

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request of the Division of Public Utilities for Enforcement Action Under the Natural Gas Pipeline Safety Act against Questar Gas Company)) DOCKET NO. 07-057-04
In the Matter of the Miscellaneous Correspondence and Reports Regarding Gas Utility Services; 2014)) DOCKET NO. 14-999-02
)) ORDER ON SAFETY TRAINING
)) REPORTING
))

ISSUED: November 10, 2014

On January 21, 2014, Questar Gas Company (“Questar”) filed a Confidential Semi-Annual Safety Training Report (“2013 Report”) with the Public Service Commission of Utah (“Commission”) for the period of January 1 through December 31, 2013, in Docket No. 14-999-02 captioned above. Pursuant to the Commission’s November 20, 2008, Order Approving Settlement Stipulation (“Stipulation”) in Docket No. 07-057-04 (“Order”), the 2013 Report presents a summary of the safety training conducted by Questar in 2013.

On April 17, 2014, the Commission issued an action request to the Division of Public Utilities (“Division”) in Docket No. 14-999-02 requesting review and evaluation of the 2013 Report for compliance with the Order. On July 11, 2014, the Division filed a memorandum (“July Comments”) providing an evaluation of Questar’s compliance with the Order, identifying short-comings of the 2013 Report, and ultimately recommending elimination of the semi-annual safety training report because the report fulfilled its stated purpose of showing that Questar’s training levels increased from 2006. In addition, the Division recommended that the

requirements of the Order “be considered, in the aggregate, completed and closed.”¹ On August 18, 2014, the Commission issued an order on safety training reporting (“August 18 Order”) in these dockets directing Questar to address several specific issues identified in the Division’s July Comments by October 1, 2014. Pursuant to the August 18 Order, on October 1, 2014, Questar filed reply comments (“Reply Comments”) and an amended 2013 Report.

Contemporaneously, on September 5, 2014, Questar filed its Confidential Safety Training Report for the period of January 1 through June 30, 2014 (“June 2014 Report”). On October 14, 2014, the Division filed a memorandum (“October Comments”) summarizing its review of the June 2014 Report as well as Questar’s Reply Comments filed pursuant to the August 18 Order.

QUESTAR REPLY COMMENTS

Questar’s Reply Comments address the specific issues identified in the August 18 Order.

Timeliness of Compliance: The August 18 Order states “the Division mentions several areas in which Questar failed to fulfill Stipulation requirements or took longer than the Division expected to fulfill certain conditions.” Accordingly, the Commission requested Questar to “respond to these issues raised by the Division and explain the processes it uses to ensure timeliness of compliance.” Questar responded that while it failed to file the requisite reports for the second half of 2009 through 2011, it provided the information for those reporting periods in a response to a 2014 data request from the Division. Questar asserts that although the reports were

¹ See Division’s July Comments, p. 8.

not filed, the data request response demonstrates it continued to train its employees on pertinent safety issues. In addition, Questar responded that since 2012, it has improved coordination between its Regulatory and Operations groups to ensure that the semi-annual safety training report is submitted in a timely fashion.

Completion and Tracking of Safety Training Requirements: The Commission directed Questar to explain the difference between safety training and safety awareness. In its Reply Comments, Questar clarifies the difference between safety training and awareness, asserting that both are important in an overall safety plan.

Questar explains monthly safety training meetings are mandatory meetings where attendance is tracked and during which employees discuss relevant topics. Questar also requires formal classroom training to maintain certifications and tracks attendance at these meetings as well. Questar asserts these safety trainings demonstrate compliance with Department of Transportation requirements, Occupational Safety and Health Administration-required training, and any other required safety training. If necessary, Questar states it could query a database and report training by individual employee. However, Questar believes that summarizing the hours is sufficient to meet the requirements of the Order.

Questar further explains that other meetings, such as daily tailgate meetings, the “Workers Observing Workers” program, safety fairs, and weekly safety meetings, are less formal and are meant to raise safety awareness. Because these programs are informal, Questar states it reports their associated training hours based on an average amount of time per employee spent on the specific activity.

Filing of Amended Report: To address the Division's conclusion that the training amount referenced on Page 2 of the January Report is in error by over 10,000 hours, the Commission directed Questar to file a corrected report or an explanation if it disagrees with the Division's conclusion. Questar included an amended 2013 Report with its reply comments in which the Division-identified discrepancy was corrected to reflect the sum of the training hours listed in the report.

