

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010-AB99

Training of Lessee and Contractor Employees Engaged in Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend MMS regulations governing the training of lessee and contractor employees engaged in oil and gas and sulphur operations in the OCS. MMS is amending these regulations to simplify the training options, to provide the flexibility to use alternative training methods, and to provide the option to allow third parties to certify schools.

DATES: MMS will consider all comments we receive by January 31, 1996. We will begin reviewing comments at that time and may not fully consider comments we receive after January 31, 1996.

ADDRESSES: Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Mail Stop 4700; 381 Elden Street; Herndon, Virginia 22070-4817; Attention: Chief, Engineering and Standards Branch.

FOR FURTHER INFORMATION CONTACT: Jerry Richard, Information and Training Branch, telephone (703) 787-1582 or FAX (703) 787-1575.

SUPPLEMENTARY INFORMATION: On August 5, 1994, MMS published an advance notice of proposed rulemaking (ANPR) concerning the training of lessee and contractor employees engaged in drilling, well-completion, well-workover, well-servicing, or production operations in the OCS. The ANPR suggested five options to improve the existing regulations at 30 CFR Part 250, Subpart O, Training. The ANPR also encouraged the public to suggest other viable options.

During the comment period, which ended on October 19, 1994, MMS held a workshop to provide a mechanism to exchange ideas about improvements to subpart O. MMS announced the September 29, 1994, workshop in the Federal Register on August 31, 1994.

MMS received 33 comments from industry, support contractors, training schools, and academia. Some comments favored a

third-party certification option and others favored the current system with minor changes to be more flexible. MMS agrees that it should be more flexible in training options and it should allow a third party to relieve some of the burden to the Government. After analyzing the comments received from the ANPR and the workshop and after analyzing our future goals, MMS determined that it needs to amend the existing training regulations.

The revisions would:

- Streamline the current regulations by 80 percent
- Provide flexibility to use alternative training methods
- Provide the option for a third party to certify schools

MMS is developing the criteria for approving third parties to certify training schools and their programs. We plan to have the criteria available for the final rule because we anticipate that this proposed rule will generate interest from potential third parties.

Once MMS begins shifting, to a third party, the burden of certifying the numerous training schools and their frequent training plan updates, the Federal Government will save resources. Although the third party will probably charge each potential school a service fee, MMS anticipates that market competition will make the fee nominal. The students

may receive a slight tuition increase to absorb the fee. MMS anticipates that any cost increase to industry may be offset by the increased flexibility provided by this proposed rule.

This rulemaking is the first step to change the way MMS regulates worker qualifications and training. Our vision for the future of the training program is for more of a partnership with industry by using a performance-based system. Under a performance-based system, MMS would shift the responsibility to industry for establishing training methods. However, the training that employees receive would need to continue to provide safety for personnel and the environment. MMS could appraise the adequacy of industry's training through methods that could include random inspections, tests or drills, and by analyzing accidents or near accidents. MMS is just beginning to write performance-based regulations and we would appreciate your comments on this subject.

MMS is also considering opening up the option for industry to integrate its training requirements into a safety and environmental management plan (SEMP). You may know that the objective of the SEMF program is to reduce the risk of accidents and pollution from OCS operations by incorporating

safety management practices into facility management and procedures. Using a SEMP may provide an alternative means to fulfill some of industry's regulatory obligations. Please send us your ideas and comments on the future of using a SEMP.

We hope that you find this proposed rule clear, and more user-oriented. MMS may conduct a workshop on this proposed training rule. We will notify you under separate notice.

Author: Sharon Buffington, Engineering and Standards Branch, MMS, prepared this document.

Executive Order (E.O.) 12866

This proposed rule is not a significant rule under E.O. 12866.

Regulatory Flexibility Act

The Department of the Interior (DOI) determined that this proposed rule will not have a significant effect on a substantial number of small entities. In general, the entities that engage in offshore activities are not considered small due to the technical and financial resources and experience necessary to safely conduct such activities.

