



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

NEBRASKA PIPELINE SAFETY DIVISION

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: Nebraska

Agency Status:

Date of Visit: 06/22/2021 - 06/24/2021

Agency Representative: David Levering, Chief Deputy State Fire Marshal

PHMSA Representative: Agustin Lopez, State Evaluator, PHMSA

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

Name/Title: Christopher Cantrell, State Fire Marshal

Agency: Nebraska State Fire Marshal's Office

Address: 246 South 14th Street, Suite 1

City/State/Zip: Lincoln, NE 68508

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
15
10
50
15
10
0

0
14
10
48
15
10
0

TOTALS

100

97

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
- Stats On Operators Data - Progress Report Attachment 1
 - State Inspection Activity Data - Progress Report Attachment 2
 - List of Operators Data - Progress Report Attachment 3*
 - Incidents/Accidents Data - Progress Report Attachment 4*
 - Stats of Compliance Actions Data - Progress Report Attachment 5*
 - List of Records Kept Data - Progress Report Attachment 6 *
 - Staff and TQ Training Data - Progress Report Attachment 7
 - Compliance with Federal Regulations Data - Progress Report Attachment 8
 - Performance and Damage Prevention Question Data - Progress Report Attachment 10*

Evaluator Notes:

- Verified by reviewing PDM annual reports and NE SFM files.
- Verified inspection days with database kept by NE SFM. If there is any issues timesheets can verify inspection time.
- Verified operators with Annual Reports in PDM.
- There were three reportable incidents on gas distribution systems which were investigated by the NE Fire Marshal. There were no reportable incidents on transmission nor LNG systems.
- Have issue with the "number to be corrected at end of year" compliance actions from previous year's progress report not matching the "carried over from previous year" compliance actions. This was an issue from last year's evaluation. May need to include in Fire Marshal letter.
- List of documents was verified by reviewing documents during evaluation.
- Reviewed Blackboard and verified inspector qualifications. There was no point deducted for having majority of category II and III inspectors due to inspector leaving after 3 months and another going to PHMSA.
- NE has adopted the regulations. Have regulations that have not been adopted but still have a couple of years to adopt.
- NE Fire Marshal documented performance and damage prevention initiatives which includes: In 2020 added four excavator groups to our One Call Board. Implemented new regulations that passed in August of 2019. Conducted 25 in person training sessions with excavator companies. This does not include the excavators that they met with out in the field. Were able to get fines against operators for inaccurate or not locating finalized with the Nebraska Attorney General.

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
Yes = 5 No = 0 Needs Improvement = 1-4 | 5 | 5 |
| | <ul style="list-style-type: none">a. Standard Inspections, which include Drug/Alcohol, CRM and Public Awareness Effectiveness Inspectionsb. TIMP and DIMP Inspections (reviewing largest operator(s) plans annually)c. OQ Inspectionsd. Damage Prevention Inspectionse. On-Site Operator Trainingf. Construction Inspections (annual efforts)g. LNG Inspections | | |

Evaluator Notes:

Sections E and F of Inspection Plan address inspection procedures which include pre and post inspection activities. The procedures give guidance to inspectors on how to perform each type of inspection.

- a. Yes, standard, Drug and Alcohol, and Public Awareness inspections are included in the procedures.
- b. Yes, TIMP and DIMP inspections are included in the procedures.
- c. Yes, OQ Inspections are included in the procedures.
- d. Damage Prevention inspections are included in the procedures.
- e. On-site training inspections are included in the procedures.
- f. Construction inspections are included in the procedures. Recommended to add the 20% of inspection time requirement.
- g. Yes, LNG inspections are included in the procedures.

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- | | | | |
|---|---|---|---|
| 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
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| | <ul style="list-style-type: none">a. Length of time since last inspectionb. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)c. Type of activity being undertaken by operators (i.e. construction)d. Locations of operator's inspection units being inspected - (HCA's, Geographic area, Population Centers, etc.)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)f. Are inspection units broken down appropriately? | | |

Evaluator Notes:

a-e. Yes, Section E.2 and E.3 of NE SFM Pipeline Safety Section-Inspection Plan has procedures that address the frequency of each type of inspection. Risk based analysis is established to prioritize inspections based on length of time since last inspection, history of unit, significant events, size of operator, HCAs, and compliance history.

- f. Units are broken down appropriately.

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

- a. Procedures to notify an operator (company officer) when a noncompliance is identified
- b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns
- c. Procedures regarding closing outstanding probable violations

Evaluator Notes:

Section H addresses Compliance Action procedures and the steps from discovery to resolution of a probable violation. Sec H6. Monitoring of Pending Actions give guidance for tracking compliance actions.

