



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

1200 New Jersey Avenue SE  
Washington DC 20590

## 2020 Gas State Program Evaluation

for

KANSAS 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



# 2020 Gas State Program Evaluation -- CY 2020

Gas

**State Agency:** Kansas

**Agency Status:**

**Date of Visit:** 08/10/2021 - 08/11/2021

**Agency Representative:** Leo Haynos, Chief Engineer; Suzanne Balandran, Assistant Supervisor

**PHMSA Representative:** David Lykken, Transportation Specialist

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

**Name/Title:** Andrew J. French, Chairperson

**Agency:** Kansas Corporation Commission

**Address:** 1500 Southwest Arrowhead Road

**City/State/Zip:** Topeka, KS 66604-4027

**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 2020 (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

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

### Possible Points Points Scored

0	0
15	15
10	10
50	47
15	15
10	10
0	0
<b>100</b>	<b>97</b>

### TOTALS

**State Rating** ..... **97.0**

## PART A - Progress Report and Program Documentation Review

Points(MAX)    Score

- 1    Were the following Progress Report Items accurate? (\*items not scored on progress report)    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:

PR scoring -4 for partial jurisdiction over certain GT lines and Gathering; -4 for highest % of inspectors under Cat I,II,III; -2 (0) for not adopting 100K/1 Million Civil Penalty amounts; -8 (0) for no adoption of rule amendments within 36 mos of effective date; 32 total points scored.

a & c. No issues. Operator/Inspection Unit totals on Attachment 1 are consistent with the Operator/Inspection Unit totals on Attachment 3. b. Total Field days 690.72 (549 required). D,T,&C inspections (155) 28.23% of SICT minimum total days. d. PDM shows 1 GD and 1 GT incidents reported. Program only reported 1 GD. Corrections submitted and PR revised. Program submitted correction and PR revised. e & f. No issues. g. Information verified through T&Q Blackboard training site. Training for personnel found to be complete and accurate. h. Has not adopted 100K/1 Million Civil Penalty amounts; Has not adopted rule amendments 119, 120, 121, & 122 within 36 months of effective dates. AG has recently approved amendments. Now goes back to the KSCC for public comment.

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. TIMP and DIMP 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><li>g. LNG Inspections</li></ul> |   |   |

### Evaluator Notes:

- a. General guidance provided under Section 5.4 and 5.5. Pre-inspection activities (5.4.2a), Inspection activities (5.4.2b), Post-inspection activities (5.4.2c). Std Insp (5.5.1); PAPEI (5.5.7); D&A (5.5.9); CRM (5.5.8)
- b. Sections TIMP (5.5.4) and DIMP (5.5.5); c. Section 5.5.6 d, d.d. Section 5.6 Damage Prevention Inspections & Frequency.
- e. Section 5.5.3 Onsite Operator Training Provided by KCC. f. Section 5.5.2 Construction Inspections g. No jurisdictional LNG facilities in KS.

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

- No changes for prior year. Inspection priorities derived from factors (elements) listed under Section 5.3 of written procedure. Example of Risk Ranking Model provided under Appendix 4 of manual. Units appear to be broken down sufficiently.

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

- Section 5.8 (Procedures for notifying an operator when non-compliance is identified). b & c. Section 5.9 (Follow-up Procedures). Also Section 5.12 Further Enforcement, and Section 5.13 Show Cause Hearing. Appendix 5 Penalty Matrix for Pipeline Safety Violations

- |   |  |   |   |
|---|--|---|---|
| 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></ul>                       |   |   |

- b. If onsite investigation was not made, do procedures require on-call staff to obtain sufficient information to determine the facts to support the decision not to go on-site.

