



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2019 Hazardous Liquid State Program Evaluation

for

Louisiana Department of Natural Resources

## Document Legend

### PART:

- O -- Representative, Dates and Title Information
- A -- Progress Report and Program Documentation Review
- B -- Program Inspection Procedures
- C -- State Qualifications
- D -- Program Performance
- E -- Field Inspections
- F -- Damage prevention and Annual report analysis
- G -- Interstate Agent/Agreement States



2019 Hazardous Liquid State Program Evaluation -- CY 2019  
Hazardous Liquid

**State Agency:** Louisiana

**Agency Status:**

**Date of Visit:** 04/13/2020 - 04/17/2020

**Agency Representative:** Michael Peikert, Assistant Director

**PHMSA Representative:** Don Martin

**Commission Chairman to whom follow up letter is to be sent:**

**Name/Title:** Richard Ieyoub, Commissioner

**Agency:** Louisiana Department of Natural Resources-Office of Conservation

**Address:** 617 North Third Street

**City/State/Zip:** Baton Rouge, Louisiana 70802

**Rating:**

**60105(a):** Yes **60106(a):** No **Interstate Agent:** No

---

**INSTRUCTIONS:**

Complete this evaluation in accordance with the Evaluator Guidance for conducting state pipeline safety program evaluations. The evaluation should generally reflect state program performance during CY 2019 (not the status of performance at the time of the evaluation). A deficiency in any one part of a multiple-part question should be scored as "Needs Improvement." Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the appropriate notes/comments section. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and they OBJECTIVELY reflect the state's program performance for the question being evaluated. Increasing emphasis is being placed on how the state pipeline safety programs conduct and execute their pipeline safety responsibilities (their performance). This evaluation, together with selected factors reported in the state's annual progress report attachments, provide the basis for determining the state's pipeline safety grant allocation.

---

**Scoring Summary**

**PARTS**

**Possible Points    Points Scored**

A    Progress Report and Program Documentation Review  
B    Program Inspection Procedures  
C    State Qualifications  
D    Program Performance  
E    Field Inspections  
F    Damage prevention and Annual report analysis  
G    Interstate Agent/Agreement States

0  
15  
10  
50  
15  
4  
0

0  
15  
10  
45  
15  
4  
0

**TOTALS**

**94                    89**

**State Rating** .....

**94.7**

---

## PART A - Progress Report and Program Documentation Review

Points(MAX) Score

**1** Were the following Progress Report Items accurate?

Info Only Info Only

Info Only = No Points

- a. Stats On Operators Data - Progress Report Attachment 1
- b. State Inspection Activity Data - Progress Report Attachment 2
- c. List of Operators Data - Progress Report Attachment 3\*
- d. Incidents/Accidents Data - Progress Report Attachment 4\*
- e. Stats of Compliance Actions Data - Progress Report Attachment 5\*
- f. List of Records Kept Data - Progress Report Attachment 6 \*
- g. Staff and TQ Training Data - Progress Report Attachment 7
- h. Compliance with Federal Regulations Data - Progress Report Attachment 8
- i. Performance and Damage Prevention Question Data - Progress Report Attachment 10\*

Evaluator Notes:

- (a. Request spreadsheet or database report sent from state through email. RECEIVED Spreadsheet Info supports Attachment 1 entries. LA should review PDM data for accuracy.
- (b. RECEIVED Spreadsheet info supports Attachment. No issues found during review.
- (c. Received spreadsheet. Total units by type match between Attachment 1 and 3. No issues.
- (d. The reports in PDM match the incidents in Attachment 4.
- (e. Reviewed spreadsheet sent by email showing Number found during CY2019 and Number Corrected during CY2019. Number to be corrected at end of year is calculated correctly.
- (f. These files were observed during the CY2018 evaluation. The LADNR has not changed the filing system since then.
- (g. A review of Attachment 7 Categories I, II and III staff and training course completions in TQ Blackboard did not result in any errors. No issues.
- (h. No adoption issues in CY2019.
- (i. CY2019 Attachment 10 was not a duplicate of CY2018 Attachment 10. No issue

Total points scored for this section: 0  
Total possible points for this section: 0



- |   |   |   |   |
|---|---|---|---|
| 1 | Do written procedures address pre-inspection, inspection and post inspection activities for each of the following inspection types: Chapter 5.1<br>Yes = 5 No = 0 Needs Improvement = 1-4   | 5 | 5 |
|   | <ul style="list-style-type: none"> <li>a. Standard Inspections, which include Drug/Alcohol, CRM and Public Awareness Effectiveness Inspections</li> <li>b. IMP Inspections (reviewing largest operator(s) plans annually)</li> <li>c. OQ Inspections</li> <li>d. Damage Prevention Inspections</li> <li>e. On-Site Operator Training</li> <li>f. Construction Inspections (annual efforts)</li> </ul> |   |   |

## Evaluator Notes:

The LADNR's INSPECTION GUIDANCE document, revised 3/25/2020, was reviewed for Part B (a. through (g. The guidance describes Pre-inspection, Inspection activity, and Post-inspection activities. The activities are the same for all inspection types. If an activity is specific to an inspection type, it is included in the inspection type procedure. No issues.

