



# Operator Qualification And Training

## Significant OQ Changes (State Level)

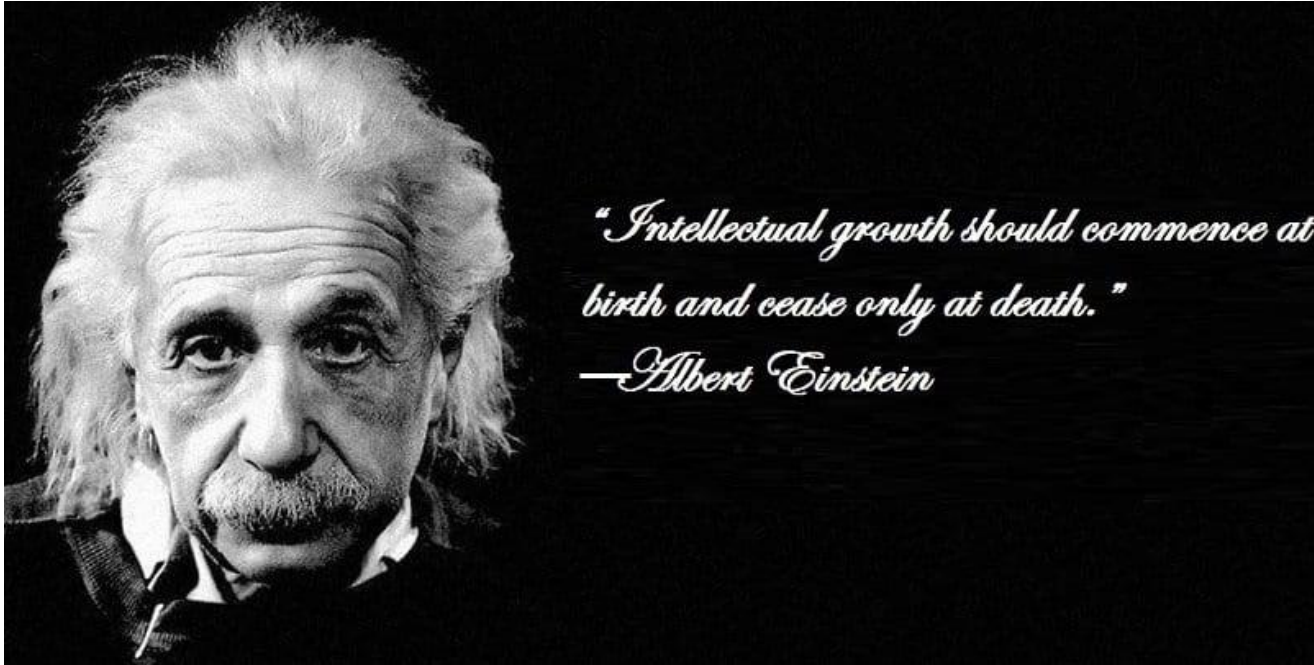
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325-660-8914