Evaluator Notes:

Section 6 (Investigation of Pipeline Failures and Safety Related Conditions)

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**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No point deductions under Part "B"

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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

- |   |   |   |   |
|---|---|---|---|
| 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 DIMP/IMP Training before conducting inspection as lead</li><li>c. Completion of Required LNG Training before conducting inspection as lead</li><li>d. Root Cause Training by at least one inspector/program manager</li><li>e. Note any outside training completed</li><li>f. 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:

Training verified through T&Q Blackboard. Assistant Supervisor only has completed the PL1250 course. As noted in last evaluation is on waitlist for other base courses required for PM and Supervisors but due to low priority status has not been able to get on scheduled. Inspectors conducting inspections as lead have completed the necessary T&Q courses. Two inspectors and the PM have completed the Root Cause course.

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

Yes. Mr. Haynos has 29 years with the State pipeline safety program.

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

Evaluator Notes:

No point deductions under Part "C".

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



**PART D - Program Performance****Points(MAX) Score**

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|----------|--|---|---|
| <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. Part 193 LNG Inspections</li><li>f. Construction (did state achieve 20% of total inspection person-days?)</li><li>g. OQ (see Question 3 for additional requirements)</li><li>h. IMP/DIMP (see Question 4 for additional requirements)</li></ol> | 5 | 2 |
|----------|--|---|---|

**Evaluator Notes:**

Time intervals missed for the following. Three OQ Plan reviews (Lebo Municipal, City of Concordia, City of Walton) not completed in 2020 due to Executive Stay at Home order and limited or no access to operator facilities due to Covid restrictions. City of Concordia - No PAPEI prior to 10/31/17. Kansas Industrial Energy & ONEOK NGL - 5 yr intervals missed for PAPEI and D&A. Lawrence Paper - D&A none prior to 12/10/18.

- |          |  |    |    |
|----------|--|----|----|
| <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. Part 193 LNG Inspections</li><li>f. Construction</li><li>g. OQ (see Question 3 for additional requirements)</li><li>h. IMP/DIMP (see Question 4 for additional requirements)</li></ol> | 10 | 10 |
|----------|--|----|----|

**Evaluator Notes:**

Forms questions are incorporated in to the programs pipeline safety database. Program staff conduct a review every year to ensure form contents are up to date. database questions also provided complete CFR and state rule language as guidance. IA utilized primarily for OQ plan and Plan Verification. Occasionally used for PAPEI, TIMP and DIMP inspections. Also each type have a component in the programs inspection guides (checklists). Reminded program of new GT Rule Implementation form issued in 2021.

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|----------|--|---|---|
| <b>3</b> | Is state verifying monitoring (Protocol 9/Form15) of operators OQ programs? 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:**

Yes. The program devoted 19.25 days to OQ plan and field verification inspections. Nine OQ written plan reviews and approximately 64 field evaluations conducted in CY2020.

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|----------|---|---|---|
| <b>4</b> | Is state verifying operator's integrity management Programs (IMP and DIMP)? 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 |
|----------|---|---|---|

- a. Are the state's largest operator(s) plans being reviewed annually to ensure they are completing the full cycle of the DIMP/IMP process?
- b. Are states verifying with operators any plastic pipe and components that have shown a record of defects/leaks and mitigating those through DIMP plan?
- c. Are the states verifying operators are including low pressure distribution systems in their threat analysis?

Evaluator Notes:

Yes. 39.9 days devoted to IM activities. 54 DIMP verification and 12 TIMP plan reviews conducted in CY2020.

5	Did the state review the following (these items are NTSB recommendations to PHMSA that have been deemed acceptable response based on PHMSA reviewing these items during the evaluation process): Chapter 5.1 Yes = 2 No = 0 Needs Improvement = 1	2	2
	<ol style="list-style-type: none"> <li>a. Operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken;</li> <li>b. Operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance);</li> <li>c. Operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21;</li> <li>d. 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;</li> <li>e. 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> <li>f. Operator procedures for considering low pressure distribution systems in threat analysis?</li> <li>g. Operator compliance with state and federal regulations for regulators located inside buildings?</li> </ol>		

Evaluator Notes:

a & b - No CI remaining in KS; c - Questions 28 & 29 of KCC Gas Distribution Guide; f & g - questions 93 & 147 Dist Records Guide. Items covered under the programs written procedures and included in the programs list of gas distribution questions (Distribution Records and Procedures Guides). NTSB Recommendations called out as separate questions under the program's "Procedures Inspection Guide".