- |   |  |   |   |
|---|--|---|---|
| 2 | Do written procedures address inspection priorities of each operator, and if necessary each unit, based on the following elements and time frames established in its procedures? Chapter 5.1<br>Yes = 4 No = 0 Needs Improvement = 1-3   | 4 | 4 |
|   | <ul style="list-style-type: none"> <li>a. Length of time since last inspection</li> <li>b. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)</li> <li>c. Type of activity being undertaken by operators (i.e. construction)</li> <li>d. Locations of operator's inspection units being inspected - (HCA's, Geographic area, Population Centers, etc.)</li> <li>e. Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors)</li> <li>f. Are inspection units broken down appropriately?</li> </ul> |   |   |

## Evaluator Notes:

LADNR's INSPECTION PRIORITIZATION AND PROCEDURES dated 3/25/2020 was reviewed. Results for Part B (a. through (g. are described below.

The LADNR's guidance meets the requirement for prioritizing inspection units. The guidance includes the following statement: "If an inspection indicates portions of the operators' system is not being properly operated and maintained as required by the written procedures. Other means of criteria utilized for both Comprehensive (Standard) and Specialized inspections may be based upon the risk analysis (risk model developed by LDNR) for the operator's system and operations. This risk based approach could be based upon the inspectors' records, operators' records, historical high risk areas, past operator performance in those areas, etc. Non-routine activities undertaken by the operator such as construction, change of personnel, acquisitions and mergers, and significant changes, etc. in procedures would be activities which could require an inspection prior to the scheduled annual inspection." Inspection Units are broken down appropriately.

In addition to the prioritization guidance, the LADNR has established maximum intervals as follows:

Standard - 3.1.2.3 - A comprehensive review of all components should be completed every four and one-half (4 1/2) years, not to exceed 60 months.

Operator Qualification - 4.4 - These are inspections of an operator's written plans, records, and employee KSAs using the Federal Protocol Elements.

4.4.1 The OQ - HQ re-inspection frequency is up to 5 years, unless the Director determines more frequent HQ inspection is warranted. Inspectors will periodically perform Protocol 9 inspections

Integrity Management - 4.3.1 - The IM ? HQ inspection frequency is up to 5 years, unless the Program Manager determines more frequent HQ inspection is warranted. Inspectors will periodically perform field verification for this code section, i.e. record keeping, field verification of HCA's, remediation practices instituted by the operator, etc., as determined by the Program Manager.

Operator Training ? 4.2 ? Operator Training presentations can be prompted by, but not limited to, a request by the operator, a change in the regulations, a change in policies and procedures, change of operator personnel, or initiated by LDNR/Pipeline Safety. Performed as needed.

Construction ? 4.1 - These are conducted on an as needed basis and at the discretion of the manager and individual inspector in the field. Most, but not all, inspections are prompted by receipt of a Notice of Construction from the operator, as required under LAC 43: XIII. 1705 (Part 192.305) and LAC 33: V. 30204 (Part 195.204). (See enclosed Notice of Construction form). NEEDS REVISION TO REFLECT MINIMUM 20% OF INSPECTIONS WILL BE CONSTRUCTION.

Drug and/or Alcohol Inspections - 4.8 - HQ inspection frequency is up to 5 years, unless the Program Manager determines more frequent HQ inspection is warranted. These type inspections, conducted under Part 199, are comprehensive in nature for the headquarters inspections while the field inspections are less comprehensive and unless otherwise stated are counted as Standard Inspections. Once a headquarters inspection is conducted, the inspectors will periodically check for specialized code sections, i.e. random testing, pre-employment testing, record keeping, testing procedures, etc.

4.8.1 Drug and Alcohol - inspections completed (number of operators) will be kept and noted on Attachment 2 of the annual progress report (will be counted as Standard until PHMSA directs otherwise)

Public Awareness Program Effectiveness Evaluation - 4.9 - HQ inspection frequency is up to 5 years, unless the Director determines more frequent HQ inspection is warranted.

These are inspections of an operator's written plans, program implementation, annual program audits, and 4-year effectiveness evaluation using the Federal Inspection form. Field Managers determines if more frequent HQ inspection is warranted. Follow-up PAPEE will be performed at 5-years intervals after initial PAPEE Inspection

LNG - 3.1.2.4 A LNG facility inspection will be performed at least once every 30 months not to exceed 36 months.

- 
- |   |  |   |   |
|---|--|---|---|
| 3 | (Compliance Procedures) Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
|   | a. Procedures to notify an operator (company officer) when a noncompliance is identified   |   |   |
|   | b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns   |   |   |
|   | c. Procedures regarding closing outstanding probable violations  |   |   |

Evaluator Notes:

The LADNR has established procedures describing the steps to execute non-compliance actions and communicate the issues to operators. Non-compliance letters to operators provide a description of the steps. LADNR's enforcement steps are contained in State Statute - Title 43 - NATURAL RESOURCES

Part XI. Office of Conservation--Pipeline Division

Subpart 3. Pipeline Safety

(a. ?501 Paragraph - C. Service upon a person's duly authorized representative, officer or agent constitutes service upon that person. No Issues.

