



# OQ Qualification and Requalification



[info@its-training.com](mailto:info@its-training.com)



[its-training.com](http://its-training.com)



270.753.2150



# WARREN MILLER

*Regulatory Compliance Specialist*

Cell: 270.227.4465

Office: 270.753.2150 Ext. 111

[wmiller@its-training.com](mailto:wmiller@its-training.com)



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# BEFORE WE START

## NPRM

### Pipeline Safety: Gas Pipeline Leak Detection and Repair

**GPAC met in DC on November 27th - December 1<sup>st</sup>. The meeting will continue in February 2024.**

PHMSA intends for the rule's Effective Date to be 6 months after publication of the Final Rule in the Federal Register.

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# BEFORE WE START

## NPRM

### Pipeline Safety: Safety of Gas Distribution and Other Pipeline Safety Initiatives

**There will be a GPAC meeting in first or second quarter of 2024 to move this rulemaking along.**

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# AGENDA

- ✔ Brief History of OQ
- ✔ Evaluations
- ✔ Records
- ✔ Subsequent or Reevaluations
- ✔ Training
- ✔ Abnormal Operating Conditions
- ✔ Evaluators

# BRIEF HISTORY OF OQ

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- ✓ 1994 – RSPA (Pre-PHMSA) issued a Notice of Proposed Rulemaking for Training: Industry comments stopped the development of the regulation.
- ✓ Negotiated Rulemaking (1999) – On August 27, 1999, a Final Rule was published that provided the pipeline industry the first rulemaking which allowed pipeline operators input into its development.





# OQ

- ✔ The regulation states that an operator shall ensure any individual performing a covered task on the operator's pipeline facility shall be qualified to perform the covered task.
- ✔ Exception allows the individual to be directed and observed by an individual qualified to perform the same covered task.
- ✔ **Qualified** means: An individual that has been evaluated and can perform assigned covered tasks and recognize and react to AOCs.





## BRIEF HISTORY OF OQ

- ✔ The regulation was implemented in 2 phases. Each operator had to have a written plan developed by April 27, 2001, and have any individual qualified prior to performing covered tasks by October 28, 2002.
- ✔ In 2003, RSPA held a Public Meeting to discuss the perceived gaps of the regulation.
- ✔ The output of the meeting was a list that became known as The 13 Issues.

# THE 13 ISSUES

High Impact	Medium Impact	Low Impact
1. Scope of OQ Inspections	9. Additional Covered Tasks	4. Criteria for Small Operators
2. Evaluation of KSA's	10. Extent of Documentation	5. Direction and Observation of NQIs
3. Re-evaluation Interval	11. Treatment of Training	6. Noteworthy Practices
7. Maintenance vs. New Construction	12. AOCs	13. Persons Contributing to an Incident or Accident
8. Treatment of Emergency		

# FOCUS ON THESE THREE

High Impact	Medium Impact	Low Impact
2. Evaluation of KSA's		
	11. Treatment of Training	
	12. AOCs	

# EVALUATIONS



# EVALUATIONS

Each operator was allowed to make determinations for their OQ plan.

What information do you require to support an individual's knowledge, skill and ability to perform a covered task?

- ✓ Evaluation method (REQUIRED)
  - ✓ Written evaluation/CBT/online (REQUIRED - maybe)
  - ✓ Performance evaluation (REQUIRED - maybe)
- ✓ Identification on individuals
- ✓ Covered task(s) qualified to
- ✓ Dates of current qualification

# EVALUATIONS

- ✔ What additional information could you really need to support an individual's knowledge, skill and ability to perform a covered task?
  - ✔ Knowledge-based training associated with the covered task
  - ✔ Documented OJT (with a qualified individual)
  - ✔ Evaluator and his authorization to evaluate for the covered task(s)
  - ✔ Any subsequent training
  - ✔ Performance monitoring



# EVALUATIONS

- ✔ Are your initial evaluations of individuals consistent?
- ✔ Are the evaluations written and performance based?
- ✔ If someone is new to your organization, will the evaluation be the same whether they are new to the industry or hired from another organization?
- ✔ Does that include training?