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

Yes. PHMSA Advisory Notices ADB-2020-01 (Inside Meters). In 2019, time was spent with the large operators looking at their inside meter sets and addressed during their inspections. Only the large operators have inside sets. ADB-2020-02 (Low Pressure Systems) was addressed with large operators during their inspections in 2020. This was also addressed in the 2019 municipal workshops. The program added the following questions to the PSDS records guide:  
 #91 - Are low-pressure distribution systems prevented from operating at a pressure too high for the safe operation of any connected gas burning equipment? (Working - Monitor/Regulator - Relief) (Question added in 2019)  
 #92 - If the operator has a low pressure system are service regulators installed? (Question added in 2019)  
 #93 ? How does the operator ensure service regulator vents remain free of obstruction?

7	(Compliance Activities) Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1 Yes = 10 No = 0 Needs Improvement = 1-9	10	10
	<ol style="list-style-type: none"> <li>a. Were compliance actions sent to company officer or manager/board member if municipal/government system?</li> </ol>		



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

**Evaluator Notes:**

Yes a thru j. Compliance letters sent to appropriate company/government officials within the required timeframes. Penalties assessed totaling \$28,000. \$7,500 related for violations of state dig law. 48 violations pending Commission action. 44 of which have recommended penalties attached.

<b>8</b>	(Incident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations? Yes = 10 No = 0 Needs Improvement = 1-9	10	10
	<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> <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> <li>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?</li> <li>i. Does state share any lessons learned from incidents/accidents?</li> </ul>		

**Evaluator Notes:**

a. Each operator is to notify the gas pipeline safety section by telephone. If an incident occurs outside the commission's working hours, the operator contacts an employee of the gas pipeline safety section. The commission provides a list of pipeline staff and their telephone numbers to each operator. b. Yes, The program did conduct an on-site investigation for the two reportable incident in CY2020. c. N/A. d thru f Yes, Incident investigations are well documented and include conclusions and recommendations when warranted. g. Yes, one investigation identified PV's. Other incident still under investigation. h. The program has demonstrated good communications with both AID and CR. I. Yes, during operator seminars and NAPSRS conferences.

<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 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**Evaluator Notes:**

Yes. State programs letter out via email on 9/3/2020. Chair's response received on 10/21/2020

<b>10</b>	Did State conduct or participate in pipeline safety training session or seminar in Past 3 Years? Chapter 8.5 Info Only = No Points	Info Only	Info Only
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**Evaluator Notes:**

No operator training in CY2020. Last in 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. ATMOS Eneregy, APC, Inc., & Scout Energy Management LLC failed to submit or provided accurate NPMS data. PHMSA plans to take enforcement action. Reminder to inspection staff to have operators provide documentation that submittals have occurred.

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

Yes. Same as in prior year. The KSCC website provides basic information on NG Safety, Call B4 You Dig (via Twitter), summary of enforcement history by calendar year, pipeline safety rules, and pipeline staff contact information. Docketed cases which have been closed are made available for review on-line or via open records request.

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

No SRCR's submitted in CY2020.

- |           |   |   |   |
|-----------|---|---|---|
| <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; and<br>b. PHMSA Work Management system tasks? | 1 | 1 |
|-----------|---|---|---|

Evaluator Notes:

Yes. a. The program responded to 14 surveys in CY2020. b. No IM notifications in CY2020. Verified in WMS. C. No other tasks assigned.

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

None granted in CY2020.

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

Evaluator Notes:

Yes. No issues. Documentation was made readily available.

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

Evaluator Notes:

SICT minimum estimated at 549 days. Actual for CY2020 was 690.72. DT&C inspections 28.23% of SICT estimated minimum total days. Tool updated annually. No significant changes.

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

Info Only = No Points

Evaluator Notes:

Damages per 1000 tickets up slightly from CY2019. Ratio is approximately 2.2 damages per which is lower than the national average. Inspection days down in 2020, now averaging 18 days per 1K miles of pipe. MM/LPG unit days continues trending up since 2017 now averaging 1.15 days per unit. Inspector qualification core training average up to 68%. 5 year retention percentage continues to remain low as in the past but up in 2020 to approximately 37%.

