



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

MARYLAND PUBLIC SERVICE COMMISSION

## 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:** Maryland

**Agency Status:**

**Date of Visit:** 06/29/2020 - 07/01/2020

**Agency Representative:** John Clementson

**PHMSA Representative:** Clint Stephens

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

**Name/Title:** Mr. Jason M. Stanek, Chairman

**Agency:** Maryland Public Service Commission

**Address:** 6 St. Paul Street, 16th Street

**City/State/Zip:** Baltimore, Maryland 21202

**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  
**94**

0  
15  
10  
49  
15  
2  
0  
**91**

**TOTALS**

**State Rating** ..... **96.8**

---

## 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. Data included in Attachment 1 of the Progress Report seem accurate.
- b. Data included in Attachment 2 of the Progress Report was reviewed inspector inspection days in the MDPSC State database which seem accurate.
- c. Data included in Attachment 3 of the Progress Report seem accurate.
- d. Data included in Attachment 4 of the Progress Report was compared with the PDM with no inaccuracies.
- e. Data included in Attachment 5 of the Progress Report seem accurate.
- f. Information included in Attachment 6 of the Progress Report is accurate.
- g. Data included in Attachment 7 of the Progress Report seem accurate.
- h. Information included in Attachment 8 of the Progress Report is accurate.
- i. Information included Attachment 10 of Progress Report included Planned Performance is to add new engineering position; continue to monitor pipe replacement program (STRIDE 2); and continue to monitor progress of MD Underground Facilities Damage Prevention Authority. Past Performance hosted the Pipeline Safety Seminar in 2019; and Damage prevention issued \$88,374 in fines in 2019.

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



## PART B - Program Inspection Procedures

Points(MAX) Score

- |   |  |   |   |
|---|--|---|---|
| 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 pre-inspection procedures are included on page 10, Subpart V, Section B of the MDPSC SOP which is required for all type of inspections. The inspection procedures are included on pages 10 ? 17, Subpart V of the MDPSC SOP. The post-inspection procedures are included on pages 17 ? 19, Subpart VI of the MDPSC SOP for all type of inspections.

- |   |   |   |   |
|---|---|---|---|
| 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:**

Inspection priority procedures are addressed on pages 8 - 9, Subpart IV, Section B ? Inspection Priorities of the MDPSC SOP.

- |   |   |   |   |
|---|---|---|---|
| 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 |
|   | <ul style="list-style-type: none"><li>a. Procedures to notify an operator (company officer) when a noncompliance is identified</li><li>b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns</li><li>c. Procedures regarding closing outstanding probable violations</li></ul> |   |   |

**Evaluator Notes:**

The procedures to identify steps to be taken from discovery to resolution of a probable violation is found on pages 17 ? 19, Subpart IV ? Post Inspection Activities/Enforcement of the MDPSC SOP.

- |   |  |   |   |
|---|--|---|---|
| 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 |
|   | <ul style="list-style-type: none"><li>a. Mechanism to receive, record, and respond to operator reports of incidents, including after-hours reports</li><li>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.</li></ul> |   |   |

**Evaluator Notes:**

The procedures to address actions in the event of an incident/accident are found on pages 20 ? 24, Subpart VII ? Investigation of Incidents of the MDPSC SOP.

---

**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

There were no issues identified in Part B of the evaluation.

---

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:

Acosta, Amroliwala, and Jaiyeola are qualified to perform IM inspections. Samuel Tetteh not qualified to perform standard inspections. Acosta is qualified to perform the LNG inspections as lead. At least one inspector and program manager has completed the Root Cause Training. There was no outside training completed in 2019. Negussie Tesfaye is the lead on Hazardous Liquids inspections.

- |   |  |   |   |
|---|--|---|---|
| 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:

State Pipeline Safety Program Manager displays adequate knowledge of PHMSA program and regulations.

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

Evaluator Notes:

There were no issues identified in Part C of the evaluation.

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 | 5 |
|   | <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:

Reviewed inspection interval information for Petroleum Fuel and Terminal Co. in the MDPSC database which was confirmed by comparing current and previous inspection dates.

- |   |   |    |    |
|---|---|----|----|
| 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:

Reviewed inspection reports for Petroleum Fuel and Terminal Co. (D&A, O&M, PAAP) for the CY2019. There were no issues.

- |   |   |   |   |
|---|---|---|---|
| 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:

There was no OQ program inspection performed in 2019; however, there was a program inspection performed in 2018 that verified plan was updated and persons performing covered tasks were properly qualified and requalified at intervals established in the plan.