(b. The LADNR's inspection and compliance database system provides information to monitor the progress of the steps until the inspection file is closed. No issues.

(c. 4.7 Re-Inspections (Compliance Follow-up) - inspections or evaluations to see if actions are completed as requested to an operator from a previous inspection or ordered in compliance action. This is a re-inspection of that portion of an operator's system that was cited for a non-compliance noted during an inspection.

4.7.1 The re-inspection is conducted, within a reasonable amount of time, after the expiration of the time allowed to achieve compliance (normally 90 days), unless an extension is granted or time constraints to complete initial inspections prevents scheduling re-inspections. Periodic re-inspections should continue until complete compliance is achieved or such further action is taken by the Pipeline Division.

No issues.

- 
- |   |  |   |   |
|---|--|---|---|
| 4 | (Incident/Accident Investigations) Does the state have written procedures to address state actions in the event of an incident/accident?<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
|---|--|---|---|

- a. Mechanism to receive, record, and respond to operator reports of incidents, including after-hours reports
- b. If onsite investigation was not made, do procedures require on-call staff to obtain sufficient information to determine the facts to support the decision not to go on-site.

Evaluator Notes:

(a. 4.5 Investigating Incidents/Accidents

4.5.1 This would include any Incident/Accident activities, including any pertinent follow-up investigative activities.

4.5.2 Reports of incidents/accidents made to the 24hr office # will be forwarded to the Program Manager or other personnel in the office to receive the report. If the call is received afterhours the program manager or designee will receive the call. The person receiving the call will make sure the Program Manager or designee is aware of the situation along with the area agent. The Program Manager or designee will consult with agent and determine if an immediate on site visit is required. The person who received the call will keep appropriate personnel updated when new information is received. This will continue until a Program Manager assigned the incident/accident to an agent.

4.5.3 This is an evaluation of an operator's facilities, practices and procedures, as a result of an incident or accident involving their facilities. These are conducted on an as required basis, as determined by the Assistant Director. The state will cooperate on accident investigations with OPS and the NTSB when requested. Accident investigations will be conducted in accordance with Appendix D and Appendix E of the Guideline for States Participating in the Pipeline Safety Program. Incidents/accidents/courtesy reports are review by the office staff/field staff, information collected is kept in Baton Rouge. A reportable incident/accident is usually investigated onsite and information from the operator is usually sufficient for non-reportable incidents/accidents. The Program Manager and/or Director may not require and onsite investigation if the following conditions are met: no fatality's or hospitalization overnight and it appears that no additional information regarding the direct or indirect causes could be gathered.

4.5.4 The purpose of the investigation is to determine if any probable violations exist and to review an operator's emergency response and investigation of incidents/accidents.

4.5.5 The Commissioner or his designee may make recommendations to the operator to prevent reoccurrence.

4.6 Damage Prevention Activities -Training, Public Education, Enforcement, etc. Damage prevention is addressed in every Standard (comprehensive) inspection and at times is an item addressed in a specific inspection.

4.6.1 LDNR/Pipeline Safety is the enforcement agency for the "Louisiana Dig Law". A separate set of procedures are in place for handling enforcement of the Dig Law. 4.6.2 192.614 follow-up may be performed if an inspector determines the need based on an onsite excavation damage investigation.

(b. From LADNR's website:

To Report An Emergency

All environmental emergencies related to Oil & Gas Incidents, Injection Wells, E&P Waste, or Pipelines should be immediately reported to the State Police so that the appropriate response personnel will be deployed.

State Police

(877) 925-6595 Toll-Free Hotline

The Office of State Police will notify the Office of Conservation to coordinate response efforts. However, we encourage you to utilize our 24-Hour Service to notify the Office of Conservation after contacting the State Police.

Reportable accidents/incidents on jurisdictional pipelines must be reported to the pipeline incident number below.

Oil & Gas Incidents

Monday - Friday

8:00AM - 4:30PM (225) 342-5540

After Hours &

Weekends (225) 342-5505 or (225) 342-5515

5

General Comments:

Info Only = No Points

Info Only Info Only

Evaluator Notes:

There were no deficiencies found that warranted a reduction in points.

Total points scored for this section: 15

Total possible points for this section: 15



## PART C - State Qualifications

Points(MAX) Score

- |   |  |   |   |
|---|--|---|---|
| 1 | Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.4<br>Yes = 5 No = 0 Needs Improvement = 1-4   | 5 | 5 |
|   | <ul style="list-style-type: none"><li>a. Completion of Required OQ Training before conducting inspection as lead</li><li>b. Completion of Required IMP Training before conducting inspection as lead</li><li>c. Root Cause Training by at least one inspector/program manager</li><li>d. Note any outside training completed</li><li>e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector (Reference State Guidelines Section 4.3.1)</li></ul> |   |   |

### Evaluator Notes:

The following have completed the training to lead a standard inspection:

BURNS, JAMES (JAMIE)

CHAMPAGNE, MARK

COLE, PHILLIP (JASON)

GALLE, GREGORY

GIAMBRONE, STEVEN

JEFFERY, JEREMY

KREITZER, SARAH

ROTOLO, JACQUES

SNELLGROVE, KELVIN (KERRY)

WASCOM, ANDREW

All have completed OQ Training except for:

Eric Duplantis

Tina Guilliams

Kwanyatte (Kay) Hampton

Charles Lionberger

HL IMP Training Completed By:

BROWNING, MARK

CHAMPAGNE, MARK

ROTOLO, JACQUES

WASCOM, ANDREW

Compared this listing to the info contained Spreadsheet titled: Inspections Completed. No instances were found where an inspection was lead by an inspector who did not complete training. No Issues.