# Is Training Needed



**“For the things we have to learn before we can do them, we learn by doing them.”**

— Aristotle,

**“For the best return on your money, pour your purse into your head.”**

— Benjamin Franklin

**“Tell me and I forget, teach me and I may remember, involve me and I learn.”**

— Benjamin Franklin

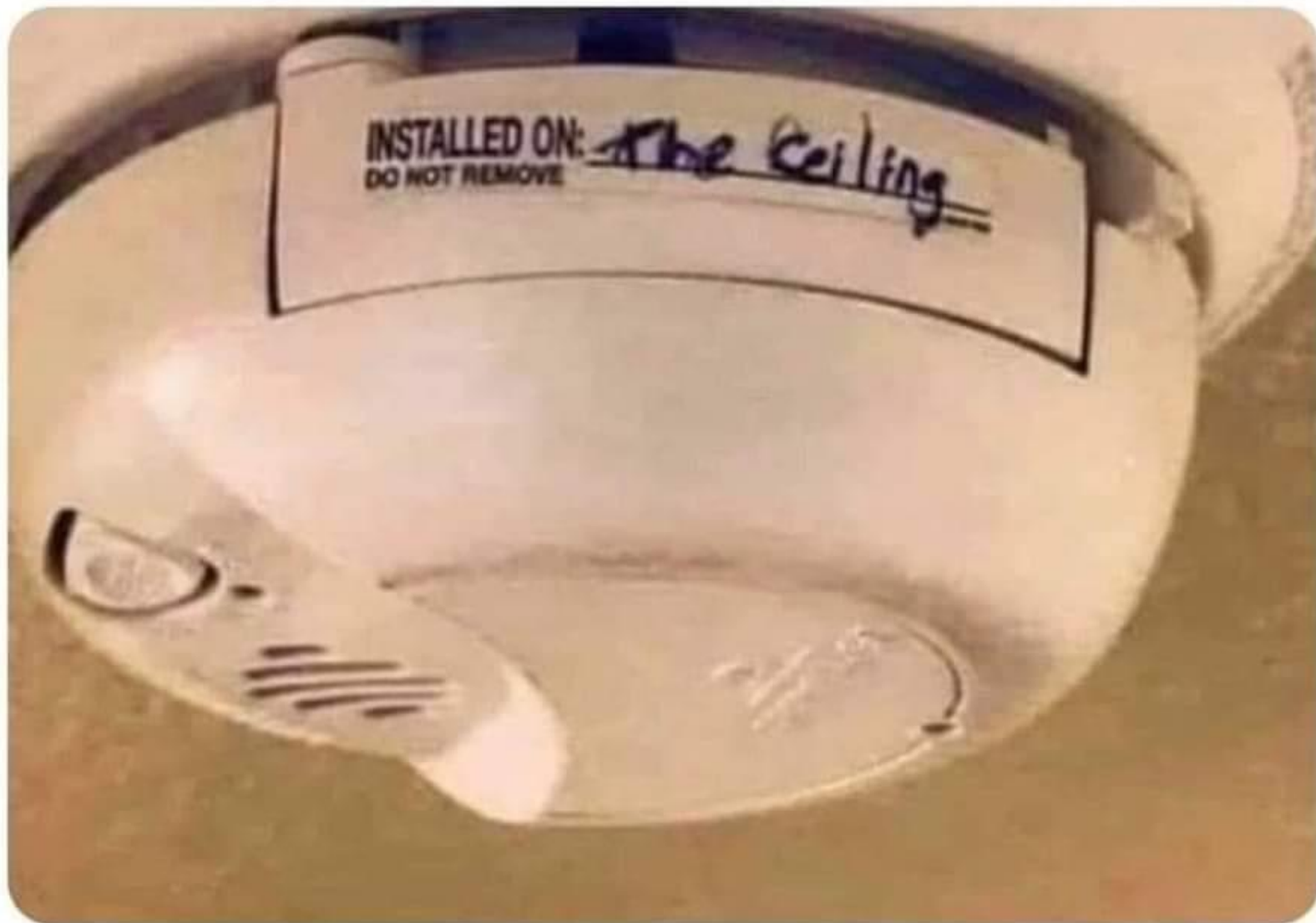
**“Live as if you were to die tomorrow. Learn as if you were to live forever.”**