- |   |  |   |   |
|---|--|---|---|
| 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<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|   | <ul style="list-style-type: none"><li>a. Are the state's largest operator(s) plans being reviewed annually?</li></ul>  |   |   |

Evaluator Notes:

There was no IMP Program inspection performed in 2019; however, there was a program inspection performed in 2017 which included review of plan and monitoring progress.

- |   |  |   |   |
|---|--|---|---|
| 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 | 2 | 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 trenchless technologies;

Evaluator Notes:

MDPSC had reviewed the NTSB recommendations with the operator except for directional drilling/boring procedures to determine if they include actions to protect their facilities from dangers posed by drilling and other trenchless technologies.

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

Evaluator Notes:

MDPSC need to add question on Advisory Bulletins to its inspection forms. MDPSC will include question in their standard inspection forms with a web link to the 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 | 10                                      | 10 |
|   |  | Yes = 10 No = 0 Needs Improvement = 1-9 |    |
| <ol style="list-style-type: none"><li>a. Were compliance actions sent to company officer or manager/board member if municipal/government system?</li><li>b. Were probable violations documented properly?</li><li>c. Resolve probable violations</li><li>d. Routinely review progress of probable violations</li><li>e. Did state issue compliance actions for all probable violations discovered?</li><li>f. Can state demonstrate fining authority for pipeline safety violations?</li><li>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)</li><li>h. Did state compliance actions give reasonable due process to all parties? Including "show cause" hearing, if necessary.</li><li>i. Within 30 days, conduct a post-inspection briefing with the owner or operator outlining any concerns</li><li>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)</li></ol> |  |   |    |

Evaluator Notes:

There were no probable violations accessed in 2019 to the Hazardous Liquid Operator.

- 
- |   |   |   |    |
|---|---|---|----|
| 8   | (Incident Investigations) Were all incidents investigated, thoroughly documented, with conclusions and recommendations? | 10                                      | 10 |
|   |   | Yes = 10 No = 0 Needs Improvement = 1-9 |    |
| <ol style="list-style-type: none"><li>a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?</li><li>b. Did state keep adequate records of Incident/Accident notifications received?</li><li>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?</li><li>d. Were onsite observations documented?</li><li>e. Were contributing factors documented?</li><li>f. Were recommendations to prevent recurrences, where appropriate, documented?</li><li>g. Did state initiate compliance action for any violations found during any incident/accident investigation?</li></ol> |   |   |    |



- 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?
- i. Does state share any lessons learned from incidents/accidents?

Evaluator Notes:

There were no reportable incidents in 2019. Yes, the MDPSC did assist AID with getting updates from operators on incidents. MDPSC does share lessons learned from incidents during Pipeline Safety Seminars and NAPS Regional meetings.

- |          |   |   |   |
|----------|---|---|---|
| <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:

Chairman letter was sent July 25, 2019, and response was received on September 5, 2019. No issue.

- |           |   |           |           |
|-----------|---|-----------|-----------|
| <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:

Yes. The MDPSC held its last Pipeline Safety Seminar in October 2019.

- |           |  |           |           |
|-----------|--|-----------|-----------|
| <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:

Yes. The MDPSC has confirmed transmission operators have submitted information into NPMS.

- |           |  |   |   |
|-----------|--|---|---|
| <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:

Quarterly the MDPSC has a Gas Operators Advisory Committee (GOAC) meeting to discuss pipeline safety issues with all the jurisdictional operators. Also, there is information about the Pipeline Safety Program on the State website.

- |           |   |   |   |
|-----------|---|---|---|
| <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 open SRCs for the MDPSC.

- |           |  |   |   |
|-----------|--|---|---|
| <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:

Yes. The MDPSC has been responsive to surveys from NAPS and PHMSA. MDPSC had to respond to Operator IDs in the WMS, and no IM notifications.

- |           |  |   |   |
|-----------|--|---|---|
| <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:

There were no waivers/special permits issued to any operators jurisdictional to the MDPSC.

---

**16** Were pipeline program files well-organized and accessible?

Info Only Info Only

Info Only = No Points

Evaluator Notes:

Yes. Most files are stored electronically and were accessible during the evaluation.

---

**17** Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool (SICT). Has the state updated SICT data?

3

3

Yes = 3 No = 0 Needs Improvement = 1-2

Evaluator Notes:

There was a discussion with the MDPSC about the accuracy of the SICT data for HL ? SICT (15) with Attachment 2 of Progress Report at (19). No issues.

---

**18** Discussion on State Program Performance Metrics found on Stakeholder Communication Info Only Info Only  
site.\ <http://primis.phmsa.dot.gov/comm/states.htm?nocache=4805>

Info Only = No Points

Evaluator Notes:

Discussed State Program Performance Metrics with MDPSC and determined that some of the negative trend were due to retirement of experienced personnel. Enforcement performance metrics charts are not accurate. The MDPSC did not get 100 score during the evaluation for most of the years.