Paperwork Reduction Act

This proposed rule does not add any new collection requirements. The Office of Management and Budget (OMB) previously approved the collection requirements under OMB No. 1010-0078.

Takings Implication Assessment

The DOI determined that this proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights. Thus, DOI does not need to prepare a Takings Implication Assessment pursuant to E.O. 12630, Government Action and Interference with Constitutionally Protected Property Rights.

E.O. 12778

The DOI certified to OMB that this proposed rule meets the applicable civil justice reform standards provided in Sections 2(a) and 2(b)(2) of E.O. 12778.

National Environmental Policy Act

The DOI determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, an Environmental Impact Statement is not required.

List of Subjects in 30 CFR Part 250

Continental shelf, Environmental impact statements,
Environmental protection, Government contracts,
Incorporation by reference, Investigations, Mineral
royalties, Oil and gas development and production, Oil and
gas exploration, Oil and gas reserves, Penalties, Pipelines,
Public lands--mineral resources, Public lands--rights-of-
way, Reporting and recordkeeping requirements, Sulphur
development and production, Sulphur exploration, Surety
bonds.

Dated:

Assistant Secretary, Land and
Minerals Management.

For the reasons in the preamble, Minerals Management Service (MMS) proposes to amend 30 CFR part 250 as follows:

PART 250--OIL AND GAS AND SULPHUR OPERATIONS IN THE
OUTER CONTINENTAL SHELF

1. The authority citation for part 250 continues to read as follows:

AUTHORITY: 43 U.S.C. 1334.

2. Subpart O is revised to read as follows:

Subpart O--Training

Sec.

250.209 Question index table.

250.210 Definitions.

250.211 What is MMS's goal for well-control and production safety systems training?

210.212 What type of training must I provide for my employees?

250.213 What documentation must I provide to trainees?

250.214 How often must I provide training to my employees and for how many hours?

250.215 Where must I get training for my employees?

250.216 Where can I find training guidelines for other topics?

250.217 Can I get an exception to the training requirements?

- 250.218 Can my employees change job certification?
- 250.219 What must I do if I have temporary employees or on-the-job trainees?
- 250.220 What must manufacturer's representatives in production safety systems do?
- 250.221 May I use alternative training methods?
- 250.222 What is MMS looking for when it reviews an alternative training program?
- 250.223 Who may certify a training organization to teach?
- 250.224 How long is a training organization's certification valid for?
- 250.225 What information must a training organization submit to MMS (or an MMS-approved third party)?
- 250.226 What additional requirements must a training organization follow?
- 250.227 What are MMS's requirements for the written test?
- 250.228 What are MMS's requirements for the hands-on simulator and well test?
- 250.229 What elements must a basic course cover?
- 250.230 If MMS tests employees at my worksite, what must I do?

250.231 If MMS tests trainees at a training organization's facility, what must occur?

250.232 Why might MMS conduct its own tests?

Subpart O--Training

§ 250.209 Question index table.

(a) For your convenience in locating information, we grouped the questions in table 250.209(b) as follows:

(1) General training requirements - §§ 250.211 through 250.216.

(2) Departures from training requirements - §§ 250.217 through 250.222.

(3) Training program certifications - §§ 250.223 through 250.229.

(4) MMS testing information - §§ 250.230 through 250.232.

