



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington DC 20590

# Pipeline and Hazardous Materials Safety Administration

## Pipeline Safety

### 2011 Hazardous Liquid Scoring Document



U. S. Department  
of Transportation

**Pipeline and  
Hazardous Materials  
Safety Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

TO: STATE PIPELINE SAFETY PROGRAM MANAGERS IN STATE'S PARTICIPATING IN THE  
HAZARDOUS LIQUID PIPELINE SAFETY GRANT PROGRAM

The Pipeline Safety Grant allocation for calendar year 2011 reflects a 100 percent performance-based formula and the performance criteria of 100 points. The Program Evaluation and the Certification scores will each represent 50 percent of the State's Allocation score as was done in the previous year. The use of banding scores has been dropped to accurately reflect program performance. New state programs will automatically be funded at a score of 90 the first three years assuming they are making satisfactory progress in meeting certification requirements-this will provide an adequate cushion for these programs to get established. Programs that are reinstated will be funded at a score of 90 for two years. Also as a general note, all indirect costs associated to a grant reimbursement shall be limited to 20% of the direct costs.

The total allocation to the states for the gas and liquid programs is **\$44,319,187.00**. The total amount assigned to the **Hazardous Liquid** program is **\$4,431,919.00**. It has been allocated by a method designed to reflect the degree to which a state has met certain goals established by this office. Numeric Points are assigned for achieving specific levels of performance based on the information in the 2011 Certification and the results of the Annual Program Evaluation. A list of the point criteria for Hazardous Liquid (Attachment 1) and a list of state point assignments for the Hazardous Liquid program (Attachment 2) are enclosed. A chart (Attachment 3) showing a list of the Hazardous Liquid request, state points, allocations, and percentages of total program funding are enclosed.

The Payment Agreement (Notice of Award) will be generated by you through the FedSTAR process. Those states with an allocation of \$100,000 or more will also generate the "Certification Regarding Lobbying" form.

Thank You for your participation in the Pipeline Safety Grant Program.  
Sincerely,

For Jeff Wiese, Associate Administrator for Pipeline Safety

Enclosures

**CY 2011 PIPELINE SAFETY GRANT ALLOCATION FORMULA**  
**STATE PERFORMANCE CRITERIA (Hazardous Liquid)**

**I. RATING FROM STATE EVALUATION (50 PERCENT OF SCORE)**

**II. SELECTED INFORMATION FROM STATE CERTIFICATION/AGREEMENT (50 PERCENT OF SCORE)**

**I. Extent of Intrastate Safety Jurisdiction (12 Points)**

(Certification Attachment 1)

N = Number of operator types over which state has jurisdiction

M = Number of operator types located in state

60105 State:  $N/M \times 12$       60106 State:  $N/M \times 12 \times .5$

1. Petroleum and Petroleum Products
2. Anhydrous Ammonia
3. Carbon Dioxide

**J. Inspector Qualifications (8 POINTS)**

(Certification Attachment 7, 7a)

- 8 - Highest percentage of inspectors in categories I and II
- 4 - Highest percentage of inspectors in categories I, II and III
- 0 - Highest percentage of inspectors in categories III, IV and V

**K. Number of Inspection Person-Days (9 POINTS)**

(Certification Attachment 2)

- 9 - Meets or exceeds the recommended number of inspection person-days.
- 5 - Comes within 25 percent of meeting the recommended number of inspection person-days (achieved 75 percent or above of recommended number).
- 3 - Meets less than 75 percent but at least 50 percent of the recommended number of inspection person-days (achieved 50 to 75 percent of recommended number).
- 0 - Meets less than 50 percent of recommended number of inspection person-days (achieved under 50 percent of recommended number).

L. **State Adoption of Maximum Civil Penalty Requirement (2 POINTS)**

(Certification Attachment 8, Section I, Item 1)

- 2 - Adopted \$100,000/day; up to \$1,000,000 or Adopted but Different Amounts
- 1 - Taking steps to adopts (has filed draft legislation)
- 0 - Not Adopted

M. **State Adoption of Applicable Federal Regulations<sup>1</sup> (8 POINTS)**

(Certification Attachment 8, Section I, Items 2, 3, 4, 5, and 6)

- 8 - Adopted within 24 months of effective date (or two general sessions of the state legislature, whichever is longer).
- 5 - Taking steps to adopt (has filed draft legislation).
- 3 - Adopted all regulations within required time frame except one -- where continuing opposition has blocked adoption and state is not presently attempting to adopt.
- 0 - Not Adopted within 36 months of effective date.

N. **One Call System Minimum Requirements under Part 198<sup>2</sup> (8 POINTS)**

(Certification Attachment 8 Section III)

- 1.5 - Mandatory coverage of areas having pipeline facilities
- 0.5 - Qualification for operation of one-call system
- 1.5 - Mandatory excavator notification of one-call center
- 0.5 - State determination whether calls to center are toll free
- 1.5 - Mandatory intrastate pipeline operator participation
- 1.0 - Mandatory operator response to notification
- 1.0 - Mandatory notification of excavators/public
- 0.5 - Civil penalties/injunctive relief substantially same as DOT (\$100,000/\$1,000,000)

O. **State Attendance at NAPS Regional Meeting (3 POINTS)**

(Certification Attachment 8, Section III)

- 3 - Attended full time (lead rep or alternate pipeline program staff)
- 1 - Attended less than full time
- 0 - No one attended

P. **Penalty Points**

- 2 - State CY 2011 Certification not received at PHMSA HQ by due date
- 4 - points assigned if over 1 month late