# EVALUATIONS

- ✔ Consider what additional information you might need in case an incident or accident would occur.
- ✔ What documentation would you need to address proof of qualification in a tort case?
  - ✔ Thorough process development
  - ✔ Consideration of risk
  - ✔ Public safety
  - ✔ Personnel safety





# EVALUATIONS

- ✔ Can your evaluators make the statement that each individual they have evaluated has the knowledge, skills and ability to perform each covered task?
- ✔ Would they make that statement in a court of law?
- ✔ Does your process include documentation of all aspects of the evaluation?

# NUMBER OF EVALUATIONS

- ✔ Have you established the number of covered tasks (CTs) that can be trained on and tested by an evaluator each day?
- ✔ Each program is different. Some operators have 43 CTs, some have 200 CTs. Contractors may have 4 CTs, others may have 40 CTs.
- ✔ The issue is to be able to take the time to evaluate each individual on each covered task they perform\*.





# NUMBER OF EVALUATIONS

- ✔ The number of evaluations per person per day should vary by the complexity of the covered tasks. With paperwork, setup, and individual performance evaluations, how many evaluations can an evaluator perform?
- ✔ 30, 40, 50.....what is physically possible?

# EVALUATIONS

- ✔ Should a training facility have samples of all equipment an individual would be using in the field?
- ✔ What tools/equipment should be available for use during evaluations?



# RECORDS

# RECORDS REQUIRED

## § 192.807 Recordkeeping.

Each operator shall maintain records that demonstrate compliance with this subpart.

(a) Qualification records shall include:

- (1) Identification of qualified individual(s);
- (2) Identification of the covered tasks the individual is qualified to perform;
- (3) Date(s) of current qualification; and
- (4) Qualification method(s).



# RECORDS REQUIRED

## § 192.807 Recordkeeping.

(b) Records supporting an individual's current qualification shall be maintained while the individual is performing the covered task. Records of prior qualification and records of individuals no longer performing covered tasks shall be retained for a period of five years.





# SUBSEQUENT OR REEVALUATIONS

# REEVALUATIONS

- ✔ Means not the initial time an individual is evaluated to perform covered tasks.
- ✔ Operators must evaluate personnel periodically, as stated in their OQ plan. Reevaluation intervals are established to ensure each individual's knowledge, skill and abilities (KSAs) are still adequate to perform the covered tasks they were originally qualified to perform.
- ✔ Reevaluation may also occur if someone has contributed to an accident or incident, or if the individual's performance is in question.



# REEVALUATIONS

- ✔ Dependent on the circumstance of the reevaluation, operators need to determine what training may be needed prior to the evaluation.
- ✔ If changes have occurred to procedures and equipment since the last evaluation, orientation or training may also have to be amended.
- ✔ Reevaluations should be structured and consistent, evaluating and individuals KSAs for each covered tasks.
- ✔ Should also review AOCs, recognition and reaction.





# REEVALUATIONS

- ✔ Consider your evaluation position for your seasoned workforce. You need to be able to answer a regulator's question on how you evaluated the KSA's of each individual performing covered tasks every time.
  - ✔ Any follow up or subsequent training
  - ✔ Performance evaluations
  - ✔ Documented performance monitoring



# REEVALUATIONS FOR CAUSE

- ✔ If you are evaluating someone that has been evaluated before and has been suspended or disqualified for possibly contributing to an incident or accident or for a reason that leads you to believe the individual is no longer qualified, considerations need to be made.
- ✔ Should there be specific training that the individual may need to take before evaluations take place? (this will depend on the outcome of your investigation)
- ✔ Evaluating the knowledge, skill and ability of the individual needs to be accurately documented if the reevaluation is the aftermath of an incident or accident.

# TRAINING

# TRAINING

- ✔ Training has been one of the evil words of this industry since I first got into it.
- ✔ Not sure why, maybe it is just intangible, and you can't put a number on what the value it provides.
- ✔ When the OQ rule came out, O&M training was deleted from the liquid regulation (§ 195.403). Some operators completely stopped training.
- ✔ But....



# TRAINING

- ✔ NTSB stated that they were not accepting the OQ regulation as an acceptable response to NTSB Safety Recommendation P-87-002, since it did not address training adequately.
- ✔ Now new people are coming into the industry, and many have no knowledge about the pipelines, regulations, and safety.
- ✔ Some companies have not planned well for the attrition of tenured employees and the passing on of their knowledge.