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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:

No change from prior year. Covered during annual seminars. The States largest operators and to a certain extent other smaller operators have adopted and implemented systems to various degrees. Question incorporated into inspection guides.

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

Evaluator Notes:

D-1: Three point deduction for not completing all inspection within the established timeframes.

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Total points scored for this section: 47  
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:

A standard records inspection of Atmos Energy - Multiple Divisions. June 29-30-2021. Operator was represented. Wade Schumacher joined the pipeline program in 2019 and has completed the core gas courses.

- 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 used the KSCC 2020 Distribution Records Inspection Guide form.

- 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 had previous to the remote sessions acquired records from the operator and performed a review. The remote sessions was an opportunity to ask follow-up questions of the operator and request additional records as needed. A facility field check will also be performed as part of this 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:

As noted previously Mr. Schumacher joined the program in 2019 and has completed his core T&Q classes. Wade demonstrated a baseline knowledge commensurate with the time he has been with the safety program. No issues noted.

- 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:

Yes, an exit was conducted. Preliminary findings concerning identified issues with the operator's atmospheric corrosion surveys and remediation methods require additional follow-up and discussions of findings with Program Manager.

- 6 Was inspection performed in a safe, positive, and constructive manner ? Info Only Info Only

Info Only = No Points

- No unsafe acts should be performed during inspection by the state inspector
- 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:

Inspection observed was conducted remotely via MS Teams. The inspector conducted himself in a courteous and professional manner.

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7 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No point deduction under Part "E".

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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**

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

**Evaluator Notes:**

Yes. Operators are required to file annual reports with the KSCC. Data is collected (Operator/Excavator Root Cause report). Damage reporting is mandatory in Kansas for all operators that receive 2,000 or more locate requests in a calendar year. AR's are reviewed prior by inspectors performing standard inspections. AR data is entered in the program's risk model (Database). Also questions 43 & 44 of Distribution Records guide. The program has demonstrated effective use of DP data collection efforts having use this data to support staff civil penalty recommendations.

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

**Evaluator Notes:**

Data is collected via DIRT (Operator/Excavator Root Cause report) and Operator Annual Gas Report submittals. A dedicated full-time Damage Prevention position is partially funded by the DOT One-Call Grant. A end of year Progress report is submitted includes in part a detailed analysis of Operator/Excavator root cause information. In 2019, the KCC recommended 57 penalties for a total amount of \$35,500 to excavators and operators. In 2020, 8 penalties were issued for a total amount of \$7,500 to operators. 40 additional violations are pending for possible Commission action.

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

**Evaluator Notes:**

Data is collected (Operator/Excavator Root Cause report). Damage reporting is mandatory in Kansas for all operators that receive 2,000 or more locate requests in a calendar year. The KCC's work management database captures damage investigation data and enforcement actions. With this database, the KCC is able to more efficiently track enforcement actions taken and identify areas of concern. Discussed high average % ratio's for the state largest LDC's pertaining to % Locator cause for damages. One municipal % ratio for % One-Call at 100%

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

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

Evaluator Notes:

Distribution records checklist address DP causes including stakeholder education and training causing most damages. Operators are required to file reports of damage report data to the KSCC. KSCC has a virtual DIRT program they use to review the damages per 1,000 locate requests and they upload the data from the operators into CGA's Virtual DIRT Program. DIRT data is reviewed as part of progress reports for the One Call grant and for the State Damage Prevention Grant.

**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No point deductions under Part 'F'.

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



## 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:

N/A. Not a Interstate Agent or 60106 program.

- 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. Not a Interstate Agent or 60106 program.

- 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. Not a Interstate Agent or 60106 program.

- 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. Not a Interstate Agent or 60106 program.

- 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. Not a Interstate Agent or 60106 program.

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

Evaluator Notes:

N/A. Not a Interstate Agent or 60106 program.

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