- |   |   |   |   |
|---|---|---|---|
| 2 | Did state records and discussions with state pipeline safety program manager indicate adequate knowledge of PHMSA program and regulations? Chapter 4.1, 8.1<br>Yes = 5 No = 0 Needs Improvement = 1-4 | 5 | 5 |
|---|---|---|---|

### Evaluator Notes:

Program Manager was an engineer in the pipeline safety office since 2004. He was named program manager in August, 2017. Michael has knowledge of regulations, required records and submittals for the pipeline safety program. Michael has completed all of the training required in the Guidelines. No Issues.

- |   |  |           |           |
|---|--|-----------|-----------|
| 3 | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|---|--|-----------|-----------|

### Evaluator Notes:

There were no deficiencies found that warranted a reduction in points.

Total points scored for this section: 10  
Total possible points for this section: 10



## PART D - Program Performance

Points(MAX) Score

- |   |  |   |   |
|---|--|---|---|
| 1 | Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1<br>Yes = 5 No = 0 Needs Improvement = 1-4   | 5 | 0 |
|   | <ul style="list-style-type: none"><li>a. Standard (General Code Compliance)</li><li>b. Public Awareness Effectiveness Reviews</li><li>c. Drug and Alcohol</li><li>d. Control Room Management</li><li>e. Construction (did state achieve 20% of total inspection person-days?)</li><li>f. OQ (see Question 3 for additional requirements)</li><li>g. IMP (see Question 4 for additional requirements)</li></ul> |   |   |

### Evaluator Notes:

Received Spreadsheet which provided date required to meet five year requirement for each inspection type for each inspection unit. The following did not meet five year interval:  
Comprehensive (Standard) - Equilon Enterprises LLC (Formerly Motiva Enterprises LLC PL0535), Hilcorp Energy 1, LP, Targa Resources Operating (Formerly Targa Midstream Services, LLC).  
Liquid IMP - Kinder Morgan Liquids Terminals, LLC (Formerly ICPT, L.L.C. - PL0295)  
OQ Inspections - Chalmette Refining, LLC, ExxonMobil Fuel and Lubricants Company  
Public Awareness - Chalmette Refining, LLC, Chevron Pipe Line Company, Denka Performance Elastomer, LLC (Buckeye Dev. & Logistics), Equilon Enterprises LLC (Formerly Motiva Enterprises LLC PL0535), Phillips 66 Pipeline, LLC (Formerly ConocoPhillips Pipe Line Company - PL0591), Pipeline Technology VI, LLC, Plains Marketing, LP, Shell Pipeline Company, LP (Formerly Concha Chemical Pipeline, LLC - PL0640), Shell Pipeline Company, LP (Formerly Shell Chemical Company, LP - PL0641), TPC Group, LLC (Formerly Texas Butylene Chemical Corporation - PL0676), Valero Refining - New Orleans, LLC

Five Point Deduction

- |   |   |    |    |
|---|---|----|----|
| 2 | Did inspection form(s) cover all applicable code requirements addressed on Federal Inspection form(s)? Did State complete all applicable portions of inspection forms? Chapter 5.1. Do inspection records indicate that adequate reviews of procedures, records and field activities, including notes and the appropriate level of inspection person-days for each inspection, were performed?<br>Yes = 10 No = 0 Needs Improvement = 1-9 | 10 | 10 |
|   | <ul style="list-style-type: none"><li>a. Standard (General Code Compliance)</li><li>b. Public Awareness Effectiveness Reviews</li><li>c. Drug and Alcohol</li><li>d. Control Room Management</li><li>e. Construction</li><li>f. OQ (see Question 3 for additional requirements)</li><li>g. IMP (see Question 4 for additional requirements)</li></ul>   |    |    |

### Evaluator Notes:

The LADNR conducts a review of forms at the beginning of each year to verify that changes in code requirements are included on its inspection forms. Questions on the LADNR's Comprehensive (Standard) Inspection Form were compared to the federal standard hazardous liquid pipeline inspection form. No discrepancies were found. The LADNR utilizes the federal inspection forms for all other inspection types. Link to document section in website was received. Upon reviewing a sample inspection reports no deficiencies in code requirements was found.