(b) Table 250.209(b) is as follows:

Table 250.209(b)

Definitions	§ 250.210
What is MMS's goal for well-control and production safety systems training?	§ 250.211
What type of training must I provide for my employees?	§ 250.212
What documentation must I provide to trainees?	§ 250.213
How often must I provide training to my employees and for how many hours?	§ 250.214
Where must I get training for my employees?	§ 250.215
Where can I find training guidelines for other topics?	§ 250.216
Can I get an exception to the training requirements?	§ 250.217
Can my employees change job certification?	§ 250.218
What must I do if I have temporary employees or on-the-job trainees?	§ 250.219
What must manufacturer's representatives in production safety systems do?	§ 250.220
May I use alternative training methods?	§ 250.221
What is MMS looking for when it reviews an alternative training program?	§ 250.222
Who may certify a training organization to teach?	§ 250.223
How long is a training organization's certification valid for?	§ 250.224
What information must a training organization submit to MMS (or an MMS-approved third party) ?	§ 250.225
What additional requirements must a training organization follow?	§ 250.226
What are MMS's requirements for the written test?	§ 250.227
What are MMS's requirements for the hands-on simulator and well test?	§ 250.228
What elements must a basic course cover?	§ 250.229
If MMS tests employees at my worksite, what must I do?	§ 250.230
If MMS tests trainees at a training organization's facility, what must occur?	§ 250.231

§ 250.210 Definitions.

Terms used in this subpart have the following meaning:

Alternative training methods includes self-paced or team-based training that may use a computer-based system such as compact disc interactive (CDI), compact disc read only memory (CDROM), or Laser Discs.

Completed training means that the trainee successfully met MMS's requirements for that training.

Employees means direct employees and contract employees of lessees.

Floorhands means rotary helpers, derrickmen, or their equivalent.

I or you means the lessee or contractor engaged in oil, gas or sulphur operations in the Outer Continental Shelf (OCS).

Installing includes installing and replacing the equipment.

Lessee means the person, organization, agent or designee authorized to explore, develop and produce leased deposits.

Maintaining includes preventive maintenance, routine repair, and replacing defective components.

Operating includes testing, adjusting, calibrating, and recording test and calibration results for the equipment.

Production Safety Systems employees means employees engaged in installing, repairing, testing, maintaining, or operating surface or subsurface safety devices and the platform employee who is responsible for production operations.

Supervisors means the driller, toolpusher, operator's representative, or their equivalent.

Third-Party Certifier means a party that MMS has approved to certify a training organization or training program.

Training includes a basic or an advanced class in well-control for drilling, well-completion/well-workover, well-servicing, and production safety systems.

Training organization means a party certified by MMS or an MMS-approved third-party certifier to teach well-control for

drilling, well-completion/well-workover, well-servicing, and production safety systems.

Well-completion/well-workover (WO) well-control includes small tubing.

Well-servicing (WS) well-control includes snubbing and coil tubing.

Well-workover rig means a drilling rig used for well completions.

**§ 250.211 What is MMS's goal for well-control and
production safety systems training?**

The goal is to ensure that employees who work in the following areas receive training that results in safe and clean operations:

- (a) Drilling well-control;
- (b) WO well-control;
- (c) WS well-control; and
- (d) Production Safety Systems.

§ 250.212 What type of training must I provide for my employees?

You must provide training for your employees in accordance with the following table:

Type of Employee	Training Requirements		Comments
Drilling floorhand	1	Drilling well control	
	2	Complete a well control drill at the job site within the time limit prescribed by company operating procedures	You must log the time it took to complete the drill in the driller's log and furnish the time to the floorhand
	2	Participate in well control drills under subpart D of this part	You must record the date and time it took to complete each drill in the driller's log
	2	Receive copy of a drilling well control manual	
Drilling supervisor	1	Drilling well control course	
	1	Qualify to direct well control operations	
WO floorhands	1	WO well control course	
	2	Complete the qualifying test consisting of a well control drill at the job site within the time limit set by company procedures	You must record the date and time it took to complete each drill in the operations log
	2	Participate in weekly well control drills under subparts E and F of this part	
	2	Receive a well control manual	
WO supervisors	1	WO well control course	
	1	Qualify to direct well control operations	
WS work crews	1	At least one crew member is trained in WS well control	Trained employee must be in work area at all times during snubbing or coil tubing operations
	1	At least one crew member must be qualified to direct well control operations	
Production safety systems employees	1	Must complete training that enables them to install, test, maintain, & operate subsurface surface safety devices	
Employees who work in well completion operations before or during tree installation	1	Either WO well control course or drilling well control course	

¹ Employee may not work in the OCS unless this requirement is met.