# QUESTION MOMENT

- ✔ Do you have or utilize formal training for specific covered tasks or job titles prior to individuals being evaluated?
- ✔ Do you have OJT training that lets them learn how to perform the covered task and see physical conditions where the task is performed?
- ✔ Is the training adequate to the work your personnel are performing?
- ✔ Is it updated periodically or amended when changes occur in your procedures, equipment or regulatory reasons?
- ✔ Does everyone get supplemental training?

# TRAINING

- ✔ If you currently have a mentoring program and an effective training program, you are in the minority.
- ✔ A good practice...
- ✔ Are individuals trained to consider whether they should complete the task if they encounter something not seen or trained on?



# ABNORMAL OPERATING CONDITIONS (AOCs)

# AOCs

- ✔ *Qualified* means that an individual has been evaluated and can:
  - ✔ (a) Perform assigned covered tasks; and
  - ✔ (b) Recognize and react to abnormal operating conditions.
  
- ✔ *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:
  - ✔ (a) Indicate a condition exceeding design limits; or
  - ✔ (b) Result in a hazard(s) to persons, property, or the environment.



# QUESTION MOMENT

- ✔ How are you evaluating individuals to recognize and react to AOCs? Both recognize and react...
- ✔ Do you have general or task specific, or a little of both?
- ✔ How are you documenting that evaluation?
- ✔ Is your method of evaluation effective for your program?
- ✔ Have you had the opportunity to review real life responses to the training?
- ✔ Do your contractors know your AOCs and their response?

# EVALUATORS

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- ✔ Have you established Evaluator requirements?
  - ✔ Qualified to perform the same tasks evaluating on
  - ✔ Subject Matter Expert
  - ✔ Authorized evaluator through standard training
  - ✔ Time (3-5 years?) in the category (corrosion, pressure)





# EVALUATORS

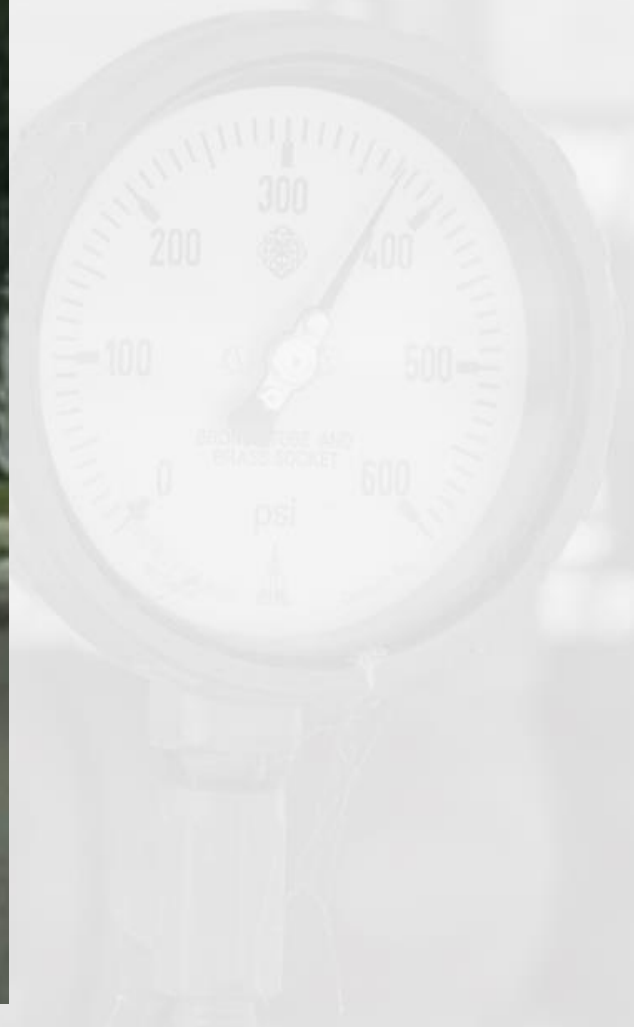
- ✔ Evaluator requirements (continued):
  - ✔ Trainers – could evaluate (needs to separate activities)
  - ✔ Third-party evaluators
  - ✔ Consistent and fair
  
- ✔ Recommend not Supervisors – due to possible conflicts



# EXAMPLES

Some visuals to consider

- ✔ Were they trained?
- ✔ What kind of training? Was it effective?
- ✔ Would they have been evaluated to do this work?





















# QUESTIONS



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[wmiller@its-training.com](mailto:wmiller@its-training.com)



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270.753.2150 Ext: 111