- |   |   |   |   |
|---|---|---|---|
| 3 | Is state verifying operators OQ programs are up to date? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals established in the operator's plan. 49 CFR 192 Part N<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|---|---|---|

### Evaluator Notes:

Received Spreadsheet which provided date required to meet five year requirement for each inspection type for each inspection unit. The LADNR conducted 13 OQ inspections with 45 inspection person days. With 99 operators, the LADNR will need to average more than 13 inspections to meet the five year time interval.

- 4 Is state verifying operator's integrity management Programs (IMP)? This should include a review of plans, along with monitoring progress. In addition, the review should take in to account program review and updates of operator's plan(s). 49 CFR 192 Subpart P  
Yes = 2 No = 0 Needs Improvement = 1
- a. Are the state's largest operator(s) plans being reviewed annually?

Evaluator Notes:

The LADNR conducted 8 IMP inspections with 75 inspection person days. With 99 operators, the LADNR will need to average more than 8 inspections to meet the five year time interval.

- 5 Did the state review the following (these items are NTSB recommendations to PHMSA that have been deemed acceptable response based on PHMSA reviewing these items during the evaluation process): Chapter 5.1  
Yes = 2 No = 0 Needs Improvement = 1
- a. Operator records of previous accidents and failures including reported third-party damage and leak response to ensure appropriate operator response as required by 192.617; and
- b. Directional drilling/boring procedures of each pipeline operator or its contractor to determine if they include actions to protect their facilities from the dangers posed by drilling and other trench less technologies;

Evaluator Notes:

- (a. The LADNR covers 195.402(c)(5) records when conducting comprehensive inspections. The LADNR's comprehensive inspection has a question documenting the review of the operator's records.
- (b. covers this regulatory requirement on Page 38 of its Comprehensive (Standard) Inspection for Hazardous Liquid Pipelines.

- 6 Did the State verify Operators took appropriate action regarding advisory bulletins issued since the last evaluation? (Advisory Bulletins Current Year)  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Advisory Bulletins since last evaluation:

May 2, 2019 - Docket No. PHMSA?2019?0087 - Pipeline Safety: Potential for Damage to Pipeline Facilities Caused by Earth Movement and Other Geological Hazards

April 11, 2019 - Docket No. PHMSA?2019?0047 - Pipeline

Safety: Potential for Damage to Pipeline Facilities Caused by Flooding, River Scour, and River Channel Migration

The LADNR used the continuing surveillance portion of the inspection form to cover potential damage from external forces which is the concern in these two Advisory Bulletins.

- 7 (Compliance Activities) Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1  
Yes = 10 No = 0 Needs Improvement = 1-9

- a. Were compliance actions sent to company officer or manager/board member if municipal/government system?
- b. Were probable violations documented properly?
- c. Resolve probable violations
- d. Routinely review progress of probable violations
- e. Did state issue compliance actions for all probable violations discovered?
- f. Can state demonstrate fining authority for pipeline safety violations?
- g. Does Program Manager review, approve and monitor all compliance actions? (note: Program Manager or Senior Official should sign any NOPV or related enforcement action)
- h. Did state compliance actions give reasonable due process to all parties? Including "show cause" hearing, if necessary.
- i. Within 30 days, conduct a post-inspection briefing with the owner or operator outlining any concerns
- j. Within 90 days, to the extent practicable, provide the owner or operator with written preliminary findings of the inspection. (Incident investigations do not need to meet 30/90-day requirement)

Evaluator Notes:

Inspection files for 20% of Operators, 14 Operators, were reviewed. 12 Operators received inspections in CY2019. Of the

12, 3 inspections resulted in probable violations found. The report files for the 3 inspections were reviewed for follow through on the enforcement process. No deficiencies were found.

- 
- |          |   |    |    |
|----------|---|----|----|
| <b>8</b> | (Incident Investigations) Were all incidents investigated, thoroughly documented, with conclusions and recommendations?<br>Yes = 10 No = 0 Needs Improvement = 1-9  | 10 | 10 |
|          | a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?<br>b. Did state keep adequate records of Incident/Accident notifications received?<br>c. If onsite investigation was not made, did the state obtain sufficient information from the operator and/or by means to determine the facts to support the decision not to go on site?<br>d. Were onsite observations documented?<br>e. Were contributing factors documented?<br>f. Were recommendations to prevent recurrences, where appropriate, documented?<br>g. Did state initiate compliance action for any violations found during any incident/accident investigation?<br>h. Did state assist Region Office or Accident Investigation Division (AID) by taking appropriate follow-up actions related to the operator incident reports to ensure accuracy and final report has been received by PHMSA?<br>i. Does state share any lessons learned from incidents/accidents? |    |    |

Evaluator Notes:

The accident reports were reviewed on the LADNR's website.

(a. See Question B.4

(b. No issues.

(c. The records demonstrated that all reportable incidents were investigated on-site.

(d., (e, and (f. - Observations and contributing factors were documented on the LADNR's investigation form. If probable violations are found, compliance action is taken. During 2019, one accident resulted in a probable violation.

(g. Yes, non-compliance letter was sent to the operator.

(h. The AID's response to question stated that the LADNR's performance was acceptable.

(i. Yes, the LADNR discusses incidents and lessons learned during its "state of the state" presentation at the NAPS Region Meeting.

