



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

Oklahoma Corporation 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:** Oklahoma  
**Agency Status:**  
**Date of Visit:** 10/05/2020 - 10/31/2020  
**Agency Representative:** Dennis Fothergill  
 Kelly Phelps  
 John Harper  
**PHMSA Representative:** David Appelbaum  
**Commission Chairman to whom follow up letter is to be sent:**  
**Name/Title:** Todd Hiatt, Chairman  
**Agency:** Oklahoma Corporation Commission  
**Address:** 2101 N. Lincoln Blvd.  
**City/State/Zip:** Oklahoma City, OK 73105

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

**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**

<b>PARTS</b>	<b>Possible Points</b>	<b>Points Scored</b>
A Progress Report and Program Documentation Review	0	0
B Program Inspection Procedures	15	15
C State Qualifications	10	10
D Program Performance	50	50
E Field Inspections	15	15
F Damage prevention and Annual report analysis	4	4
G Interstate Agent/Agreement States	0	0
<b>TOTALS</b>	<b>94</b>	<b>94</b>
<b>State Rating .....</b>		<b>100.0</b>



# 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). No discrepancies found when comparing with information in Pipeline Data Mart (PDM).
- (b). The OCC provided documentation that verified the information is accurate.
- (c). The OCC maintains a database for operators and units. No issues with accuracy.
- (d). No issues
- (e). No issues found.
- (f). No issues found.
- (g). No issues found.
- (h). No issues found.
- (i). No issues found.

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



**PART B - Program Inspection Procedures**

**Points(MAX) Score**

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- |          |                                                                                                                                                                                                                                                                                                                                                                                                |   |   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>1</b> | 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 OCC's Guidelines states Standard Inspections will be conducted as follows: HVL, CO2, Crude - All systems will be inspected once ever one to five years. Low Stress Systems - All systems will be inspected once ever one to three. Pre-inspection activities, inspection activities, post-inspection activities are sufficiently covered.

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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>2</b> | 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:**

The OCC's Inspection Guidelines contains procedures that comply with elements a. through f. above. No issues with the OCC's determination of inspection units, but PHMSA did recommend procedures be enhanced to better the articulate how priorities are determined.

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|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>3</b> | (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:**

Yes, the Inspection Guidelines provide for these procedures. The Commission Rules & Practice also provide procedures identifying steps. Also contained in Chapter 20 of Oklahoma Administrative Code Title 165.

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- |          |                                                                                                                                                                                                                                                                                                                                                      |   |   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>4</b> | (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:**

Process for telephonic notification is covered in Oklahoma Administrative Code 165:20-5-11. The instructions for contact is

also contained in the operators' procedure manuals. The OCC verifies the contact information during an inspection. There is a voice mail message that directs who to call after hours. The on-call inspector is changed each week.

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**5** General Comments:  
Info Only = No Points

Info Only Info Only

Evaluator Notes:

The OCC has generally complied with the requirements of Part B of this evaluation.

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



**PART C - State Qualifications**

**Points(MAX) Score**

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- 1** Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.4 **5** **5**  
Yes = 5 No = 0 Needs Improvement = 1-4
- a. Completion of Required OQ Training before conducting inspection as lead
  - b. Completion of Required IMP Training before conducting inspection as lead
  - c. Root Cause Training by at least one inspector/program manager
  - d. Note any outside training completed
  - e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector (Reference State Guidelines Section 4.3.1)

Evaluator Notes:

(a., (b., (e. - The following individuals completed Standard Inspection, Liquid Integrity Management and Operator Qualification course requirements:

CAMPBELL, BRUCE

EITZEN, VINCE

HARPER, JOHN

MATTHEWS, RICK

PHELPS, C. KELLY

SMITH, RON

SNYDER, RANDY

(c. Root cause requirement met.

(d. None noted.

- 
- 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 **5** **5**  
Yes = 5 No = 0 Needs Improvement = 1-4

Evaluator Notes:

Mr. Fothergill has been the program manager of the OCC's program for over thirty seven years. There are no issues with his knowledge of pipeline safety regulations and the pipeline safety grant program.

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- 3** General Comments: **Info Only Info Only**  
Info Only = No Points

Evaluator Notes:

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

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



**PART D - Program Performance**

**Points(MAX) Score**

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>1</b> | 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 <ol 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></ol> | 5 | 5 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

**Evaluator Notes:**

A list of randomly selected operators and inspection units was developed utilizing a random generator. The list represents 20% of the operators in Oklahoma. Upon a review of the OCC's records for the selected operators and inspection units, the OCC met time intervals for all inspection types.

