



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

MA DEPT. OF PUBLIC UTILITIES

### 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:** Massachusetts

**Agency Status:**

**Date of Visit:** 09/27/2021 - 10/01/2021

**Agency Representative:** Richard Enright, Director Pipeline Safety Division

**PHMSA Representative:** David Appelbaum

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

**Name/Title:** Matthew H. Nelson, Chairman

**Agency:** Massachusetts Department of Public Utilities

**Address:** One South Station

**City/State/Zip:** Boston, MA 02110

**Rating:**

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

## INSTRUCTIONS:

Complete this evaluation in accordance with the Evaluator Guidance for conducting state pipeline safety program evaluations. The evaluation should generally reflect state program performance during CY 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

### Possible Points Points Scored

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

0	0
15	15
10	10
50	46
15	15
10	10
0	0

### TOTALS

**100 96**

**State Rating** ..... **96.0**

## 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:

- a. Reviewed progress report with Pipeline Datamart. DPU is a 60105-certificated state and has total jurisdictional authority on all Intrastate natural gas and LNG systems. Discrepancies in Attachment 1: PR reflects 11 LNG operators, PDM now shows 8; Program Manager reconciled Attachment 1 and made a supplemental submission to PHMSA.
- b. Inspection History list from Program Manager (PM) confirm inspection days for each type of inspection matched attachment 2.
- c. Compared operators listed in Attachment 3 to Pipeline Datamart (PDM). Information on operator names and ID numbers seems correct.
- d. No incidents occurred in CY2020. A review of PDM confirm this information is correct.
- e. Information on attachment 5 involving carry-over compliance actions appears accurate.
- f. No issues. Records listed in previous year match current year filing.
- g. Attachment 7 appeared accurate. As of 3/1/2021, 10 of the 21 inspectors are fully qualified.
- h. Attachment 8 no Issues, State has automatic adoption
- i. Attachment 10 appears appropriate and thorough.

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:

The written inspection procedures are in the Massachusetts Department of Public Utilities' (DPU) General Inspection, Enforcement & Incident Investigation Procedures Manual dated March 3, 2020. Sections 7.0 Inspection Responsibilities and Planning Requirements; Section 8.0 Annual Inspection Work plans; Section 9.0 Conducting Pipeline Inspections (9.21 contains the Pre-Inspection, Inspection and Post-Inspection elements) that meets the requirements of this question.

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

### Evaluator Notes:

Inspection Procedures are covered in the MADPU's General Inspection, Enforcement & Incident Investigation Procedures Manual. The latest revision, Version 3.2 dated 3/3/2020, was reviewed. Section 7.6 covers the elements of length of time since last inspection, operating history, operator activities and operator inspection unit locations. Section 7.5 provides the maximum inspection intervals for operator and inspection types. Appendix A describes the risk assessment model utilized by the MADPU to identify high-risk inspection units.

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

Yes. Section 10.0 of the Division's General Inspection Procedure manual provides process and procedures for enforcement of non-compliance. Previous year's observations noted a considerable amount of time was being spent on information requests to the operator following the inspection exit letter, which slowed down the process of driving compliance. It was clear that this process is getting better with the recent increase in staff and delegation of responsibilities.

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

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

Evaluator Notes:

Yes. Section 12.0 (Investigation of Incidents) of the DPU's General Inspection, Enforcement & Incident Investigation Procedures Manual provides the procedures along with Appendix "L" (Incident Investigation Form).

---

**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

---

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:**

In the beginning of 2020 MA Pipeline Safety had only 4 qualified inspectors with TIMP, DIMP, CRM, OQ, Drug & Alcohol, & PAP to be completed by the end of 2021. Per PHMSA TQ records, the Program currently (September 2021) has two qualified IM inspectors, and 20 qualified Gas inspectors.

In 2020, the approach utilized to complete each program was to assign one lead fully qualified inspector with 3 to 4 unqualified for each program review. The unqualified inspectors worked under the direction of the Lead to assist in data reviews, inspections, IRs, and enforcement actions. All comprehensive inspections for the programs completed in 2020 were finalized by the qualified inspector. This approach allowed MA to stay on cycle for all mandated program inspections.

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

**Evaluator Notes:**

At the time of inspection, Rick Enright completed two years in the PM position. He has extensive pipeline operator experience and demonstrated a solid knowledge of pipeline regulations and Program responsibilities.

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

**Evaluator Notes:**

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. 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:**

The Program missed the five year interval, per their GIP 7.5.3., for all of their Master Meter operators. This program was started in 2010 and focused on operator verification only. After reviewing the lack of data on previously listed master meter operators, it was identified that the DPU needed to start over the verification process in 2020. Presently, they have a total of 154 Master Meter Operators to review and seek to be completed by the end of 2022.

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

The DPU uses an equivalent to the federal inspection forms for its inspections. Upon a review of randomly selected 2020 inspection files all applicable portions of the forms were completed appropriately.