- 
- |          |   |   |   |
|----------|---|---|---|
| <b>9</b> | Did state respond to Chairman's letter on previous evaluation within 60 days and correct or address any noted deficiencies? (If necessary) Chapter 8.1<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

The LA DNR responded in 35 days. The Commissioner noted and addressed the deficiencies.

- 
- |           |   |           |           |
|-----------|---|-----------|-----------|
| <b>10</b> | Did State conduct or participate in pipeline safety training session or seminar in Past 3 Years? Chapter 8.5<br>Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|

Evaluator Notes:

The LA DNR holds a pipeline safety seminar annually, normally in July.

- 
- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>11</b> | Has state confirmed transmission operators have submitted information into NPMS database along with changes made after original submission?<br>Info Only = No Points | Info Only | Info Only |
|-----------|--|-----------|-----------|

Evaluator Notes:

This requirement is covered on Page 4 of the Comprehensive Inspection Form. All inspection forms reviewed confirmed this was performed.

- 
- |           |  |   |   |
|-----------|--|---|---|
| <b>12</b> | Does the state have a mechanism for communicating with stakeholders - other than state pipeline safety seminar? (This should include making enforcement cases available to public).<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

The LA DNR communicates with Stakeholders through its Website, Damage Prevention Conference, Louisiana Gas Association meetings twice each year, Public Awareness Liaison routinely through state, LA Mid Continent OG Midstream Committee. The public can access inspection reports and updated rules on its website, including a mobile friendly layout.

- 
- |           |   |   |   |
|-----------|---|---|---|
| <b>13</b> | Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|
- 

Evaluator Notes:

There are no SRC reports for Louisiana intrastate HL operators in the Pipeline Datamart for the calendar year of 2019.

- 
- |           |  |   |   |
|-----------|--|---|---|
| <b>14</b> | Was the State responsive to:<br>Yes = 1 No = 0 Needs Improvement = .5<br>a. Surveys or information requests from NAPS or PHMSA;<br>b. Operator IM notifications; and<br>c. PHMSA Work Management system tasks? | 1 | 1 |
|-----------|--|---|---|
- 

Evaluator Notes:

There were no instances found where the LADNR did not respond during CY2019.

- 
- |           |  |   |   |
|-----------|--|---|---|
| <b>15</b> | If the State has issued any waivers/special permits for any operator, has the state verified conditions of those waivers/special permits are being met? This should include having the operator amend procedures where appropriate.<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|
- 

Evaluator Notes:

The LADNR has no active waivers.

- 
- |           |   |           |           |
|-----------|---|-----------|-----------|
| <b>16</b> | Were pipeline program files well-organized and accessible?<br>Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|
- 

Evaluator Notes:

No issues were found with the organization of hard copy file during the CY2018 evaluation. The LADNR has not changed the filing system since then. In conducting the CY2019 evaluation, it is apparent that the electronic files are easily accessible and organized.

- 
- |           |   |   |   |
|-----------|---|---|---|
| <b>17</b> | Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool (SICT). Has the state updated SICT data?<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
|-----------|---|---|---|
- 

Evaluator Notes:

From a discussion with Michael, he has a good understanding of the SICT and uses a reasonable approach in utilizing it. There were no major issues identified during peer review other than concern about construction days. Minimum total days - 235 for CY2019 SICT. Actual: 384 total - Conducted 8 days of construction inspections (9.8%). Minimum total days of 211 for CY2020. Construction will need to be approx. 20.

- 
- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>18</b> | Discussion on State Program Performance Metrics found on Stakeholder Communication site.\ <a href="http://primis.phmsa.dot.gov/comm/states.htm?nocache=4805">http://primis.phmsa.dot.gov/comm/states.htm?nocache=4805</a><br>Info Only = No Points | Info Only | Info Only |
|-----------|--|-----------|-----------|
- 

Evaluator Notes:

A review was conducted of the performance metrics contained in the Pipeline Data Mart. The review was discussed in conference call with program manager. Most metrics are acceptable at this time. Gas pipeline inspector qualification has been impacted considering the number new inspector hired and the time required to complete training course. Excavation damages are trending in a slightly negative direction but improved in 2018. The LA DNR is aware of this trend and has placed higher priority on enforcement activity now that the LA DNR has authority over damage prevention enforcement.

- 
- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>19</b> | Did the state encourage and promote operator implementation of Pipeline Safety Management Systems (PSMS), or API RP 1173? This holistic approach to improving pipeline safety includes the identification, prevention and remediation of safety hazards. | Info Only | Info Only |
|-----------|--|-----------|-----------|
-

Info Only = No Points

- a. <https://pipelinesms.org/>
- b. Reference AGA recommendation to members May 20, 2019

Evaluator Notes:

The LADNR has encouraged the use of Safety Management Systems and API RP1173 with a presentation for operators during its annual pipeline safety seminar.

---

**20** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

Question D.1 - Received Spreadsheet which provided date required to meet five year requirement for each inspection type for each inspection unit. The following did not meet five year interval:

Comprehensive (Standard) - Equilon Enterprises LLC (Formerly Motiva Enterprises LLC PL0535), Hilcorp Energy 1, LP, Targa Resources Operating (Formerly Targa Midstream Services, LLC).

