Y	Y	NO
	K	192.557	Hoop stress less than 30 percent of SMYS					
	K	192.557(a)	Requirements of this section	N	N	Y	Y	NO
	K	192.557(b)(1)	Review of design, operating, and maintenance history	N	N	Y	Y	NO
	K	192.557(b)(2)	Leakage survey	N	N	Y	Y	NO
	K	192.557(b)(2)	Leakage survey	N	N	Y	Y	NO
	K	192.557(b)(3)	Repairs, replacements, or alterations	N	N	Y	Y	NO
	K	192.557(b)(4)	Reinforce or anchor offsets, bends and dead ends	N	N	Y	Y	NO
	K	192.557(b)(5)	Isolation	N	N	Y	Y	NO
	K	192.557(b)(6)	Service regulators	N	N	Y	Y	NO
	K	192.557(c)	Increase in increments	N	N	Y	Y	NO
	K	192.557(d)(1)	Incomplete records for cast iron or ductile iron pipelines	N	N	Y	Y	NO
	K	192.557(d)(2)	Incomplete records for cast iron or ductile iron pipelines	N	N	Y	Y	NO
	K	192.557(d)(3)	Incomplete records for cast iron or ductile iron pipelines	N	N	Y	Y	NO
	K	192.557(d)(4)	Incomplete records for cast iron or ductile iron pipelines	N	N	Y	Y	NO
	L	192.601	Scope					
	L	192.603	General provisions					
	L	192.603(a)	Operation in accordance with this subpart	N	N	Y	Y	NO
	L	192.603(b)	Records	N	N	Y	Y	NO
	L	192.603(c)	Required amendment to plan	N	N	Y	Y	NO