² Employee must complete this requirement before exceeding six months of cumulative employment.

§ 250.213 What documentation must I provide to trainees?

You must give your employees documents that show they have completed the training courses required for their job. The employee must either carry the documents or keep them at the job site.

§ 250.214 How often must I provide training to my employees and for how many hours?

(a) You must ensure that applicable employees complete basic or advanced well-control training at least every 2 years. For example, if your employee completed a well control course on May 31, 1996, they must again complete the training by May 31, 1998.

(b) You must ensure that applicable employees complete basic or advanced production safety systems training at least every 3 years. For example, if your employee completes production safety systems training on May 31, 1996, they must again complete the training by May 31, 1999.

(c) You must ensure that your employees have at least the following amount of training:

Basic/advanced course	Surface option minimum hours	¹ Subsea option minimum hours	No options minimum hours
Drilling (D)	28	32	--
Well-Completion/Workover (WO)	32	36	--
Well-Servicing (WS)	--	--	18
Combination D/WO	40	44	--
Combination D/WS	44	48	--
Combination WO/WS	48	52	--
Combination D/WO/WS	55	59	--
Production Safety Systems	--	--	30

¹ The subsea option includes the minimum hours from the surface option plus four hours.

§ 250.215 Where must I get training for my employees?

You must provide training by a training organization or program approved by MMS or by an MMS-approved third-party.

§ 250.216 Where can I find training guidelines for other topics?

You can find guidelines in the subparts of this part listed in the following table:

Topic	Subpart of part 250
Pollution control	C
Crane operations	A
Welding and burning	D
Hydrogen sulfide	D

§ 250.217 Can I get an exception to the training requirements?

MMS may grant an exception to well-control or production safety systems training if you meet both of the following:

(a) MMS determines that the exception won't jeopardize the safety of your personnel or create a hazard to the environment.

(b) You need the exception because of unavoidable circumstances that make compliance infeasible or impractical.

§ 250.218 Can my employees change job certification?

Only if you ensure that the employee completes training for the new job before entering on duty.

§ 250.219 What must I do if I have temporary employees or on-the-job trainees?

You must ensure that temporary employees and on-the-job trainees complete the appropriate training unless a trained supervisor is directly supervising the employee.

§ 250.220 What must manufacturer's representatives in production safety systems do?

A manufacturer's representative who is working on company supplied equipment must:

(a) Receive training by the manufacturer to install, service, or repair the specific safety device or safety systems; and

(b) Have an individual trained in production safety systems (who can evaluate their work) accompany them.

§ 250.221 May I use alternative training methods?

Yes.

(a) You may receive a one-year provisional approval from MMS to use alternative training methods that may involve team or self-paced training using a computer-based system.

(b) You may receive up to 3 additional years (4 years total) from MMS to use alternative training methods (through onsite reviews).

§ 250.222 What is MMS looking for when it reviews an alternative training program?

(a) The alternative training must teach methods to operate equipment that result in safe and clean operations.

(b) MMS will determine, through onsite MMS reviews and unannounced audits during the provisional period, if the:

(1) Training environment is conducive to learning;

(2) Trainees interact effectively with the moderator or training administrator;

(3) Trainees function as a team (for well-control only); and

(4) Tests are challenging and cover all important safety concepts and practical procedures to ensure safety.

(c) MMS may also speak with the trainees to determine if the trainees felt the training met their needs for their job.

§ 250.223 Who may certify a training organization to teach?

Either MMS or an MMS-approved third party may certify a training organization or program.

§ 250.224 How long is a training organization's certification valid for?