Liquid IMP - Kinder Morgan Liquids Terminals, LLC (Formerly ICPT, L.L.C. - PL0295)

OQ Inspections - Chalmette Refining, LLC, ExxonMobil Fuel and Lubricants Company

Public Awareness - Chalmette Refining, LLC, Chevron Pipe Line Company, Denka Performance Elastomer, LLC (Buckeye Dev. & Logistics), Equilon Enterprises LLC (Formerly Motiva Enterprises LLC PL0535), Phillips 66 Pipeline, LLC (Formerly ConocoPhillips Pipe Line Company - PL0591), Pipeline Technology VI, LLC, Plains Marketing, LP, Shell Pipeline Company, LP (Formerly Concha Chemical Pipeline, LLC - PL0640), Shell Pipeline Company, LP (Formerly Shell Chemical Company, LP - PL0641), TPC Group, LLC (Formerly Texas Butylene Chemical Corporation - PL0676), Valero Refining - New Orleans, LLC

Five Point Deduction

---

Total points scored for this section: 45  
Total possible points for this section: 50



## PART E - Field Inspections

Points(MAX) Score

- 1 Operator, Inspector, Location, Date and PHMSA Representative (enter specifics into the comments box below)

Info Only = No Points

- What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc)
- When was the unit inspected last?
- Was pipeline operator or representative present during inspection?
- Effort should be made to observe newest state inspector with least experience

### Evaluator Notes:

- The LADNR conducted a Control Room Management Inspection of Placid Refining. The inspection was conducted through a virtual meeting from September 8 - 11. The lead inspector was Jeremy Jeffery. Jacques Rotolo, Thien Le and Charles Lionberger assisted the Lead Inspector. Placid was represented by Barry Joffrion.
- Drug & Alcohol inspection closed on October 22, 2019.  
Public Awareness inspection closed on October 21, 2019.  
Integrity Management inspection closed on January 29, 2019.  
Comprehensive inspection closed on September 20, 2018.
- Placid was represented by Barry Joffrion.
- Yes, the Lead Inspector, Jeremy Jeffery, was not the most senior on the inspection team.

- 2 Did the inspector use an appropriate inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated)

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

Yes. The lead inspector used the PHMSA HL Control Room Management Inspection Form, revised July, 2020. The inspection was conducted progressing from Question 1 of CRM, SCADA, and Leak Detection - General through Question 8 of CRM, SCADA, and Leak Detection - Compliance Validation and Deviations.

- 3 Did the inspector adequately review the following during the inspection

Yes = 10 No = 0 Needs Improvement = 1-9

- Procedures (were the inspector's questions of the operator adequate to determine compliance?)
- Records (did the inspector adequately review trends and ask in-depth questions?)
- Field Activities/Facilities (did inspector ensure that procedures were being followed, including ensuring that properly calibrated equipment was used and OQ's were acceptable?)
- Other (please comment)
- Was the inspection of adequate length to properly perform the inspection?

### Evaluator Notes:

- Procedures were reviewed in depth.
- Yes, various records such as logs and training records were reviewed.
- NA
- NA
- Ample time was apportioned to complete a thorough review.

- 4 From your observation did the inspector have adequate knowledge of the pipeline safety program and regulations? (Evaluator will document reasons if unacceptable)

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

No deficiencies were found.

- 5 Did the inspector conduct an exit interview, including identifying probable violations? (If inspection is not totally completed the interview should be based on areas covered during time of field evaluation) 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

The Lead Inspector conducted an exit interview at the end of the inspection on September 11, 2020. Fourteen issues were communicated to the operator's representative. Seven of the issues were deemed to be unsatisfactory in compliance with the regulations. The remaining issues were identified as recommendations for amendments to the operator's CRM plans or recordkeeping. The operator was provided with the enforcement process that would take place after the inspection documents are finalized.

- 6 Was inspection performed in a safe, positive, and constructive manner ? Info Only Info Only  
Info Only = No Points
- a. No unsafe acts should be performed during inspection by the state inspector
  - b. What did the inspector observe in the field? (Narrative description of field observations and how inspector performed)
  - c. Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices)
  - d. Other

Evaluator Notes:

- (a. The inspection was conducted by virtual meeting app. to protect against the coronavirus.
- (b. NA
- (c. None identified.
- (d. NA

- 7 General Comments: Info Only Info Only  
Info Only = No Points

Evaluator Notes:

There were no deficiencies that resulted in the loss of points.

Total points scored for this section: 15  
Total possible points for this section: 15



**PART F - Damage prevention and Annual report analysis****Points(MAX) Score**

- |   |  |   |   |
|---|--|---|---|
| 1 | Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues.<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

**Evaluator Notes:**

The LADNR reviews annual reports for accuracy and differences from previous years. The LADNR focuses on trends of damages and spill repairs.