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

The DPU spent 57.56 inspection person-days conducting OQ inspections. OQ plans were reviewed and field inspections conducted.

- |          |   |   |   |
|----------|---|---|---|
| <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 <ol style="list-style-type: none"><li>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?</li><li>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?</li></ol> | 2 | 2 |
|----------|---|---|---|

- c. Are the states verifying operators are including low pressure distribution systems in their threat analysis?

Evaluator Notes:

Yes. all IM inspections are current. MDPU typically conducts on a 3 yr re-inspection schedule, and has added a question to their records inspection form to ensure question (a.) is more easily demonstrated.

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
	a. Operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken;		
	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);		
	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;		
	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;		
	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;		
	f. Operator procedures for considering low pressure distribution systems in threat analysis?		
	g. Operator compliance with state and federal regulations for regulators located inside buildings?		

Evaluator Notes:

- The MA-DPU utilized its Standard Comprehensive Cast Iron inspection form which addresses this requirement. Upon a review of randomly selected inspection reports, this requirement was reviewed during inspections.
- Operators are required to conduct "Winter Surveys, provide regular operator updates and submit quarterly leak and status reports to the MA-DPU. Data Analyst position reviews and monitor reports, identify trends and incorporate results into new risk model.
- From the database, there is Inspection Form Type: Standard Comprehensive Sub-Type: Operation and Maintenance. Upon a review of randomly selected inspection forms, this requirement was covered.
- Operators are to submit Incident analysis of accidents which are reviewed. Operators are also required to submit damage reports which are also reviewed and acted on when necessary. All gas operators are required to submit various leak reports detailing their activities. Results are factored into program's risk management analysis.
- DPU verifies that an operator has directional drilling/boring procedures as part of an overall review of the operator's written Operation and Maintenance Procedures.
- DPU covers this in their inspection forms, but will be amending their procedures manual as well.
- Upon a review of randomly selected inspection forms, this requirement was covered.

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
---	--	---	---

Evaluator Notes:

The advisory bulletins are discussed with the operator during the inspection and listed on the federal form.

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	9
	a. Were compliance actions sent to company officer or manager/board member if municipal/government system?		



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

**Evaluator Notes:**

DPU has five compliance actions that exceeded the 30/90-day communication requirement. There were also a couple of examples where the compliance action was sent to level in the organization below what's required in 5.1.5. This was specifically noted in Docket # 20-PL-26. All other aspects of the compliance procedure requirements were satisfactory.

With the change in management in late 2019 / early 2020, the DPU has made every effort to ensure all enforcement actions are being thoroughly documented, reviewed, and finalized. Significant efforts have been directed towards revising the enforcement tracking system, closing out cases that are non-compliant with 30/90 day communication requirement, and they continue to develop an inspector-owned process to ensure all compliance follow up actions are being reviewed in a timely manner.

The Division continues to make significant progress with the compliance actions process, but the 30/90 day requirement was also discovered in last year's evaluation.

<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	<b>10</b>	<b>10</b>
	<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:**

State had no reportable incidents in CY 2020.

<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	<b>1</b>	<b>1</b>
----------	---	----------	----------

**Evaluator Notes:**

Yes, Chairman Nelson's response letter to Zach Barrett was drafted on November 19, 2020. PHMSA's outbound letter was sent October 8, 2020, and received on June 20th, right at 60 days. Thus the State responded within the 60-day time requirement.

- 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:

Yes, the DPU participated in the pipeline safety seminar in October, 2016, October, 2018 and in 2021.

- 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:

Yes, DPU asks operators during inspections if they have submitted information into the NPMS database. A review of the of PDM was done and NPMS and AR data was consistent.

- 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:

Pipeline safety information is posted on the DPU's web site. Information regarding Gas Safety, Jurisdictional Authority, Pipeline Safety regulations, Incident Reports, Enforcement Data, Dig Safe information, and "Enhancement Plans/Orders" detailing approved Cast Iron/Bare Steel Replacement plans. The Pipeline Safety Division Director also conducted meetings with pipeline operators to discuss issues and concerns.

- 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:

No issues were found.

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

Evaluator Notes:

No issues found with regard to these questions.

- 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 DPU has removed most of the legacy waivers last year and is down to just three.

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

Evaluator Notes:

Files were very well organized. Program manager (and staff) were able to provide all requested files electronically without delay.

- 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:

A review of the SICT program was discussed and reviewed with DPU staff. PM is well versed in the mechanics of the SICT.

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

Evaluator Notes:

DPU staff is well versed with performance metrics found in PDM.

---

- 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:

DPU has worked with operators to promote PSMS.

---

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

Evaluator Notes:

With limited deficiencies, State is generally in compliance with Part D.

---

Total points scored for this section: 46  
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:

PHMSA observed two construction inspections; the first was on National Grid at 552 Washington St Whitman. The inspector was Justin Evans, and the work performed was an installation of a 6" plastic main. The second was on Eversource Gas of Massachusetts at 303 River Street, Norwell. The inspector was William Downs and the work performed was the replacement of a 12" plastic main. Both inspectors have roughly three years with the MDPU.