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

- 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:

Section I addresses Incident investigation guidance.

- a. There is no procedure that addresses the mechanism to receive, record and respond to an incident. NE SFM has a phone number and on call process in place but it is not written in their procedures. The NE SFM needs to amend their procedures to add the process/mechanism.
- b. All PHMSA reportable incidents are investigated. Recommend to add procedure to collect sufficient information to make decision not to go onsite.

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

Evaluator Notes:

Issues with Part B:

B.4

- a. There is no procedure that addresses the mechanism to receive, record and respond to an incident. NE SFM has a phone number and on call process in place but it is not written in their procedures. The NE SFM needs to amend their procedures to add the process/mechanism. There is a one point deduction for this issue.

Total points scored for this section: 14
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
Yes = 5 No = 0 Needs Improvement = 1-4 | 5 | 5 |
| | <ul style="list-style-type: none">a. Completion of Required OQ Training before conducting inspection as leadb. Completion of Required DIMP/IMP Training before conducting inspection as leadc. Completion of Required LNG Training before conducting inspection as leadd. Root Cause Training by at least one inspector/program managere. Note any outside training completedf. 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:

Yes, reviewed TQ Blackboard and NE SFM records to verify inspector and program manager qualifications.

a. Yes, reviewed inspection reports to verify lead inspectors were qualified.

b. Yes, reviewed DIMP/TIMP inspections to verify lead inspectors were qualified.

c. Yes, reviewed LNG inspections to verify lead inspector was qualified.

d. Yes, at least one inspector has taken the Root Cause analysis course.

e. No outside training.

f. Yes, inspectors have taken the minimum training to lead inspections.

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

Evaluator Notes:

Yes, David Levering is knowledgeable of the pipeline safety program and regulations.

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

Evaluator Notes:

The NE SFM is mainly complying with Part C of the Evaluation.

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

PART D - Program Performance

Points(MAX) Score

- | | | | |
|---|---|---|---|
| 1 | Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1
Yes = 5 No = 0 Needs Improvement = 1-4 | 5 | 5 |
| | <ul style="list-style-type: none">a. Standard (General Code Compliance)b. Public Awareness Effectiveness Reviewsc. Drug and Alcohold. Control Room Managemente. Part 193 LNG Inspectionsf. Construction (did state achieve 20% of total inspection person-days?)g. OQ (see Question 3 for additional requirements)h. IMP/DIMP (see Question 4 for additional requirements) | | |

Evaluator Notes:

There were three inspections that were not conducted within the time intervals established per the NE SFM procedures. The MUD OQ, LNG and Drug and Alcohol inspections were not inspected within 5 years and 3 years per the procedures. This was due to the covid pandemic shutdown and the LNG facility being shutdown. The NE SFM will complete the inspections with top priority.

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| 2 | Did inspection form(s) cover all applicable code requirements addressed on Federal Inspection form(s)? Did State complete all applicable portions of inspection forms? Chapter 5.1. Do inspection records indicate that adequate reviews of procedures, records and field activities, including notes and the appropriate level of inspection person-days for each inspection, were performed?
Yes = 10 No = 0 Needs Improvement = 1-9 | 10 | 10 |
| | <ul style="list-style-type: none">a. Standard (General Code Compliance)b. Public Awareness Effectiveness Reviewsc. Drug and Alcohold. Control Room Managemente. Part 193 LNG Inspectionsf. Constructiong. OQ (see Question 3 for additional requirements)h. IMP/DIMP (see Question 4 for additional requirements) | | |

Evaluator Notes:

Yes, reviewed randomly selected inspections and all forms used covered all applicable codes for the type of inspections. There were some inspections missing a check off box to verify if a NOPV was issued or not. NE SFM will assure the box is checked on every inspection in the future.

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| 3 | 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

Yes, the NE SFM is conducting OQ Program and Protocol 9 inspections on operators to assure compliance with the regulations. Reviewed randomly selected OQ inspections to verify the inspections were being performed.

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| 4 | 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
| | <ul style="list-style-type: none">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, the NE SFM is conducting DIMP/TIMP inspections on operators to assure compliance with the regulations. Reviewed randomly selected OQ inspections to verify the inspections were being performed. The NE SFM contacts their largest operators yearly and will start documenting their yearly review of their DIMP.