— Mahatma Gandhi

**“The more that you read, the more things you will know.  
The more that you learn, the more places you’ll go.”**

— Dr. Seuss

I think they meant the date. 🙄







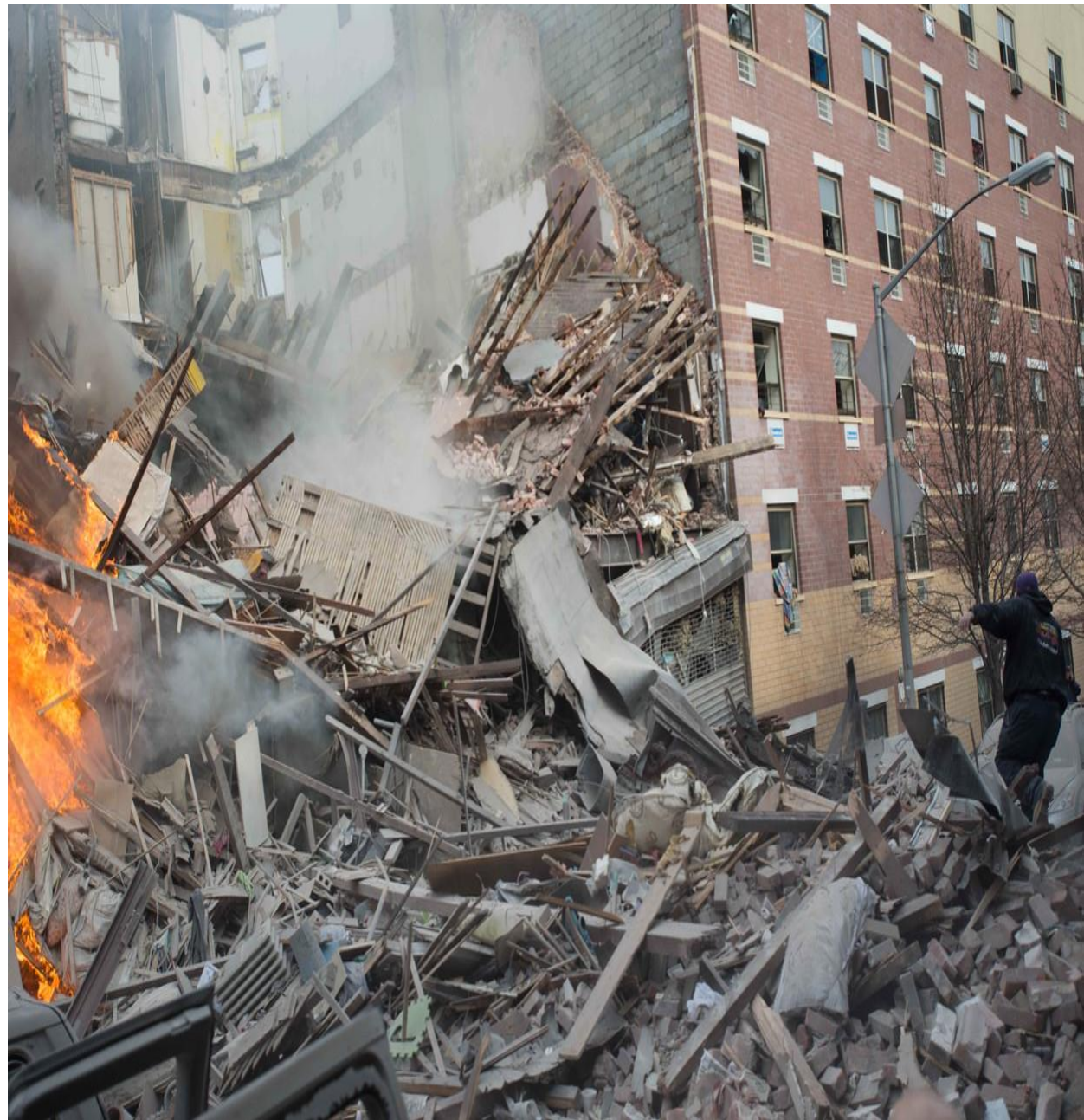












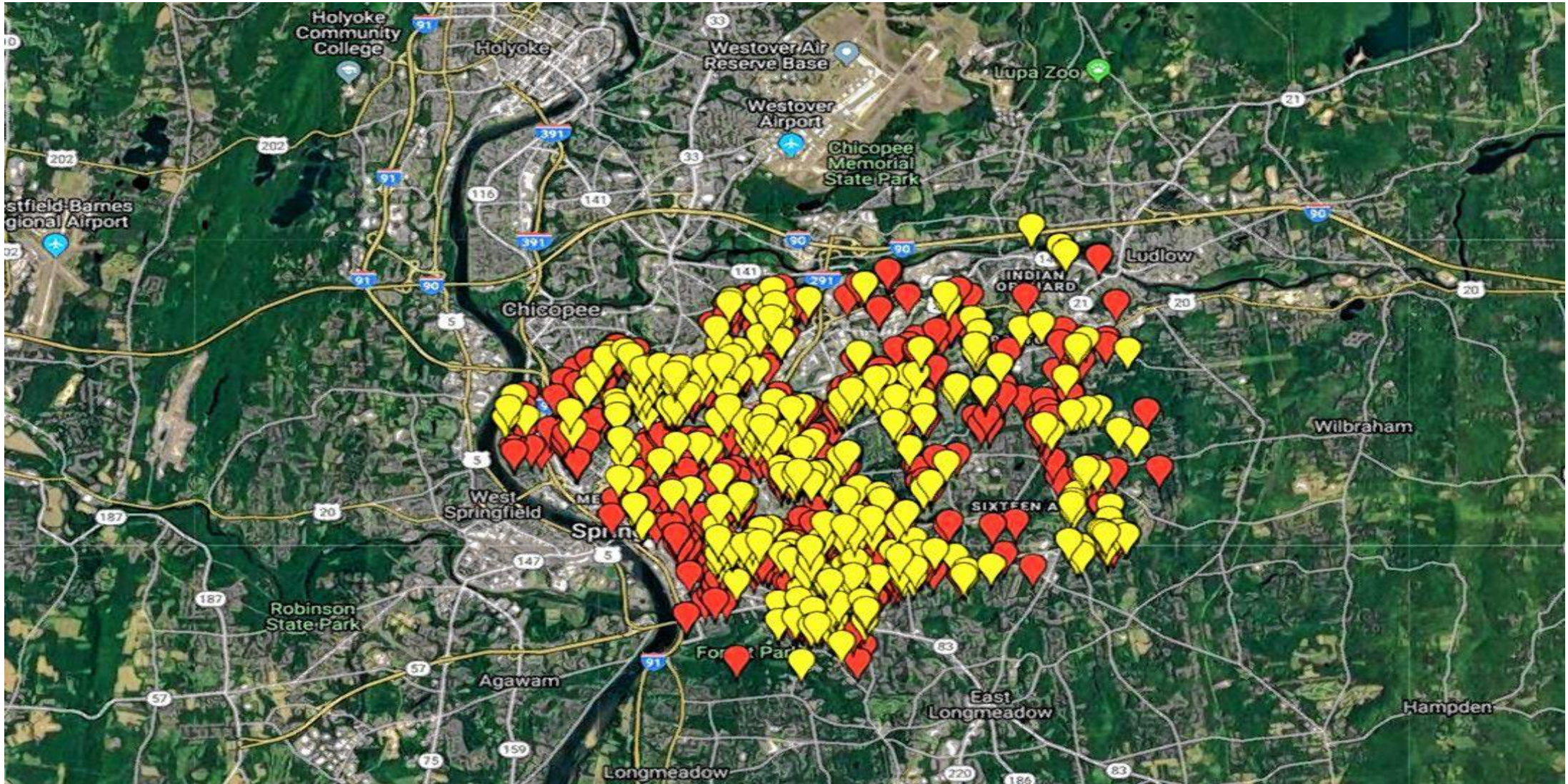




