

Part 192/195 Evaluation Project
Advisory Committee Action: Information
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Project Objectives:

Part 192/195 Evaluation Project's main objective is to evaluate current regulations and identify "holes – something missing" and "gaps – in one part, but not in the other" and significant "differences – Parts 192 & 195 have same subject, but different content". Another objective is to find "deficiencies" in the current regulations. These "deficiencies" seem to be of two types: regulatory language which is not clear enough to support enforcement actions and areas in which current requirements are not dealing with important risks (e.g., there is no requirement to maintain depth of cover).

Background:

Much of the code has been in place for decades while much has changed. It is time for a fresh look. Our goals are no gaps, no overlaps, and revisions that clarify our requirements. Also, PHMSA needs to have a clear understanding of Statutory requirements for operational reporting during and after natural disasters and major accidents.

PHMSA's 192-195 Regulations Evaluation Team is composed of experienced Headquarters staff, Regional and State inspectors, senior Training & Qualification representatives and Attorneys.

Status:

Team has collected enough information to complete evaluation of major holes, gaps and differences in near future.

Team has reviewed enabling/authorizing legislation, particularly with respect to jurisdictional areas where we do not regulate.

Team is currently reviewing special permits, advisory bulletins, NTSB recommendations, NAPSR resolutions, PHMSA interpretations and high visibility accidents.

Team is also reviewing existing MOU's between PHMSA and other Federal agencies.

Path Forward:

Determine how best to address identified holes, gaps, differences and deficiencies through changes to the regulations.