

Request for comments following public meeting

At least 100 individuals participated in the public meeting on December 15, 2005. Based on discussions at this meeting and at the meeting of the pipeline safety advisory committees earlier in the week, PHMSA has revised the attached concept paper on addressing operator qualification (OQ) issues. As announced at the public meeting, PHMSA continues to seek comments on the two major areas of the public meeting as follows:

- Submit comments on the progress of OQ programs by January 13, 2006 in order to be considered in the preparation of the report to Congress.
- Submit comments on the potential for strengthening OQ programs, including comments on the revised concept paper, by February 10, 2006.

A Concept
To Address Remaining Operator Qualification (OQ) Issues
Revised Following Public Meeting on December 15, 2005

Regulatory – PHMSA is considering three changes to regulations:

- Training – The OQ regulations now require only that an OQ program include training “as appropriate”. PHMSA is considering providing additional specificity. In addition to including training “as appropriate,” an OQ program would have to include training in particular circumstances. These circumstances are as follows:
 - an individual has never performed an assigned covered task;
 - there has been substantial change to a covered task, such as the use of new equipment or procedures that makes previous training no longer adequate; or
 - an individual has failed to requalify on a covered task after an accident.

In addition, an operator would have to ensure training in damage prevention for individuals performing excavation for the operator. Excavation damage remains a major concern in pipeline failures.

- Reevaluation intervals – The OQ regulations now require an operator to identify the tasks for which reevaluation is required and the intervals for reevaluation. PHMSA is considering requiring an operator to set maximum intervals for reevaluation for every task. These intervals would not exceed five years. Operators may find a shorter absolute maximum interval of three years easier to administer.
- New construction – PHMSA is considering a change to the pipeline safety standards (not necessarily the OQ regulations) to require an operator to have a process to verify the integrity of new construction. Errors in the construction of a pipeline can result in failures, costly repairs, and increased maintenance costs. The process for verifying integrity of new construction could include:
 - Using accepted quality control practices during construction.
 - Including new construction tasks in OQ programs.
 - Using integrity verification methods such as pressure testing and nondestructive testing.

Non-regulatory - Other clarifications, possibly by advisory bulletin, would enhance an operator’s understanding of the requirements:

- Emergency response - Clarify the requirement to include emergency response tasks in OQ programs. An operator needs to have qualified personnel available to handle actions necessary to ensure pipeline safety.
- Abnormal operating conditions – Clarify the need for an operator to identify and periodically review the operator’s list of abnormal operating conditions to aid in compliance.