"When the plastic pipeline installations at 1642 Park Avenue were performed, Con Edison contractor foreman had thought he was current on his plastic pipe joining operator qualification records ... but he was not," the NTSB said



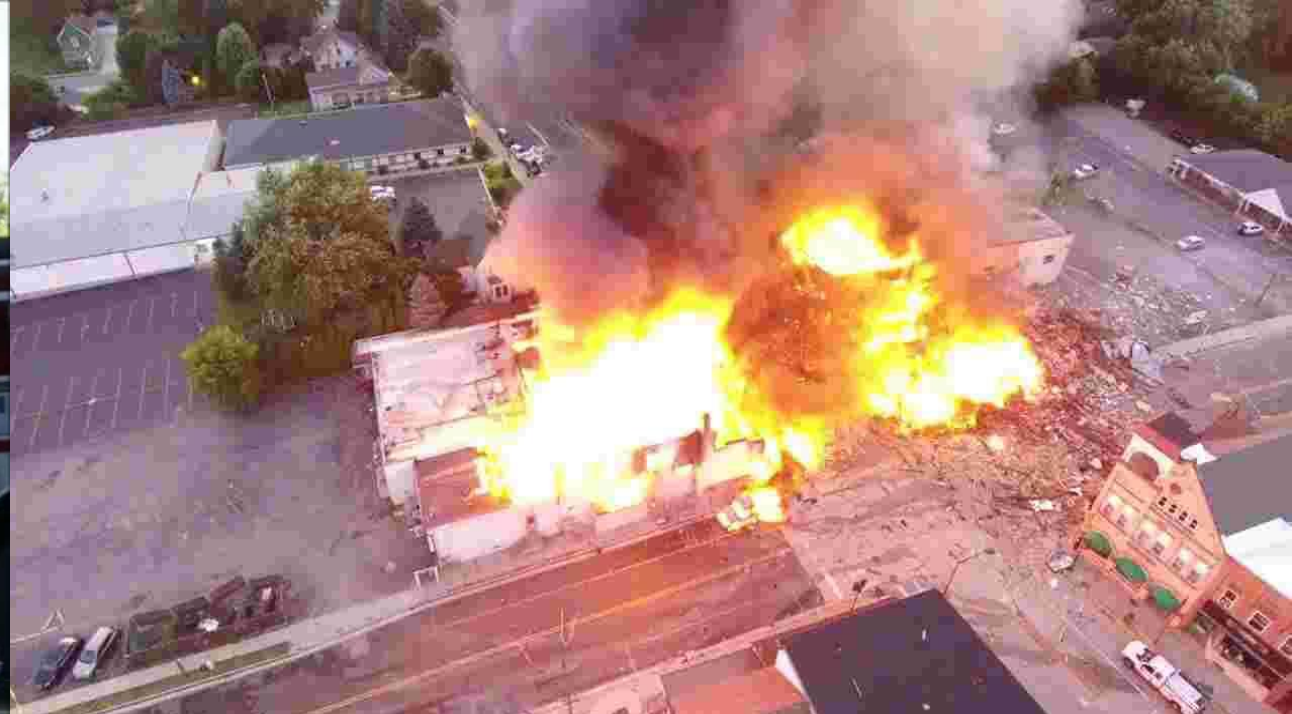
# Merrimack Valley gas explosions (September 13, 2018)