A certificate is valid for a maximum of 4 years. A training organization may apply to MMS to recertify its program before the fourth anniversary of the effective certification date. The training organization must state the changes (additions and deletions) to the last approved training curriculum and plan.

§ 250.225 What information must a training organization submit to MMS (or an MMS-approved third party)?

- (a) Two copies of the detailed plan that includes the:
- (1) Curriculum;

(2) Names and credentials of the instructors (instructors must complete training from an approved training organization);

(3) Mailing and street address of the training facility and the location of the records;

(4) Location for the simulator and lecture areas and how you separate the areas;

(5) Presentation methods (video, lecture, film, etc.);

(6) Percentage of time for each presentation method;

(7) Testing procedures and a sample test; and

(8) List of any portions of the course that cover the subsea training option instead of the surface training option.

(b) A training manual.

(c) A cross-reference that relates the requirements of this subpart to the elements in the program.

(d) A copy of the handouts.

(e) A copy of the training certificate that includes the following:

(1) Candidate's full name;

(2) Candidate's social security number or an MMS-issued or third party issued identification number;

(3) Name of the training school;

- (4) Course name (e.g., basic WS well-control course);
- (5) Option (surface or subsea);
- (6) Training completion date;
- (7) Job classification (e.g., drilling supervisor);

and

- (8) Certificate expiration date.

(f) Course outlines identified by:

- (1) Name (e.g., "WS well-control course");
- (2) Type (basic or advanced); and
- (3) Option (surface or subsea).

(g) Time (hours per student) for the following:

- (1) Teaching;
- (2) Using the simulator (for well-control);
- (3) Hands-on training (for production safety

systems); and

- (4) Completing the test (written and simulator).

(h) Special instruction methods for students who respond poorly to conventional training (including oral assistance).

(i) Additional material (for the advanced training option) such as advanced training techniques or case studies.

(j) Information on the simulator or test wells:

- (1) Capability for surface and or subsea drilling well-control training;

(2) Capability to simulate lost circulation and secondary kicks; and

(3) Types of kicks.

§ 250.226 What additional requirements must a training organization follow?

(a) Keep training records of each trainee for 5 years after the date the trainee completed the training. For example, if a trainee completed a course in 1995, you may destroy the 1995 records at the end of the year 2000.

Keep the following trainee record information:

(1) Daily attendance record including makeup time;

(2) Written test and retest (including simulator test);

(3) Evaluation of the trainee's simulator test or retest;

(4) "Kill sheets" for simulator test or retest; and

(5) Copy of the trainee's certificate.

(b) Keep records of the training program for 5 years. The 5 years starts with the program approval date. For example, if a training program was certified in 1995, at the end of the year 2000 you may destroy the records for 1995.

Keep the following training record information:

(1) Complete and current training program plan and a technical manual;

- (2) A copy of each class roster; and
 - (3) Copies of schedules and schedule changes.
- (c) Supply trainees with copies of Government regulations on the training subject matter.
- (d) Provide a certificate to each trainee who successfully completes training.
- (e) Ensure that the subsea training option has an additional 4 hours of training and covers problems in well-control when drilling with a subsea blowout preventer (BOP) stack including:
- (1) Choke line friction determinations;
 - (2) Using marine risers;
 - (3) Riser collapse;
 - (4) Removing trapped gas from the BOP after controlling a well kick; and
 - (5) "U" tube effect as gas hits the choke line.
- (f) Ensure that trainees who are absent from any part of a course make up the missed portion within 14 days after the end of the course before providing a written or simulator test to the trainee.
- (g) Ensure that classes contain 18 or fewer candidates.
- (h) Furnish a copy of the training program and plan to MMS for their use during an onsite review.

(i) Submit the course schedule to MMS at the following times--after MMS approves the training program, annually, and prior to any program changes. The schedule must include the:

- (1) Name of the course;
- (2) Class dates;
- (3) Type of course; and
- (4) Course location.