	L	192.605	Procedural manual						
	L	192.605(a)	General		N	Y	Y	N	NO
	L	192.605(b)(1)	Operating, maintaining and repairing the pipeline		N	N	Y	N	NO
	L	192.605(b)(2)	Controlling corrosion in accordance with Subpart I		N	N	Y	N	NO
	L	192.605(b)(3)	Availability of construction records, maps, operating history		N	N	Y	Y	NO
	L	192.605(b)(4)	Gathering data for incident reporting		Y	N	Y	N	NO
	L	192.605(b)(5)	Starting up and shutting down any part of the pipeline		N	N	Y	N	NO
	L	192.605(b)(5)	Starting up and shutting down any part of the pipeline		N	N	Y	N	NO
	L	192.605(b)(6)	Maintaining compressor stations, including isolation and purging		N	N	Y	Y	NO
	L	192.605(b)(7)	Starting, operating and shutting down compressor units		N	N	Y	Y	NO
	L	192.605(b)(7)	Starting, operating and shutting down compressor units		N	N	Y	Y	NO
	L	192.605(b)(7)	Starting, operating and shutting down compressor units		N	N	Y	Y	NO
	L	192.605(b)(8)	Periodic review of work done by operating personnel		Y	N	Y	Y	NO
	L	192.605(b)(9)	Precautions in excavated trenches		Y	Y	Y	N	NO
	L	192.605(b)(10)	Testing and inspection of pipe-tvce and bottle-tvce holders		N	N	Y	Y	NO
	L	192.605(b)(10)	Testing and inspection of pipe-tvce and bottle-tvce holders		N	N	Y	Y	NO
	L	192.605(c)	Abnormal operation, transmission lines		N	N	Y	Y	NO
	L	192.605(d)	Recognition of potential safety-related conditions		N	N	Y	Y	NO
	L	192.605(e)	Surveillance, emergency response, and accident investigation		N	N	Y	Y	NO
	L	192.607	Reserved						
	L	192.609	Change in class location: Required study		N	N	Y	Y	NO
	L	192.611	Confirmation or revision of MAOP						
	L	192.611(a)	Hoop stress not commensurate with present class location		N	N	Y	Y	NO
	L	192.611(a)(1)	MAOP if segment previously tested in place		N	N	Y	Y	NO
	L	192.611(a)(2)	New segments of pipeline		Y	N	Y	Y	NO
	L	192.611(a)(3)	MAOP if segment not previously tested in place		Y	N	Y	Y	NO
	L	192.611(a)(3)	MAOP if segment not previously tested in place		N	N	Y	Y	NO
	L	192.611(b)	Confirmed or revised MAOP may not exceed previous MAOP		N	N	Y	Y	NO
	L	192.611(c)	Application of 192.553 & 192.555		N	N	Y	Y	NO
	L	192.611(d)	Confirmation or revision of MAOP within 18 months		N	N	Y	Y	NO
	L	192.612	Pipelines in the Gulf of Mexico and its inlets						
	L	192.612(a)	Inspection between October 3, 1989 and November 16, 1992		N	N	Y	Y	NO
	L	192.612(b)	Notification, marking and placement		N	N	Y	Y	NO
	L	192.613	Continuing surveillance						
Continuing Surveillance	L	192.613(a)	Procedure for surveillance		Y	Y	Y	Y	YES
Pipeline Remedial Action	L	192.613(b)	Program to recondition, phase out, or reduce the MAOP		Y	Y	Y	Y	YES
	L	192.614	Damage prevention program						
	L	192.614(a)	Implementation of written damage prevention program		N	N	Y	Y	NO
	L	192.614(b)	Written program contents						
	L	192.614(b)(1)	Identification of excavators		N	N	Y	Y	NO
	L	192.614(b)(2)	General notification		N	N	Y	Y	NO
	L	192.614(b)(3)	Receiving and recording notification of planned excavations		N	N	Y	Y	NO
	L	192.614(b)(4)	Notification of type of temporary markings and how to identify		N	N	Y	Y	NO
Locate Pipe	L	192.614(c)(5)	Temporary marking of buried pipelines in area of excavation		Y	Y	Y	Y	YES
Inspect Third Party Excavation	L	192.614(c)(6)(i)	Inspection for damage		Y	Y	Y	Y	YES
Gas Leak Detection Survey	L	192.614(c)(6)(ii)	Leak survey		Y	Y	Y	Y	YES
	L	192.614(d)	Damage prevention program not required		N	N	N	N	NO
	L	192.615	Emergency plans						
	L	192.615(a)	Written procedures						
	L	192.615(a)(1)	Receiving, identifying and classifying notices of events		N	N	Y	Y	NO
Emergency Response	L	192.615(a)(2)	Establishing and maintaining communication		N	N	Y	N	NO
	L	192.615(a)(3)	Prompt and effective response to a notice		Y	Y	Y	Y	YES
	L	192.615(a)(4)	Availability of personnel, equipment, tools, and materials		N	N	Y	Y	NO
Pipeline Purging Procedure	L	192.615(a)(5)	Protecting people first then property		Y	Y	Y	N	NO
Emergency Response Make Safe	L	192.615(a)(6)	Emergency shutdown and pressure reduction		Y	Y	Y	Y	YES
Emergency Response Make Safe	L	192.615(a)(7)	Making safe any actual or potential hazard		Y	Y	Y	Y	YES
	L	192.615(a)(8)	Notification and coordination with public safety officials		N	N	Y	N	NO
Emergency Response Make Safe	L	192.615(a)(9)	Safely restoring any service outage		Y	Y	Y	Y	YES
	L	192.615(a)(10)	Action under 192.617		N	N	Y	N	NO
	L	192.615(b)	Furnish procedures, training and review of emergency response		N	N	Y	Y	NO
	L	192.615(c)	Liaison with public officials		N	N	Y	N	NO
	L	192.616	Public education		N	N	Y	Y	NO
	L	192.617	Investigation of failures		N	N	Y	Y	NO
	L	192.619	MAOP: steel or plastic pipelines						
	L	192.619(a)	Lowest MAOP		N	N	Y	Y	NO
	L	192.619(b)	Over-pressure protective devices		N	N	Y	Y	NO
	L	192.619(c)	Highest actual operating pressure		Y	N	Y	Y	NO
	L	192.621	MAOP: high pressure distribution system						
	L	192.621(a)	Lowest MAOP		N	N	Y	Y	NO
	L	192.621(b)	Over-pressure protective devices		N	N	Y	Y	NO
	L	192.623	Low-pressure distribution systems						
	L	192.623(a)	Maximum allowable operating pressure		N	N	Y	Y	NO
	L	192.623(b)	Minimum allowable operating pressure		N	N	Y	N	NO
	L	192.625	Odorization of gas						
	L	192.625(a)	Distribution lines		N	N	N	Y	NO
	L	192.625(b)	Transmission lines in Class 3 or Class 4 location		N	N	Y	Y	NO
	L	192.625(c)	Odorant requirements		N	N	Y	Y	NO
	L	192.625(d)	Odorant solubility		N	N	Y	Y	NO
	L	192.625(e)	Equipment for odorization		N	N	Y	Y	NO
	L	192.625(f)	Periodic sampling		N	N	Y	Y	NO
	L	192.627	Tapping pipelines under pressure		N	N	Y	Y	NO