Clarification of Review Process: The Commission directed Questar to address a potential contradiction between the requirements of 49 C.F.R. 192.605(a), and Questar's statement that, "Questar Gas is required by the Department of Transportation to review its operating procedures once every three years." Questar explains that the preceding C.F.R. reference pertains to Questar's obligation to review and update its procedural manual for operations, maintenance, and emergencies (otherwise known as its Standard Practices Manual) at intervals not exceeding 15 months, but at least once each calendar year.

Questar's reference to a three-year time period relates to 49 C.F.R. 192.605(b) (8), which requires pipeline operators to conduct periodic reviews of work to determine the effectiveness and adequacy of the procedures used in normal operation and maintenance. Questar explains that under this requirement subject matter experts review individual operating procedures at least once every three years to determine if the procedures are effective and adequate, and to ensure that they are in alignment with how the work is actually being performed. This periodic review of work occurs in addition to the annual review of the Standard

Practices Manual. The amended 2013 Report mentioned above includes language clarifying these specific requirements.

Response to the Division's Recommendation to Eliminate the Semi-Annual Safety Reporting Requirement: Questar responds that it has taken steps to update its operating procedures and to enhance safety awareness training. Additionally, it will continue its safety training programs and identify new ways to raise safety awareness regardless of whether or not it files a report. Further, if the Division does not find the semi-annual safety training reports to be useful, Questar supports elimination of the reporting requirement. Questar agrees that the purpose of the semi-annual safety training report has been met but will continue to work with the Commission and Division to improve these reports if necessary.

DIVISION COMMENTS

In its October Comments the Division observes Questar's Reply Comments include the offer to improve the safety training reports, if necessary. In addition, the Division maintains that lack of specific training information from Questar did not diminish the Division's ability to monitor Questar's safety record because of other internal reports generated and used within the Division.

The Division indicates a complete safety report would be a beneficial tool if previous evaluations had revealed that Questar was lax in its safety training, if the Division's Pipeline Safety Section did not monitor Questar's adherence to the federal safety training requirements on a regular basis, or if the Division did not compile its own internal safety reports. Absent these conditions, the Division again concludes the report is no longer necessary and

continues to recommend that the requirements of the Order “be considered, in the aggregate, completed and closed.”

DISCUSSION

We acknowledge Questar’s responses to the issues identified above as satisfying our request for additional information in the August 18 Order.

Pertaining to the continuation or elimination of the semi-annual safety training reporting requirement, we agree with the Division that the Stipulation accomplished its intended purpose. Additionally, Questar’s statement that it will continue its safety training programs and identify new ways to raise safety awareness regardless of whether or not it files a report is consistent with its statutory duties identified in Utah Code Ann. 54-3. We therefore determine that the Stipulation has achieved its desired objectives and that the requirement to submit a semi-annual safety training report pursuant to the Stipulation is no longer necessary.

Despite the cessation of this particular report, we desire to continue to receive information periodically on Questar’s safety-related training, activities and results. As noted above, the Division routinely monitors Questar’s adherence to the federal safety training requirements and compiles its own internal safety reports. Accordingly, we will continue to rely on the Division to notify the Commission in the event that its evaluations identify inconsistencies with the objectives identified in Utah Code Ann. 54-4a-6(1). To provide regular opportunities for the Division to communicate its observations, we will conduct semi-annual safety meetings with the Division to discuss its evaluation of Questar’s safety performance and related safety issues.

ORDER

We discontinue the requirement for Questar to file the semi-annual safety training report previously required by the November 20, 2008, Order Approving Settlement Stipulation.

DATED at Salt Lake City, Utah, this 10th day of November, 2014.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary

DW#261957

CERTIFICATE OF SERVICE

I CERTIFY that on the 10th day of November, 2014, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

Colleen Larkin Bell (colleen.bell@questar.com)
Jenniffer Nelson Clark (jenniffer.clark@questar.com)
Attorneys for Questar Gas Company

Barrie L. McKay (barrie.mckay@questar.com)
Vice President Regulatory Affairs, Questar Gas Company

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Rex Olsen (rolsen@utah.gov)
Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, UT 84111

Administrative Assistant