Merrimack Valley gas explosions (September 13, 2018)

10 Alarm Fire - One person was killed and 30,000 were forced to evacuate their homes











# **OQ PROGRAM CHANGES**

## **State Level**



# OQ Timeline



- Initiated as training rule in 1994
- Negotiated rule FR August 1999
- Personnel performing covered tasks – Qual'd 10/2002
- NPRM proposed in 2015. Failed to become regulation in the 5-year window.

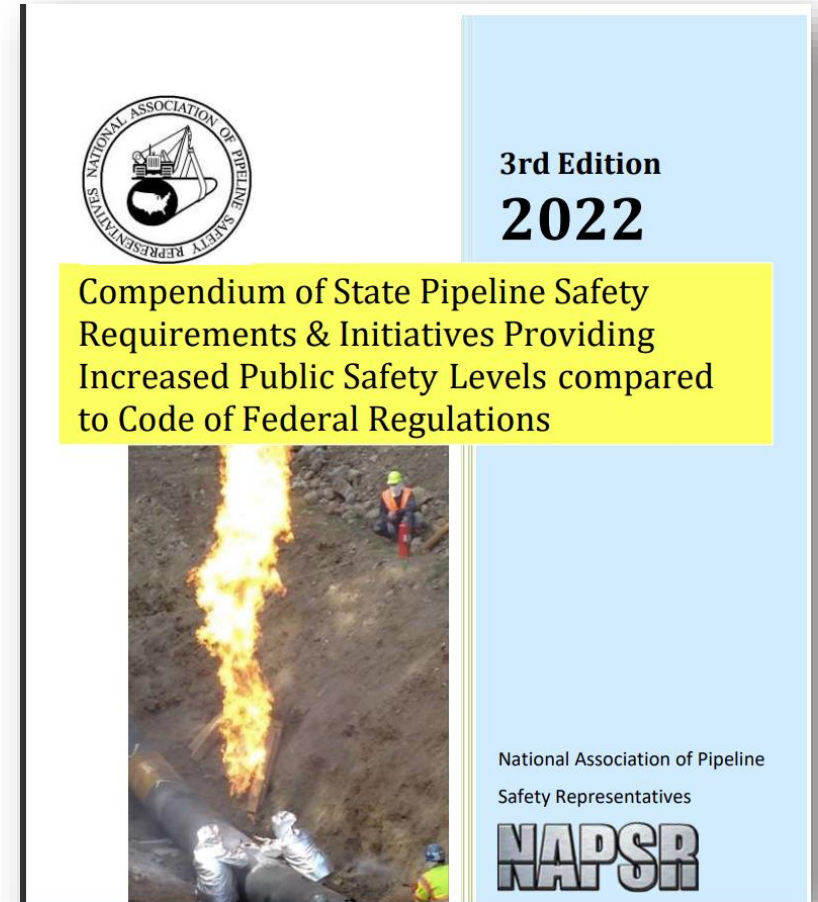




# States

States have the option to add/make more restrictive pipeline safety initiatives

Most States have adopted and enforce more stringent regulations than the federal pipeline safety regulations.