1 Applicable Federal regulation for five year period will be listed in certification attachments

2 Established under state law by statute, regulation, license, certification, order, or any combination of these legal means

## 2011 HAZARDOUS LIQUID STATE SCORES

(FROM PERFORMANCE EVALUATION AND CEERTIFICATION/AGREEMENT ATTACHMENTS)

STATE	2009 PROGRAM EVALUATION	2011 CERT/AGREEMENT ATTACHMENTS	TOTAL SCORE
ALABAMA	99.50	50.00	99.75
ARIZONA	100.00	47.00	97.00
CALIFORNIA_SFM	92.20	48.00	94.10
INDIANA <sup>2</sup>	80.00	50.00	90.00
LOUISIANA	99.50	50.00	99.75
MARYLAND	96.70	50.00	98.35
MINNESOTA	100.00	50.00	100.00
MISSISSIPPI	98.00	38.00	87.00
NEW MEXICO	88.90	50.00	94.45
NEW YORK	99.00	46.00	95.50
OKLAHOMA	98.50	50.00	99.25
TEXAS	99.00	50.00	99.50
VIRGINIA <sup>1</sup>	97.20	50.00	98.60
WASHINGTON	98.30	50.00	99.15
WEST VIRGINIA	94.60	47.50	94.80

Notes:

1 State Programs that have both a 60105 and a 60106 program. These states have had their 60105 and 60106 funding combined and shown as the figure represented in the table, therefore budget, request and allocation figures represent funding for both programs.

2 Within the first 3 years of a new program a minimum score of 90% shall be given, and will not be subject to the 3-year average spending requirement.

## 2011 HAZARDOUS LIQUID STATE SCORES

(FROM CERTIFICATION/AGREEMENT ATTACHMENTS)

STATE	JURISDICTION (12)	INSPECTOR QUAL. (8)	NUMBER OF INSPECTION PERSON DAYS (9)	STATE ADOPTION OF MAX CIVIL PENALTY REGS. (2)	STATE ADOPTION OF APPLICABL E FED REGS. (8)	ONE-CALL NOTIF. REQMNTS. (8)	ATTENDANCE AT FEDS/ STATE MEETING (3)	PENALTY POINTS (-)	TOTAL
ALABAMA	12	8	9	2	8	8	3	0	50
ARIZONA	12	8	9	2	5	8	3	0	47
CALIFORNIA_SFM	12	8	9	2	8	8	1	0	48
INDIANA	12	8	9	2	8	8	3	0	50
LOUISIANA	12	8	9	2	8	8	3	0	50
MARYLAND	12	8	9	2	8	8	3	0	50
MINNESOTA	12	8	9	2	8	8	3	0	50
MISSISSIPPI	6	4	9	0	8	8	3	0	38
NEW MEXICO	12	8	9	2	8	8	3	0	50
NEW YORK	12	8	9	1	5	8	3	0	46
OKLAHOMA	12	8	9	2	8	8	3	0	50
TEXAS	12	8	9	2	8	8	3	0	50
VIRGINIA	12	8	9	2	8	8	3	0	50
WASHINGTON	12	8	9	2	8	8	3	0	50
WEST VIRGINIA	12	8	9	0	8	7.5	3	0	47.5

## 2011 HAZARDOUS LIQUID PIPELINE SAFETY GRANT ALLOCATION

STATE	REQUEST	STATE POINTS	ALLOCATION	PERCENT OF FUNDING	WITHOUT SUSPENSION OF STATE FUNDING REQUIREMENT
ALABAMA	\$114,651.00	99.75	\$91,491.00	79.80%	\$91,491.00
ARIZONA	\$84,653.00	97.00	\$65,691.00	77.60%	\$52,726.00
CALIFORNIA_SFM	\$1,988,565.00	94.10	\$1,496,992.00	75.28%	\$1,014,907.00
INDIANA <sup>2</sup>	\$7,706.00	90.00	\$5,548.00	72.00%	-
LOUISIANA	\$344,860.00	99.75	\$275,198.00	79.80%	\$196,828.00
MARYLAND	\$76,340.00	98.35	\$60,064.00	78.68%	\$43,628.00
MINNESOTA	\$501,278.00	100.00	\$401,022.00	80.00%	\$360,995.00
MISSISSIPPI	\$17,423.00	87.00	\$12,126.00	69.60%	\$10,392.00
NEW MEXICO	\$56,336.00	94.45	\$42,567.00	75.56%	\$35,067.00
NEW YORK	\$150,100.00	95.50	\$114,676.00	76.40%	\$60,160.00
OKLAHOMA	\$339,008.00	99.25	\$269,172.00	79.40%	\$261,965.00
TEXAS	\$799,749.00	99.50	\$636,600.00	79.60%	\$530,015.00
VIRGINIA <sup>1</sup>	\$217,035.00	98.60	\$171,197.00	78.88%	\$163,836.00
WASHINGTON	\$341,287.00	99.15	\$270,709.00	79.32%	\$239,379.00
WEST VIRGINIA	\$15,242.00	94.80	\$11,560.00	75.84%	\$0.00

Note:

Without Suspension of State Funding Requirement the State must spend at least their 3-Year average CY2007-CY2009.

1 State Programs that have both a 60105 and a 60106 program. These states have had their 60105 and 60106 funding combined and shown as the figure represented in the table, therefore budget, request and allocation figures represent funding for both programs.

2 Within the first 3 years of a new program a minimum score of 90% shall be given, and will not be subject to the 3-year average spending requirement.