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |    |    |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| <b>2</b> | 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 <ol 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></ol> | 10 | 10 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|

**Evaluator Notes:**

Upon a review of inspection report files of randomly selected operators and units, the inspection forms utilized covered applicable code requirements for (a. through (h. There were no instances found where a portion of an inspection form was not completed appropriately.

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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>3</b> | 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:**

A list of randomly selected operators was developed utilizing a random generator. The list represents 20% of the operators in Oklahoma. Upon a review of the OCC's records for the selected operators, the OCC met time intervals for Operator Qualification.

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                  |   |   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>4</b> | 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 <ol style="list-style-type: none"><li>a. Are the state's largest operator(s) plans being reviewed annually?</li></ol> | 2 | 2 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

**Evaluator Notes:**

A list of randomly selected operators was developed utilizing a random generator. The list represents 20% of the operators in Oklahoma. Upon a review of the OCC's records for the selected operators, the OCC met time intervals for IMP and DIMP.



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|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 5 | <p>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<br/>         Yes = 2 No = 0 Needs Improvement = 1</p> <ul style="list-style-type: none"> <li>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</li> <li>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;</li> </ul> | 2 | 2 |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

- (a. Question on Standard Inspection Form covers this requirement.
- (b. Verified during inspection of procedures.

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

Evaluator Notes:

No issues.

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |    |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| 7 | <p>(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<br/>         Yes = 10 No = 0 Needs Improvement = 1-9</p> <ul 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> </ul> | 10 | 10 |
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Evaluator Notes:

Inspection files were reviewed for the randomly selected operators and units. Compliance actions were reviewed for the inspections that found probable violations. The OCC's compliance actions followed compliance procedures including follow up and closure.

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |    |    |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| 8 | <p>(Incident Investigations) Were all incidents investigated, thoroughly documented, with conclusions and recommendations?<br/>         Yes = 10 No = 0 Needs Improvement = 1-9</p> <ul 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> </ul> | 10 | 10 |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|





- f. Were recommendations to prevent recurrences, where appropriate, documented?
- g. Did state initiate compliance action for any violations found during any incident/accident investigation?
- 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:**

Accident investigation files were provided for review. Upon a review of the files, all reportable incidents were investigated. The OCC utilizes PHMSA Form 11 to document its investigations. (a. No issues. (b. No issues. (c. NA. All incidents were investigations were on-site. (d.,(e and (f. - Documented on the OCC's investigation form. (g. No issues. (h. AID confirmed the OCC's assistance in an email dated 10/27/2020. (i. Yes, at NAPSRS Southwest Region meetings.

- 9** 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 1 1  
Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

A response was not required for the CY2018 Program Evaluation.

- 10** Did State conduct or participate in pipeline safety training session or seminar in Past 3 Years? Chapter 8.5 Info Only Info Only  
Info Only = No Points

**Evaluator Notes:**

The OCC held a seminar in November, 2018. The OCC is still within the three year time period.

- 11** Has state confirmed transmission operators have submitted information into NPMS database along with changes made after original submission? Info Only Info Only  
Info Only = No Points

**Evaluator Notes:**

The OCC obtains a report from NPMS annually. The reviewed for any operators that are delinquent. Operators are notified if delinquent. The OCC documents the review and actions on an Excel Spreadsheet.

- 12** 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). 1 1  
Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

The OCC's website has a section for Pipeline Safety and provides access to the docket system. The OCC participates in the Okie One Call (OPAL) public awareness program. The OCC participates in small operator training seminars each year.

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

**Evaluator Notes:**

There was one Safety Related Condition Report for a hazardous liquid operator under the jurisdiction of the OCC during 2019. The report is closed. No issues identified.

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

**Evaluator Notes:**

There were no identified instances where the OCC was not responsive to information requests. Upon a review of the Work Management System, no deficiencies were identified related to notifications and tasks.



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**15** 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. 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

The OCC does not have any active waivers with any operators.

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**16** Were pipeline program files well-organized and accessible? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

No issues were identified in the CY2018 evaluation. The file organization has not changed since then. The files provided for the CY2019 evaluation were organized and complete.

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**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 were no revisions requested as a result of the peer review. The information in the OCC's SICT submittal appeared reasonable.

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

Evaluator Notes:

Upon a review of the performance metrics in PRIMIS, Oklahoma trends are moving in a positive direction. Based upon a discussion with the OCC it is apparent that the Program Manager is knowledgeable of the metrics and the drivers that move the trends in the positive direction.