# STATE LEVEL OQ PROGRAM CHANGES

## NY

- Established OQ White Paper – 2017
- 2021 NPRM based on White Paper
- March 2022 - Final Rule
- In regulation March 2023

## Pipeline Safety Regulations



	State Title 16 NYCRR	Federal <a href="#">49 CFR</a>
Incorporated By Reference	<a href="#">Part 10</a>	
Notice of Interruption of Service (Natural Gas)	<a href="#">Part 232</a>	
<b>Transmission and Distribution of Gas</b>	<a href="#">Part 255</a>	<a href="#">Part 192</a>
Inspection and Maintenance of Gas Holders*	<a href="#">Part 256</a>	
Liquefied Petroleum Gas Plants*	<a href="#">Part 257</a>	
Transportation of Liquid Petroleum (Hazardous Liquid Pipelines)	<a href="#">Part 258</a>	<a href="#">Part 195</a>
Liquefied Natural Gas	<a href="#">Part 259</a>	<a href="#">Part 193</a>
Piping Beyond the Meter (Natural Gas)	<a href="#">Part 261</a>	
Drug and Alcohol Testing	<a href="#">Part 262</a>	<a href="#">Part 40</a> <a href="#">Part 199</a>



# NY OQ Rule Changes - (16 NYCRR Part 255)

- **Changes to the 4-part test:**
  - Covered tasks are all activities, identified by the operator, that:
    - are performed on a pipeline facility; and
    - affect the operation or integrity of the pipeline.
- **OQ Program Effectiveness Reviews**
  - develop program measures to determine the effectiveness of the qualification program





# NY OQ Rule Changes - (16 NYCRR Part 255)

- Detail the training requirements, including the minimum training needed per covered task
  - Shall include on-the-job training that includes hands-on learning or simulations
  - Evaluations shall not be conducted within 48 hours of training
- Engineering Functions - have and follow a written program that includes a training, mentoring, and evaluation process
  - Determine functions specific to the design, construction, operation, and integrity of pipelines that contain elevated risk.



# Significant OQ Changes at the State Level

- New York – In regulation March 2023 (16 NYCRR Part 255)
  - MA, CT – proposing new regulations
  - NE, MI – considering changes
- NJ – 2 Part Test

Recently edited *N.J.A.C. 14:3-1.1: Added definition:*  
*Covered task means: an activity, identified by the operator, that is performed on a pipeline facility and affects the operation, safety, or integrity of the pipeline.*
- MO, OH – OQ for New Construction
- IN – Revisions to 49 CFR 192.805(h) 195.505(h) – Training



# Significant OQ Changes at the State Level

## Indiana § 170 IAC 5-3-2

Provide **training** to individuals performing covered tasks to ensure that the individuals have the knowledge and skills needed to perform the tasks, which is the operator qualification training. An operator shall have and follow a **written training program** for employees performing covered tasks. When assigning training to an employee, an operator may modify the type of training considering the employee's prior experience with the operator's gas system, tools, and equipment; nonetheless the training shall include, at a minimum:

- (1) initial training;
- (2) re-qualification training; and
- (3) training on tools and equipment that will be utilized by the employee, with the following considerations:
  - (A) Training may be accomplished by the tool or equipment vendor or manufacturer's representative, or by an operator's designated trainer, supervisor, or a competent employee or designee.
  - (B) Additional training is only required on uniquely operating tools and equipment, where the equipment's functionality varies by operation and not only by manufacturing brand.





# Significant OQ Changes at the State Level - Will You Be Affected?

We may see other states contemplate taking actions to improve Operator Qualification Programs at the State level



# TRAINING AND OQ





## The Following Must Be Completed For Individual To Be Considered Qualified

**Initial/subsequent  
training**

**+**

**Procedure review/acknowledgement**

**+**

**Successful OQ Evaluation**

**=**

**Qualified Individual**



# Training and OQ

- **What does the rule say about training requirements to OQ?**
  - §192.805(h) - After December 16, 2004, provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities ...
  - Inspection Protocol - 12. Training Requirements (Initial, Retraining, and Reevaluation) Does the OQ program provide for initial qualification, retraining and reevaluation of individuals performing covered tasks? (TQ.OQ.TRAINING.P) 192.805(h)





