INLAND EMPIRE
PAPER COMPANY
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April 22, 2021

Mr. Sean C. Mayo, Pipeline Safety Director
Washington Utilities and Transportation Commission
621 Woodland Square Loop S.E.
Lacey, Washington 98503

Reference: 2021 Natural Gas Standard Inspection – Inland Empire Paper Company (Inspection #8268)

Dear Mr. Mayo,

Pursuant to the probable violations identified in a letter received from the WUTC dated March 31, 2021 regarding the 2021 Natural Gas Standard Inspection #8268, please note the following Inland Empire Paper Company (IEP) response.

1. **49 CFR §192.805(b) Qualification program**.
Each operator shall have and follow a written qualification program. The program shall include provisions to:

(b) Ensure through evaluation that individuals performing covered tasks are qualified

Finding(s):
Inland Empire's process does not specify the evaluation and qualification requirements for supervisors and managers who perform covered tasks. The process must include qualification procedures for all personnel who perform covered tasks. The qualification process must show that an individual can perform the task and react to abnormal operating conditions.

IEP Response: IEP disagrees that this is a probable violation as written, as IEP maintains and implements a very comprehensive written Operator Qualification Program that details "the evaluation and qualification requirements for supervisors and managers who perform covered tasks," "qualification procedures for all personnel who perform covered tasks," and "that an individual can perform the task and react to abnormal operating conditions." IEP has attached for reference a copy of the most recent revision of the Operator Qualification Program for Inland Empire Paper Company. As with all other plans and procedures associated with IEP's natural gas line program, this OQ program goes through rigorous plan and records review by WUTC staff to assure that it complies with WUTC and PHMSA rules, regulations and requirements.

Based on discussions with WUTC staff during the inspection, IEP assumes that this finding is actually directed towards the qualification of IEP's Gas Line Superintendent, Kevin Davis, who is responsible for implementation of this program. This issue has been discussed in prior standard inspections with WUTC staff who were ultimately satisfied with the level of qualification, instruction and training that Mr. Davis receives on a continuous basis, including the following:

- Has been the Gas Line Manager since 1993
- Is responsible for management and implementation of the IEP's Emergency Response Plan, Operator Qualification Plan, Operation & Maintenance Plan, Drug & Alcohol Plan and Public Awareness Program
- Accompanies and observes all maintenance activities performed on IEP's 3.5 mile gas line during all covered tasks, including: pressure regulator and relief inspections, emergency response valve checks, gas line surveys, odorant system checks, etc.
- Conducts annual training classes and all operator qualifications
- Receives regular outside training through Paradigm Liaison Services for Pipeline Safety Training and Emergency Preparedness, including *Pipeline Awareness Training Classes* and *Pipeline Emergency Response and Damage Prevention*
- Has been trained in the operation of the following gas line equipment used in the natural gas line operations: gas line locator and combustible gas indicator
- Is an active member of the Inland Empire Utility Coordinating Council (IEUCC), Past President in 2008 and continues to serve on the Board of Directors

The above represents just a sampling of gas line activities, training and responsibilities for Mr. Davis. IEP's Natural Gas Log is attached that provides a more comprehensive chronological list that details these gas line activities, training and responsibilities from 2016 to present. IEP believes that this *work performance history review* for Mr. Davis meets the definition of *evaluation* under 49 CFR §192.805(b):

> *Evaluation means a process, established and documented by the operator, to determine an individual's ability to perform a covered task by any of the following:*
> *(a) Written examination;*
> *(b) Oral examination;*
> *(c) Work performance history review;*
> *(d) Observation during:*
> *(1) Performance on the job,*
> *(2) On the job training, or*
> *(3) Simulations;*
> *(e) Other forms of assessment.*

While IEP and prior WUTC staff members believe that the above is more than sufficient to meet the evaluation and qualification requirements specified under 49 CFR §192.805(b), IEP has agreed to further qualify Mr. Davis for covered tasks using other IEP staff members associated with IEP's natural gas line operation in accordance with additional evaluation methods identified under 49 CFR §192.805(b) such as written or oral examination, or observation.

2. **49 CFR §192.805(g) Qualification program.**

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(g) Identify those covered tasks and the intervals at which evaluation of the individual's qualifications is needed

Finding(s):

Inland Empire has specified a 3-year re-qualification interval for Inland Empire employees performing covered tasks. One individual was due for re-qualification in 2020 and at the time of the commission inspection, the employee had not been re-qualified.

IEP Response: As stated above in IEP's Response to probable violation #1, IEP's Gas Line Superintendent, Kevin Davis, accompanies and observes all maintenance activities performed on IEP's 3.5 mile gas line during all covered tasks. This *observation during performance on the job* meets the definition of *evaluation* under 49 CFR §192.805(g), so IEP's supervisors, managers and maintenance staff are continuously re-qualified under this process of observation by Mr. Davis. The observation of covered tasks by Mr. Davis is detailed in IEP's Natural Gas Log (attached). A sampling of these *observations during performance on the job* of the employee in question, Pieter Nortje, is summarized below from 2018 to 2020:

2018:

- Aug 23, 2018 – Kevin Davis, Clay Tenney, and Pieter Nortje performed the annual regulator and relief inspection for the gas line.
- Sep 18 – Kevin Davis and Pieter Nortje conducted a spin test on IEP's gas meter.
- Nov 17 – Kevin Davis and Pieter Nortje oiled the natural gas line meter.

2019:

- Sep 12 – Kevin Davis and Peter Nortje conducted the annual Regulator and Relief inspection;
- Sep 12 – Kevin Davis and Pieter Nortje conducted the annual spin test on IEP's gas turbine meter.
- Sep 19 – Kevin Davis and Pieter Nortje rebuilt the Mooney regulator; see report.
- Oct 10 – Kevin Davis and Pieter Nortje rebuilt the Mooney regulator pilots and replaced the tubing for the pilots. See report.

2020:

- Aug 25 – Kevin Davis and Pieter Nortje conducted the annual gas meter inspection and oiled IEP's natural gas meter.
- Aug 31 – Kevin Davis and Pieter Nortje conducted the annual regulator and relief inspection on the low pressure regulator and relief valve at IEP's regulator station.
- October 29 – Kevin Davis, TJ Eixenberger, Pieter Nortje, and David Hill transferred odorant from a shipping container to the IEP's large storage tank at Perrine Road.
- October 29 – Kevin Davis, Pieter Nortje and David Hill conducted the annual regulator and relief inspections.

In addition to the gas line maintenance noted above, Cathodic Protection Surveys were completed by Mr. Davis and Pieter Nortje bi-monthly (records available upon request). Mr. Davis further observed Pieter Nortje responding to abnormal operating conditions of low gas line pressure in 2019 and 2020 (Event records attached).

IEP believes that these *observations during performance on the job* meets the criteria specified under 49 CFR §192.805(g) and that IEP supersedes the 3-year re-qualification interval through continuous requalification. To provide further clarity and avoid future confusion, IEP will document all of the *observations during performance on the job* as specific elements for requalification of all supervisors, managers and maintenance staff that perform covered tasks.

Please contact me should you have any questions or require additional information regarding this response.

Sincerely,

Doug Krapas
Environmental Manager
Enclosures