Pipeline Purging Procedure	L	192.629	Purging of pipelines	Y	Y	Y	Y	YES
	M	192.701	Scope	N	N	Y	Y	NO
	M	192.703	General					
	M	192.703(a)	Maintenance in accordance with this Subpart	N	N	Y	Y	NO
Pipelines Remedial Action	M	192.703(b)	Repair, replacement or removal of unsafe pipeline segments	Y	Y	Y	Y	YES
Repair Procedures	M	192.703(c)	Prompt repair of hazardous leaks	Y	Y	Y	Y	YES
	M	192.705	Transmission lines: Patrolling					
Continuing Surveillance	M	192.705(a)	Transmission lines: patrol program	Y	Y	Y	Y	YES
	M	192.705(b)	Patrol frequency	N	N	Y	Y	NO
Continuing Surveillance	M	192.705(c)	Patrol methods	Y	Y	Y	Y	YES
Gas Leak Detection Survey	M	192.706	Transmission lines: Leakage surveys	Y	Y	Y	Y	YES
Continuing Surveillance	M	192.707	Line markers for mains and transmission lines	Y	Y	Y	Y	YES
	M	192.709	Transmission lines: Record keeping	N	Y	Y	N	NO
	M	192.711	Transmission lines: General requirements for repair procedures					
Repair Procedures	M	192.713	Transmission lines: Field repair of imperfections and damages	Y	Y	Y	Y	YES
	M	192.715	Transmission lines: Permanent field repair of welds	N	N	Y	Y	NO
Repair Procedures	M	192.717	Transmission lines: Permanent field repair of leaks	Y	Y	Y	Y	YES
	M	192.719	Transmission lines: Testing of repairs					
Conduct Pressure Test	M	192.719(a)	Testing of replacement pipe	Y	Y	Y	Y	YES
	M	192.719(b)	Testing of repairs made by welding	N	N	Y	Y	NO
	M	192.721	Distribution system: Patrolling					
	M	192.721(a)	Patrol frequency based on severity of conditions	N	N	N	N	NO
	M	192.721(b)	Anticipated movement patrolling	N	N	N	N	NO
	M	192.723	Distribution system: Leakage surveys					
	M	192.723(a)	Provision for periodic leakage surveys	N	N	N	N	NO
	M	192.723(b)(1)	Business district leakage surveys	N	N	N	N	NO
	M	192.723(b)(2)	Leakage surveys outside business districts	N	N	N	N	NO
	M	192.725	Test requirements for reinstating service lines					
	M	192.725(a)	Testing of disconnected service lines before reinstatement	N	N	N	N	NO
	M	192.725(b)	Testing of temporarily disconnected service lines before reinstatement	N	N	N	N	NO
	M	192.727	Abandonment or deactivation of facilities					
	M	192.727(a)	Abandonment or discontinuance in accordance with this section	N	N	Y	Y	NO
Abandonment of Pipeline	M	192.727(b)	Abandonment in place	Y	Y	Y	Y	YES
Abandonment of Pipeline	M	192.727(c)	Inactive pipelines, except service lines	Y	Y	Y	Y	YES
Abandonment of Pipeline	M	192.727(d)	Service discontinuance	Y	Y	Y	Y	YES
Pipeline Purging Procedure	M	192.727(e)	Purging with air	Y	Y	Y	Y	YES
	M	192.727(f)	Abandoned vaults	N	N	N	N	NO
	M	192.731	Compressor stations: Inspection and testing of relief devices					
	M	192.731(a)	Inspection and testing of pressure-relieving devices	N	N	N	N	NO
	M	192.731(b)	Repair or replacement of defective or inadequate equipment	N	N	N	N	NO
	M	192.731(c)	Inspection and testing of remote control shutdown devices	N	N	N	N	NO
	M	192.735	Compressor stations: Storage of combustible material					
	M	192.735(a)	Limits on quantity of flammable and combustible material stored	N	N	N	N	NO
	M	192.735(b)	Above ground oil and gasoline storage	N	N	N	N	NO
	M	192.736	Compressor buildings: Gas detection					
	M	192.736(a)	Requirement for fixed gas detection and alarm system	N	N	N	N	NO
	M	192.736(b)	Continuous monitoring and warning	N	N	N	N	NO
	M	192.736(c)	Gas detection system maintenance and performance test	N	N	N	N	NO
	M	192.739	Pressure limiting and regulating stations: Inspection and testing	N	N	N	N	NO
	M	192.741	Telemetry or recording gauges					
	M	192.741(a)	Distribution system more than one district pressure regulating station	N	N	N	N	NO
	M	192.741(b)	Distribution system single district pressure regulating station	N	N	N	N	NO
	M	192.741(c)	Abnormally high or low pressure	N	N	N	N	NO
	M	192.743	Testing of relief devices					
	M	192.743(a)	Testing in place, if feasible	N	N	N	N	NO
	M	192.743(b)	Testing not feasible	N	N	N	N	NO
	M	192.743(c)	Insufficient capacity of relieving device	N	N	N	N	NO
Valve Maintenance	M	192.745	Valve maintenance: Transmission lines	Y	Y	Y	Y	YES
	M	192.747	Valve maintenance: Distribution systems	N	N	N	N	NO
	M	192.749	Vault maintenance					
	M	192.749(a)	Inspection	N	N	Y	N	NO
	M	192.749(b)	Inspection of equipment if gas found	N	N	Y	N	NO
	M	192.749(c)	Ventilation equipment inspection	N	N	Y	N	NO
	M	192.749(d)	Vault cover inspection	N	N	Y	N	NO
	M	192.751	Prevention of accidental ignition					
Accidental Ignition Prevention	M	192.751	steps to minimize accidental ignition of gas	Y	Y	Y	Y	YES
Pipeline Purging Procedure	M	192.751(a)	Gas vented into open air	Y	Y	Y	Y	YES
	M	192.751(b)	Gas or electric welding and cutting	N	N	N	Y	NO
Accidental Ignition Prevention	M	192.751(c)	Warning signs	Y	Y	Y	Y	YES
	M	192.753	Caulked bell and spigot joints					
	M	192.753(a)	Sealing when pressure is more than 25 psig	N	N	N	N	NO
	M	192.753(b)	Sealing of exposed joints subject to pressure of 25 psig or less	N	N	N	N	NO
	M	192.755	Protecting cast-iron pipelines					
	M	192.755(a)	Protection during disturbance	N	N	N	N	NO
	M	192.755(b)	Permanent protection for disturbed segment	N	N	N	N	NO