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**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:

Major large operators in Oklahoma are either considering or implementing PSMS. The OCC supports and encourages operators to adopt PSMS in their operations.

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**20** General Comments: Info Only Info Only  
Info Only = No Points

Evaluator Notes:

There were no issues which resulted in the loss of points.

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Total points scored for this section: 50  
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 Info Only Info Only comments box below) Info Only = No Points
  - a. What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc)
  - b. When was the unit inspected last?
  - c. Was pipeline operator or representative present during inspection?
  - d. Effort should be made to observe newest state inspector with least experience

**Evaluator Notes:**

The OCC conducted a Control Room Management inspection on Holly Energy Partners Operating LP (HEPO) from October 13-16, 2020. John Harper was the lead for the OCC. The previous Control Room Management Inspection for this operator was conducted March 10, 2016. HEPO was represented by Richard Townley, General Manager and Cody Allen, Lead Compliance Auditor.

- 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:**

The inspector utilized the PHMSA HL Control Room Management form revised July 2020. The inspector used the form to step through the form protocols.

- 3 Did the inspector adequately review the following during the inspection 10 10  
Yes = 10 No = 0 Needs Improvement = 1-9
  - a. Procedures (were the inspector's questions of the operator adequate to determine compliance?)
  - b. Records (did the inspector adequately review trends and ask in-depth questions?)
  - c. Field Activities/Facilities (did inspector ensure that procedures were being followed, including ensuring that properly calibrated equipment was used and OQ's were acceptable?)
  - d. Other (please comment)
  - e. Was the inspection of adequate length to properly perform the inspection?

**Evaluator Notes:**

- (a. - Yes, Control Room Management Plan was reviewed which contained the procedures.
- (b. - Records were reviewed as outlined in the protocols of the form.
- (c. No field activities were required for this type of inspection.
- (d. None noted.
- (e. The inspection took place over four days which was an adequate length to cover all of the protocols on the form.

- 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 Lead Inspector exhibited excellent knowledge of the regulations. He has twenty years of experience with the OCC.

- 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:**

An exit briefing was conducted on 10/16/2020. Suggestions to clarify a few areas in the operator's Control Room Management Plan was provided. Six probable violations were communicated to the operator but are subject to final determination by the OCC's Program Manager. These probable violations were cited as non-compliance with 195.446(b)(5), 195.446(c)(3), 195.446(d)(4), 195.446(e)(4), 195.446(h) and 195.446(h)(1). The operator's representative stated that



documentation showing compliance with 195.446(b)(5) and 195.446(h)(1) can be forwarded to the Lead Inspector. The Lead Inspector agreed to review the documentation upon its receipt.

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- 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. Due to the Coronavirus pandemic, this inspection was conducted virtually using Webex software. Safety was maximized using virtual means without impact to the effectiveness of the inspection.
  - (b. NA - No field observation required.
  - (c. None noted.
  - (d. None noted.
- 

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

Evaluator Notes:

There were no issues identified that resulted in a loss of points.

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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**

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- |          |                                                                                                                                                                                              |   |   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <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 | 2 | 2 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

The OCC maintains a Microsoft Excel Spreadsheets with data from annual reports. Report queries are used to report and observe certain data and trends. The information is used to assess risk factors for individual operators and compare to Performance Metrics contained on the PRIMIS webpage.

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- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |   |    |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|
| <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 | 2 | NA |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|

Evaluator Notes:

The OCC has initiated an effort to verify operators are taking action to identify problems areas and actions to minimize future damages.

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- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |   |    |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|
| <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> | 4 | NA |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|

Evaluator Notes:

Semi-annually, the OCC requests information that is consistent with the annual reporting in operators' annual reports. The quality and appropriate use of cause factors are reviewed by the OCC to increase the accuracy and to reduce the use of Other as a cause.

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- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |   |   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <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> | 2 | 2 |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|



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 OCC requires semi-annual reports from operators to report excavation damages with causes . The OCC analyzes the data and establishes trends using cause categories that are consistent with those in (c). The OCC addresses problem areas with operators.

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5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

There were no issues found that resulted in the loss of points.

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



**PART G - Interstate Agent/Agreement States**

**Points(MAX) Score**

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- 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:  
N/A

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- 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:  
N/A

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- 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:  
N/A

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- 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:  
N/A

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- 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:  
N/A

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

Evaluator Notes:  
N/A

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