# Training and OQ Finding

- **Recent example - The Operator has extensive employee training and OQ program however:**
  - Contractor(s) working for Operator do not have any training outside of 3<sup>rd</sup> party OQ providers OQ task training slides
    - Several contractors interviewed noted they take the OQ tests until they can pass
    - Once they have the OQ documentation they will train by OJT until foreman feels they can work on their own



# Training and OQ Finding

- **Recent Example of OQ Evaluator Training Issues?**

- Contractor Internal Evaluators had training on mechanics of conducting evaluations however, never worked or trained on task(s) they were evaluating on
- Proctors not trained on proper testing requirements





# Off the Shelf OQ Program

**What responsibility does an operator have if it chooses to use an 'off-the-shelf' OQ program?**

- The operator must ensure that any OQ program selected is applicable to its operating characteristics, procedures, and equipment.



# Off the Shelf OQ Program

- Inspection Protocol - 2. Covered Task Performance Verify the qualified individuals performed the observed covered tasks in accordance with the operator's procedures or operator approved contractor procedures. (TQ.PROT9.TASKPERFORMANCE.O) 192.801(a) (192.809(a))
- Inspection Protocol 6. Contractor Qualification Documentation Meets Operator Requirements. Does the OQ plan document that the operator has assured that the procedures on which an OQ vendor has evaluated qualified personnel are the same or consistent with those used by the operator for employees and contractors in the field? (TQ.OQ.OQCONTRACTOREQUIV.P) 192.805(h)





# Off the Shelf OQ Program

- **Third Party OQ Provider**

- Inspection Protocol - 2. Covered Task Performance Verify the qualified individuals performed the observed covered tasks in accordance with the operator's procedures or operator approved contractor procedures.

(TQ.PROT9.TASKPERFORMANCE.O) 192.801(a) (192.809(a))



# Off the Shelf OQ Program

- **Third Party OQ Provider**

Ensure that the OQ program selected is applicable to your operating characteristics, procedures, equipment and compliance with the regulations.

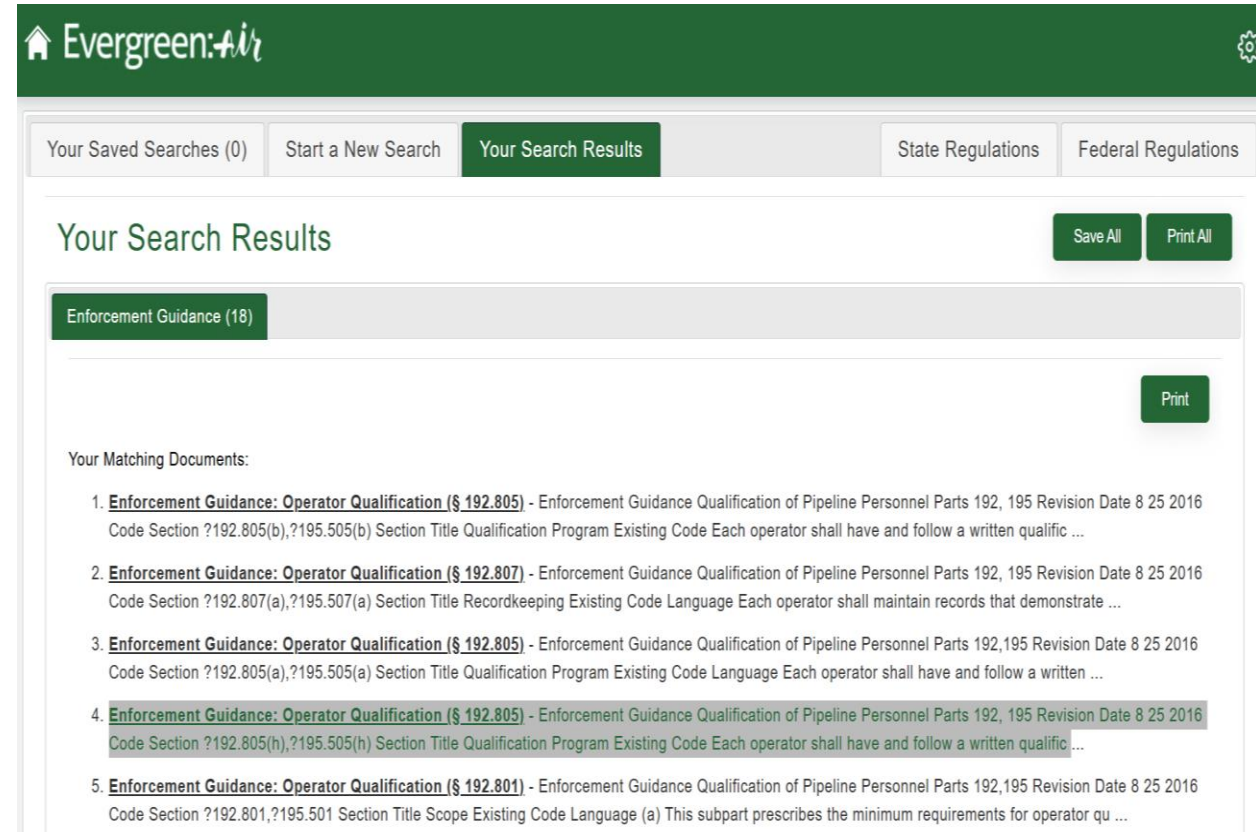
- Do the tasks and training meet your company operational requirements
- Is the training designed to learn the work process or is it geared to pass an OQ test