---

**19** 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:

Presently, MDPSC has two of its larger operators using the Pipeline Management Systems. Will be discussing with the some of the other operators during the GOAC meetings.

---

**20** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

The following issue was identified during the evaluation:

(1) MDPSC had reviewed the NTSB recommendations with the operator except for directional drilling/boring procedures to determine if they include actions to protect their facilities from dangers posed by drilling and other trenchless technologies.

---

Total points scored for this section: 49  
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 Info Only

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:

Operator: Petroleum Fuel & Terminal Co. (PF&T)  
Inspector(s): Negussie Tesfaye (Lead) and Samuel Tettah  
Location: North Terminal - Baltimore, MD  
Date: October 28, 2020  
PHMSA Rep.: Clint Stephens

The MDPSC performed a cathodic survey at the PF&T breakout tank farm.

- 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) 2 2

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

Yes. The inspector used the MDPSC Corrosion Control Field Survey form as a guide for the inspection.

- 3 Did the inspector adequately review the following during the inspection 10 10

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:

Yes. The inspector adequately reviewed rectifier inspection procedures and BOT CP survey procedures. In addition, the inspector observed the operator perform a rectifier inspection and a CP survey. The inspection was of adequate length to properly perform the inspection.

- 4 From your observation did the inspector have adequate knowledge of the pipeline safety program and regulations? (Evaluator will document reasons if unacceptable) 2 2

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

The inspector displayed adequate knowledge of the pipeline safety program and regulations.

- 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 inspector did not conduct an exit interview due to the inspection not being complete; however, the operator was made aware any concerns during the inspection.

- 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:

The inspector performed the inspection in a safe, positive, and constructive manner. The inspector observed the operator perform a CP survey on nine Break Out Tanks.

---

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

Evaluator Notes:

There were no issues identified in Part E of the Program Evaluation.

---

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**

- |          |  |          |          |
|----------|--|----------|----------|
| <b>1</b> | 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 | <b>2</b> | <b>1</b> |
|----------|--|----------|----------|

**Evaluator Notes:**

Yes, MDPSC is reviewing data from the Annual Reports along with incident/accident reports, for accuracy, but has not analyze data for trends and operator issues.

- |          |  |          |           |
|----------|--|----------|-----------|
| <b>2</b> | 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 | <b>2</b> | <b>NA</b> |
|----------|--|----------|-----------|

**Evaluator Notes:**

The MDPSC has not verified that the operators have analyzed excavation damages for the purpose of determining root causes and minimizing the possibility of recurrence. MDPSC has not documented that the operators have appropriately identified excavators who have repeatedly violated one-call laws and damaged their facilities.

- |          |  |          |           |
|----------|--|----------|-----------|
| <b>3</b> | 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> | <b>4</b> | <b>NA</b> |
|----------|--|----------|-----------|

**Evaluator Notes:**

MDPSC has gathered data from annual reports, such as, Failed to Call Miss Utility, Marked Properly and Still Were Hit, and Operator Error. MDPSC needs to get more detail from operator on contractor locating qualifications/requalification, not locating within time requirements, mapping errors, and timely mapping corrections.

- |          |  |          |          |
|----------|--|----------|----------|
| <b>4</b> | 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><li>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.</li></ol> | <b>2</b> | <b>1</b> |
|----------|--|----------|----------|

- 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 MDPSC has collected data for the number of pipeline damages per 1,000 locate, but has not evaluated the trends, such as stakeholder group causing the highest number of damages; focusing damage prevention education and training to stakeholders causing damages; and contractor not following written procedures.

---

5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

The following issues were identified during the evaluation:

- (1) The MDPSC is not analyzing trends and operator issues upon reviewing Operator Annual reports;
- (2) The MDPSC has not verified that the operators have analyzed excavation damages for the purpose of determining root causes and minimizing the possibility of recurrence. MDPSC has not documented that the operators have appropriately identified excavators who have repeatedly violated one-call laws and damaged their facilities;
- (3) MDPSC needs to get more detail from operator's annual reports on contractor locating qualifications/requalification, not locating within time requirements, mapping errors, and timely mapping corrections; and
- (4) MDPSC has not evaluated the trends, such as stakeholder group causing the highest number of damages; focusing damage prevention education and training to stakeholders causing damages; and contractor not following written procedures.

---

Total points scored for this section: 2  
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:

MDPSC is not an interstate agent.

- 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:

MDPSC is not an interstate agent.

- 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:

MDPSC is not an interstate agent.

- 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:

MDPSC is not an interstate agent.

- 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:

MDPSC is not an interstate agent.

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

Evaluator Notes:

MDPSC is not an interstate agent.

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