- |   |  |   |    |
|---|--|---|----|
| 2 | Has the state verified that the operators analyze excavation damages for the purpose of determining root causes and minimizing the possibility of a recurrence? (? 192.617)<br>Has the state verified that the operators have appropriately identified excavators who have repeatedly violated one-call laws and damaged their facilities. Have the operators taken steps to mitigate that risks? (? 192.1007)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | NA |
|---|--|---|----|

**Evaluator Notes:**

The LADNR is aware of this important consideration of damage prevention. The LADNR also has reviewed the Louisiana Excavation Damage Worksheet provided by PHMSA's David Appelbaum. The LADNR described their plan in 2019 to communicate with operators that are included in Special Attention Areas. The LADNR plans to work with these operators to implement improvement strategies.

- |   |   |   |    |
|---|---|---|----|
| 3 | Has the state reviewed the operator's annual report pertaining to Part D ? Excavation Damage?<br>Yes = 4 No = 0 Needs Improvement = 1-3 <ol style="list-style-type: none"><li>a. Is the information complete and accurate with root cause numbers?</li><li>b. Has the state evaluated the causes for the damages listed under "One-Call Notification Practices Not Sufficient" (Part D.1.a)?</li><li>c. Has the state evaluated the causes for the damages listed under "Locating Practices Not Sufficient" (Part D.1.b)? For each operator, does the state review the following?</li><li>d. Is the operator or its locating contractor(s) qualified and following written procedures for locating and marking facilities?</li><li>e. Is the operator appropriately requalifying locators to address performance deficiencies?</li><li>f. What is the number of damages resulting from mismarks?</li><li>g. What is the number of damages resulting from not locating within time requirements (no-shows)?</li><li>h. Is the operator appropriately addressing discovered mapping errors resulting in excavation damages?</li><li>i. Are mapping corrections timely and according to written procedures?</li><li>j. Has the state evaluated the causes for the damages listed under "Excavation Practices Not Sufficient" (Part D.1.c)?</li></ol> | 4 | NA |
|---|---|---|----|

**Evaluator Notes:**

During a conference call on April 14, 2019, the LADNR described its review of Damage Prevention information reported in Part D of operators' annual reports. The LADNR also reviews Part C information at the same time. 1.01.02 of The LADNR's "PROCEDURES FOR ASSESSING PROGRAM EFFECTIVENESS states: 1.0.2 Annual Report ? The annual reports (Part C & Part D) will be used for determining trends for damages per 1000 tickets and trends by root cause (One Call Insufficient, Locating Insufficient, Excavation Practices Insufficient, Other). These will be developed on a statewide basis and by operator. Charts are developed for damages, locates and damages/1000 locates.

- |   |   |   |   |
|---|---|---|---|
| 4 | Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests?<br>Yes = 2 No = 0 Needs Improvement = 1 <ol style="list-style-type: none"><li>a. What stakeholder group is causing the highest number of damages to the pipelines? Operator, contractor, locating company or public.</li><li>b. Has the state verified the operator is appropriately focusing damage prevention education and training to stakeholders causing the most damages?</li></ol> | 2 | 2 |
|---|---|---|---|



- c. Has the state evaluated which of the following best describes the reason for the excavation damages; i.e., operator or contractor not following written procedures, failure to maintain marks, failure to support exposed facilities, failure to use hand tools were required, failure to test-hole (pot hole), improper backfilling practices, failure to maintain clearance or insufficient excavation practices.
- d. Has the state verified the operator is appropriately focusing damage prevention education and training to address the causes of excavation damages?

Evaluator Notes:

The LADNR's "PROCEDURES FOR ASSESSING PROGRAM EFFECTIVENESS

(LA Underground Utilities and Facilities Damage Prevention Law)" was reviewed. The LADNR has trended data for 2015 to 2018 for the entire state. The data includes Tickets, Damages, One Call Notification Insufficient, Locating Practices Insufficient, Excavation Practices Not Sufficient, Other and Damages/1000 Locates. The LADNR also trends specifically the damages for operators that receive over 5000 locate requests utilizing the same data as the analysis for the entire state.

**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

There were no deficiencies found that resulted in a deduction of points.

Total points scored for this section: 4  
Total possible points for this section: 4



## PART G - Interstate Agent/Agreement States

Points(MAX) Score

- 1 Were all inspections of interstate pipelines conducted using the Inspection Assistant program for documenting inspections. Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

- 2 If inspections were conducted independent of a PHMSA team inspection was notice of all identified probable violations provided to PHMSA within 60 days. Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

- 3 If inspections were conducted independent of a PHMSA team inspection was PHMSA immediately notified of conditions which may pose an immediate safety hazard to the public or environment? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

- 4 If inspections were conducted independent of a PHMSA team inspection did the state coordinate with PHMSA if inspections not were not included in the PHMSA Inspection Work Plan? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

- 5 Did the state take direction from and cooperate with PHMSA for all incident investigations conducted on interstate pipelines? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

- 6 General Comments: Info Only Info Only  
Info Only = No Points

Evaluator Notes:

The LADNR is not an interstate agent nor does it have a 60106 agreement.

Total points scored for this section: 0  
Total possible points for this section: 0