# Enforcement Guidance

- Operator failed to provide training in a specific covered task involved in a major accident.
- The written operator qualification program does not include any training requirements.



The screenshot displays the Evergreen:Air website interface. At the top, there is a green header with the logo and a home icon. Below the header, a navigation bar includes links for 'Your Saved Searches (0)', 'Start a New Search', 'Your Search Results' (which is highlighted), 'State Regulations', and 'Federal Regulations'. The main content area is titled 'Your Search Results' and features a green button labeled 'Save All' and a green button labeled 'Print All'. Below this, a green button labeled 'Print' is visible. A section titled 'Enforcement Guidance (18)' is highlighted. Underneath, a list of 'Your Matching Documents' is shown, containing five entries. Each entry includes a title, a date, and a brief description. The fourth entry is highlighted with a green background.

Evergreen:Air

Your Saved Searches (0) Start a New Search Your Search Results State Regulations Federal Regulations

Your Search Results Save All Print All

Enforcement Guidance (18) Print

Your Matching Documents:

1. **Enforcement Guidance: Operator Qualification (§ 192.805)** - Enforcement Guidance Qualification of Pipeline Personnel Parts 192, 195 Revision Date 8 25 2016 Code Section ?192.805(b),?195.505(b) Section Title Qualification Program Existing Code Each operator shall have and follow a written qualific ...
2. **Enforcement Guidance: Operator Qualification (§ 192.807)** - Enforcement Guidance Qualification of Pipeline Personnel Parts 192, 195 Revision Date 8 25 2016 Code Section ?192.807(a),?195.507(a) Section Title Recordkeeping Existing Code Language Each operator shall maintain records that demonstrate ...
3. **Enforcement Guidance: Operator Qualification (§ 192.805)** - Enforcement Guidance Qualification of Pipeline Personnel Parts 192,195 Revision Date 8 25 2016 Code Section ?192.805(a),?195.505(a) Section Title Qualification Program Existing Code Language Each operator shall have and follow a written ...
4. **Enforcement Guidance: Operator Qualification (§ 192.805)** - Enforcement Guidance Qualification of Pipeline Personnel Parts 192, 195 Revision Date 8 25 2016 Code Section ?192.805(h),?195.505(h) Section Title Qualification Program Existing Code Each operator shall have and follow a written qualific ...
5. **Enforcement Guidance: Operator Qualification (§ 192.801)** - Enforcement Guidance Qualification of Pipeline Personnel Parts 192,195 Revision Date 8 25 2016 Code Section ?192.801,?195.501 Section Title Scope Existing Code Language (a) This subpart prescribes the minimum requirements for operator qu ...



# OQ Training

- Conduct initial view contractor(s) OQ training and Evaluations process
- Determine and define minimum training requirements and requiring completion of the training, procedure review as a pre-requisite to being OQ evaluated.
  - Include hands-on learning through on-the-job training or simulations.
  - Review training to assure training is not designed to memorize the OQ test.



# OQ Training

- Have a process to include training for equipment variations or differences.
- Have a process to communicate procedure changes that affect OQ covered functions
- Periodically review contractor training programs





ANY  
QUESTIONS?





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