Operator Qualification Identified Covered Tasks
 Basin Electric Power Cooperative

IDENTIFIED COVERED TASKS

Task No.	Task	49CFR192 Rule
BEPC-1000	Abandonment of Facilities	<u>192/727b, 727c, 727d</u>
BEPC-2000	Cathodic Protection - Inspection of Protective Coating	<u>192/461c</u>
BEPC-2100	Cathodic Protection - Internal Pipe Inspection	<u>192/475b</u>
BEPC-2200	Cathodic Protection - Monitoring (Rectifier, Isolation)	<u>192/465b, 465c</u>
BEPC-2300	Cathodic Protection - Installation of Protective Coating	<u>192/461a, 461d, 461e, 479a</u>
BEPC-2400	Cathodic Protection - Monitor for Corrosion	<u>192/459, 465a, 481</u>
BEPC-2500	Cathodic Protection - Remedial Action	<u>192/465d, 481, 483a, 483b, 483c, 485a, 485b</u>
BEPC-3000	Conduct Pressure Test	<u>192/503, 505a, 505c, 505e, 613a, 719a</u>
BEPC-4000	Emergency Response	<u>192/615a3</u>
BEPC-4100	Emergency Response Make Safe	<u>192/615a7, 615a9</u>
BEPC-5000	Inspect Third Party Excavation	<u>192/614c6i</u>
BEPC-6000	Repair Procedures	<u>192/307, 309, 319a, 319b, 703c, 713, 717</u>
BEPC-7000	Gas Leak Detection Survey	<u>192/614c6ii, 706</u>
BEPC-8000	Locate Pipe	<u>192/614c5</u>
BEPC-9000	Pipelines Remedial Action	<u>192/613b, 703b</u>
BEPC-10000	Accidental Ignition Prevention	<u>192/751, 751c</u>
BEPC-11000	Pipeline Purging Procedure	<u>192/615a6, 629, 727e, 751a</u>
BEPC-12000	Continuing Surveillance	<u>192/317, 705a, 705c, 707</u>
BEPC-13000	Valve Maintenance	<u>192/745</u>

Operator Qualification Identified Covered Tasks
 Basin Electric Power Cooperative

Covered Task Matrix

Covered Task Number	Covered Task	Reevaluation Interval	Technician	
BEPC-1000	Abandonment of Facilities			
BEPC-2000	Cathodic Protection - Inspection of Protective Coating (Exposed Pipe Inspection)	3		X
BEPC-2100	Cathodic Protection - Internal Pipe Inspection	2		X
BEPC-2200	Cathodic Protection - Monitoring (Rectifier, Electrical Isolation)	2		X
BEPC-2300	Cathodic Protection - Installation of Protective Coating	3		X
BEPC-2400	Cathodic Protection - Monitor for Corrosion, Includes Atmospheric	2		X
BEPC-2500	Cathodic Protection - Remedial Action	3		X
BEPC-3000	Conduct Pressure Test	2		X
BEPC-4000	Emergency Response	5		X
BEPC-4100	Emergency Response Make Safe	1		X
BEPC-5000	Inspect Third Party Excavation	1		X
BEPC-6000	Repair Procedures	2		X
BEPC-7000	Gas Leak Detection Survey	2		X
BEPC-8000	Locate Pipe	3		X
BEPC-9000	Pipelines Remedial Action	2		X
BEPC-10000	Accidental Ignition Prevention	3		X
BEPC-11000	Pipeline Purging Procedure	1		X
BEPC-12000	Continuing Surveillance	5		X
BEPC-13000	Valve Maintenance	2		X