(j) Provide all basic course trainees a copy of the training manual.

(k) Provide all advanced course trainees handouts necessary to update the manuals the trainee has as a result of previous training courses.

(l) When each course ends, send MMS a letter listing each trainee who completed the course. The letter must contain the following information for each trainee:

- (1) Name of training organization;
- (2) Course location (e.g., Thibodeaux, Louisiana);
- (3) Trainee's full name;
- (4) Name of course (e.g., Drilling well-control or WS well-control);
- (5) Course type (i.e., basic or advanced training);
- (6) Options (e.g., subsea);
- (7) Date trainee completed course;

- (8) Name(s) of instructor(s) teaching the course;
- (9) Either the trainee's social security number or an MMS-issued or third party issued identification number;
- (10) Trainee's employer;
- (11) Actual job title of trainee;
- (12) Job for each awarded certificate; and
- (13) Test scores (including course element scores) for each successful trainee.

(m) Ensure that test scores for combination training have a separate score element for each designation and for each option. For example, training in subsea drilling and in WO would have separate test scores for the drilling, WO, and for the subsea portion.

§ 250.227 What are MMS's requirements for the written test?

- (a) The training organization must:
 - (1) Administer the test at the training facility;
 - (2) Use 70 percent as a passing grade for each course element (drilling, well-completion, etc.);
 - (3) Ensure that the tests are confidential and nonrepetitive; and
 - (4) Offer a retest, when necessary, using different questions of equal difficulty.

(b) A trainee who fails a retest must repeat the training and pass the test in order to work in the OCS in their job classification.

§ 250.228 What are MMS's requirements for the hands-on simulator and well test?

(a) The test must simulate a surface blowout preventer (BOP) or subsea stack. You must have a 3-D simulator with actual gauges and dials. The trainees must be able to demonstrate to the instructor the ability to:

- (1) Kill the well prior to removing the tree;
- (2) Determine slow pump rates;
- (3) Recognize kick warning signs;
- (4) Shut in a well;
- (5) Complete kill sheets;
- (6) Initiate kill procedures;
- (7) Maintain appropriate bottomhole pressure;
- (8) Maintain constant bottomhole pressure;
- (9) Recognize and handle unusual well control

situations;

- (10) Control the kick as it reaches the choke line;

and

- (11) Determine if kill gas or fluids are removed.

(b) In the subsea option, trainees must demonstrate the ability to:

(1) Determine choke line friction pressures for subsea BOP stacks; and

(2) Discuss and demonstrate procedures such as circulating the riser and removing trapped gas in a subsea BOP stack.

(c) Offer a retest, when necessary, using different questions of equal difficulty.

(d) A trainee who fails a retest must repeat the training and pass the test to work in the OCS in their job classification.

§ 250.229 What elements must a basic course cover?

See § 250.229 Table(a) for well control and § 250.229 Table(b) for production safety systems. The checks in § 250.229 Table(a) indicate the required training elements that apply to each job. Tables(a) and (b) follow:

§ 250.230 If MMS tests employees at my worksite, what must

I do?

(a) You must allow MMS to test employees at your worksite.

(b) You must identify your employees by:

(1) Current job classification;

(2) Name of the operator;

(3) Name of the most recent basic or advanced course taken by your employees for their current job; and

(4) Name of the training organization.

(c) You must correct any deficiencies found by MMS.

Steps for correcting deficiencies may include:

(1) Isolating problem areas by doing more testing;

and

(2) Reassigning employees or conducting the training they need (MMS will not identify the employees it tests).

§ 250.231 If MMS tests trainees at a training

organization's facility, what must occur?

(a) Training organizations must allow MMS to test trainees.

(b) The trainee must pass the MMS-conducted test or a retest in order for MMS to consider that the trainee completed the training.

§ 250.232 Why might MMS conduct its own tests?

MMS needs to identify the effectiveness of a training program that provides safe and clean operations.