

# Status and Direction of the OO Inspection Process

Public Meeting on Operator Qualification

San Antonio, TX

January 22, 2003

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# What is the Objective of the Inspection Process?

- Clarify regulatory expectations to ensure effective program evolution
- Support operators who “get it” and are moving to implement effective programs
- Identify blatant violations of prescriptive requirements & take enforcement action
- Identify entrenched operators & take enforcement action

# Discussion Points

- Key Definitions (for understanding discussion in this meeting)
- Major Inspection Process Objectives
- Elements of the OQ Inspection Process
- Communication of Expectations
- Stability of Expectations
- Consistency of Inspections
- Role of Criteria Development

# Several Key Terms that will Recur During Discussions and Require Definition

- Process
- Standards
- Protocols
- Criteria
- Benchmarks

# What Do We Mean by a Process?

A logical and written sequence of events or activities designed to achieve a clearly defined outcome. Other terms that have the same general meaning include “practice”, “approach”, and “basis for action”

# Examples of OQ Processes

- Identifying the person whose performance of a covered task contributed to an incident or accident
- Identifying tasks covered by the OQ Rule and the people who perform them
- Evaluating the appropriateness of a reevaluation interval based on operator performance
- Determining the appropriate evaluation method(s) for each covered task

# How are We Using the Term “Standard” Here?

- The term “Standard” is used here as it is in the December 17, 2002 Amendment to the Pipeline Safety Laws that require DOT to have in place by 12/17/03 “standards and criteria for qualification programs”
- We are developing protocols to satisfy this requirement imposed upon DOT
- These protocols are being developed to support investigation of operator compliance with the OQ Rule, thereby promoting consistency of inspection and enforcement

# What are “Protocols”?

- Protocols are questions designed to:
  - Determine whether prescriptive requirements of the OQ Rule have been satisfied
  - Explore how provisions, including those implied as needed by the OQ Rule, are being met
  - Support evaluation of the adequacy of the approach taken by operators to meet these provisions

# How is “Criteria” Used Here?

- “Criteria” are the conservatively defined parameters necessary for an OQ Program to be acceptable and successful
- Examples of criteria include:
  - Conservatively defined task-by-task reevaluation intervals
  - Listing of tasks that may or may not be covered by the rule, but are clearly covered by the intent of the rule
  - Evaluation method(s) that must be employed in qualifying people for key tasks
- These criteria would apply unless an operator implemented a performance-based approach to justify different parameters (e.g., reevaluation intervals)

# What Does “Benchmark” Mean Here?

- “Benchmark” describes one or more examples of effective approaches or practices to implement a provision of the rule
- Approaches or practices that might be addressed by benchmarks include:
  - Method to evaluate the appropriateness of reevaluation intervals longer than those specified in established criteria
  - Method to capture information on a “near miss” that discloses a new AOC, and communicate that information to qualified people to whom the AOC is applicable
  - Method to identify the cause and contributor(s) to that cause of an incident or accident

# Major Objectives of the Initial Inspections?

- Investigate operator compliance with prescriptive requirements of the Rule
- Reinforce regulatory expectations on the necessary ingredients of (criteria for) a successful OQ program
- Evaluate operator understanding of regulatory expectations
- Evaluate strength of operator commitment to address these expectations and the anticipated time frame

# What are the Tools Supporting Initial Inspections?

- Inspection Protocols
  - Developed by joint state & federal team
  - Field tested for appropriateness & applicability
  - Key issues identified & discussed/resolved at Public Meeting
- Supplementary Inspector Guidance
  - Designed to increase consistency in inspections
  - Responses to questions posed by inspectors
  - Will be available to operators through Web site
- Forum for Raising and Getting Response to Questions
  - Questions posed on Web
  - Responses developed, vetted, and posted as “Supplementary Guidance”

# How are Regulatory Expectations Communicated?

- Protocols and Supplementary Guidance available on Web site
- Public meeting to discuss key issues
- Initial inspections will evaluate:
  - Compliance with prescriptive requirements
  - Operator understanding of expectations
- New compliance tool (NARI) to be used to communicate gaps in meeting expectations

# How can We Assure Stability of Regulatory Expectations?

- Define shared expectations through early communications on *Protocols* and *Supplementary Guidance*
- Document expectations using jointly developed *criteria*
- Document acceptable practices to meet expectations through jointly developed *benchmarks*
- Address unresolved issues (e.g., coverage of new construction tasks) through *supplementary rulemaking*

# How will We Achieve Consistency of Inspections?

- Inspection can be consistent; enforcement more difficult
- Required use of inspection Protocols and Supplementary Guidance (consistent expectations)
- Required training and evaluation of inspectors (using CBT)
- Mechanism (Web-based) to submit and secure consistent responses to questions on inspection details

# How Should Criteria and Benchmarks be Developed?

- Protocols have defined questions to be answered (Standards)
- Joint regulatory/industry effort needed to define conservative criteria to be met in OQ Programs
- Joint regulatory/industry effort needed to identify practices (benchmarks) that would satisfy the intent of the rule