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

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

Yes, the inspector used an internal program for taking notes that was developed off of the relevant PHMSA forms. Last year, PHMSA encouraged the MDPU to keep a copy of the PHMSA form with each inspector to use as a guide during the inspection. This year, both inspectors had the relevant PHMSA forms with them and used them as needed.

- 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:

Both inspectors were very thorough in all aspects of these audits. They were observed asking multiple questions about the operator's records and recording their response on the inspection (notes) form. A sufficient records review was performed on all operators including the name of the person(s) performing the work and their OQ tasks.

- 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:

Both inspectors were very competent with the pipeline safety regulations and inspection protocols. They conducted the inspections in a professional manner. Additionally, they all asked excellent questions and insured the operator's records, procedures, and alike, reflected compliance with the pipeline safety regulations.

- 5 Did the inspector conduct an exit interview, including identifying probable violations? (If inspection is not totally completed the interview should be based on areas covered during time of field evaluation) 1 1

Yes = 1 No = 0 Needs Improvement = .5

### Evaluator Notes:

Both inspectors provided an exit interview to the operator and sufficiently articulated areas of concern and/or recommendations for improvement.

- 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:

Both field inspections were conducted safely and following the COVID Guidelines and State of Massachusetts requirements on maintaining a safe distance between individuals. All other aspects of these inspections were done in a safe manner.

---

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

Evaluator Notes:

No issues requiring a loss of points were found during the evaluation visit. Both inspectors demonstrated proficiency with their job duties.

---

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



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

## Evaluator Notes:

Damage Prevention reviews the Operator Annual Reports and Damage Prevention Database, along with the Dig Safe Violation Reports to track trends.

The Pipeline Safety Division ("Division") reviews the Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues. Utilizing the data provided by all corresponding utility companies, both the Total Number of Excavation Damages by Apparent Root Cause and Total Excavation Tickets are calculated to produce the metrics for damages per thousand tickets. The Damage Prevention Program (Program") also receives Dig Safe Violation Report ("DSVR") submissions from both utility and excavator companies to report damages as they occur (within a 30 day reporting period). Training sessions are offered as requested or via consent order to review dig safe regulations and encourage the completed submission of DSVRs (photographs, conversations, witnesses, etc.).

In addition, the Division implemented a DIMP team to study the Annual Reports per 49 CFR? 192.1007, in an effort to effectively work with utility companies to decrease overall incidents and promote safety.

- |   |  |   |   |
|---|--|---|---|
| 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) | 2 | 2 |
|   | Yes = 2 No = 0 Needs Improvement = 1   |   |   |

## Evaluator Notes:

Yes, the Division verifies that the operators analyze excavation damages for the purpose of determining root causes and minimizing the possibility of a recurrence. The Division analyzes Adverse Offender Reports on a quarterly basis to determine excavators who have caused the highest percentage of damage. A year-end total is produced to determine repeat offenders. Operators file quarterly Dig Safe Locate Reports with the Department. The Damage Prevention Program also captures all relevant violation information in a main (categorized) database. The information on root cause is also listed on the State Damage Prevention website. Added screenshot of an Operator Quarterly Locate Report and an Adverse List. Operators send quarterly locate reports to the state that show root causes. Operators also send adverse action lists which show the excavators that have repeated violations.

The Quarterly Locate Reports are collected to review trends on a quarterly basis. Also, the Adverse List is compared to the Damage Prevention Database to compare data and enhance training efforts, externally.

- |   |  |   |   |
|---|--|---|---|
| 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  | 4 | 4 |
|   | <ul 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> </ul> |   |   |

- j. Has the state evaluated the causes for the damages listed under "Excavation Practices Not Sufficient" (Part D.1.c.)?

Evaluator Notes:

Yes. Program has a good handle on excavation safety in the State.

The Damage Prevention Program verifies the root cause numbers reported against the data collected annually (internally).

- 
- |   |  |   |   |
|---|--|---|---|
| 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 | 2 | 2 |
|---|--|---|---|
- a. What stakeholder group is causing the highest number of damages to the pipelines? Operator, contractor, locating company or public.
  - 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:

Program has collected sufficient data to understand causes of excavation damage. Massachusetts' 2020 damages per 1000 locates (1.9) was below the National Average of 2.5. State has been trending in the right direction) over the last several years, with a steady increase in the number of one-call tickets generated.

- 
- |   |  |                     |
|---|--|---------------------|
| 5 | General Comments:<br>Info Only = No Points | Info Only Info Only |
|---|--|---------------------|

Evaluator Notes:

The MDPU Damage Prevention program is benchmark. Their collection, assessment and utilization of data is exceptional and will be used as a "best practice" for other states.

---

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 - The MADPU is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 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 - The MADPU is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 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 - The MADPU is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 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 - The MADPU is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 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 - The MADPU is not an interstate agent and does not have a 60106 agreement with PHMSA.

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

Evaluator Notes:

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