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| 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 |
| | <ul style="list-style-type: none"> 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:

Questions are in inspection forms and on Form 15.5 Annual Report Review. Need to assure the most current NTSB recommendations(low pressure and meters inside buildings) are discussed and documented with operators to assure they are considering the NTSB recommendations.

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| 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, the NE SFM discuss advisory bulletins(ADB) during their seminars. Need to assure operators are considering the most current ADB and document the discussion.

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| 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 | 8 |
| | <ul style="list-style-type: none"> 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:

- a. Yes, reviewed files to assure compliance actions are sent to company/govt officials.
- b. Yes, reviewed files to assure probable violations are being documented properly.
- c. Yes, probable violations are being resolved.
- d. Yes, inspectors and program manager review progress of compliance actions.
- e. No, there were several inspections in which "UNSAT" was checked by the inspector which had non-compliance issues. There was no probable violation issued nor explanation as to why there was no compliance actions. The three reports were: Superior Gas DIMP and OQ inspections (AB-20-R-117) and Central City field inspection (AB-20-R-087). There was a two point deduction for this issue.
- f. Yes, NE has issued civil penalties recently.
- g. Yes, the program manager signs and monitors all compliance correspondence.
- h. Yes, NE gives operators due process.
- i. Yes, post inspection briefings are performed at the conclusion of each inspection.
- j. Yes, all compliance correspondence reviewed was provided to the operator within 90 days.

8	(Incident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations?	10	10
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Yes = 10 No = 0 Needs Improvement = 1-9

- a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?
- b. Did state keep adequate records of Incident/Accident notifications received?
- 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?
- d. Were onsite observations documented?
- e. Were contributing factors documented?
- 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:

- a. Yes, NE has the process in place to receive and respond to operator incident reports. There is no documented procedure but the process is in place.
- b. Yes, reviewed incident reports.
- c. All PHMSA reportable incidents were investigated.
- d. Yes observations are documented in the reports.

- e. Yes, contributing factors are documented in the reports.
- f. Recommendations are documented if applicable.
- g. There were no compliance actions initiated due to an incident investigation.
- h. Yes, the NE SFM assists the AID whenever they are asked to provide information.
- i. Yes, during the NAPSAR 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:
Yes, received response within 60 days.

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, last seminar was on February 5*7,2019. It was canceled in 2020 due to the pandemic.

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, question is on Inspection Form

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:
Yes through the website, board meetings and AG reports quarterly, which are posted the public website. They also hold Stake holder meetings. Covid shut down the meetings for 2020.

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 SRCR in 2020 but do have process for follow-up.

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

Evaluator Notes:
Yes, David Levering responds to all surveys.

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:



There was one waiver that was closed due to recent rule changes.

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| 16 | Were pipeline program files well-organized and accessible?
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

The NE SFM is in process of improving their record retention files to improve accessibility and organization.

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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?
Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
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Evaluator Notes:

SICT is completed every year and reviewed to assure data is accurate and reflects the NE SFM inspections days.

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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 = No Points | Info Only | Info Only |
|-----------|--|-----------|-----------|

Evaluator Notes:

Review metrics annually and discuss among the inspectors to find any concerns.

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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 = No Points
a. https://pipelinesms.org/
b. Reference AGA recommendation to members May 20, 2019 | Info Only | Info Only |
|-----------|--|-----------|-----------|

Evaluator Notes:

The NE SFM has talked to several operators about PSMS. Are planning to have Energy World Net to come speak at the next Pipeline Safety Seminar. This would be Steve Allen who was the previous Indiana Program manager who left to pursue PSMS systems and education.

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| 20 | General Comments:
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

Issues Identified:

D.7

e. No, there were several inspections in which "UNSAT" was checked by the inspector which had non-compliance issues. There was no probable violation issued nor explanation as to why there was no compliance actions. The three reports were: Superior Gas DIMP and OQ inspections (AB-20-R-117) and Central City field inspection (AB-20-R-087). There was a two point deduction for this issue.

Total points scored for this section: 48
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:

Stuart Gas Company
Doug Donnelson- Lead Inspector
Virtual OQ Field Evaluation
April 12, 2021
Agustin Lopez- State Evaluator

- Mr. Doug Donnelson was a lead on an OQ Plan inspection of Stuart Gas Company
- The last OQ inspection was in 2019.
- Yes, the operator representative was present during the inspection.
- Mr. Doug Donnelson has not been evaluated in the last several years.

- 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 utilized a state equivalent OQ form while conducting the inspection. Form was used as a guide and to document the results of the inspection.

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

Evaluator Notes:

- Inspector reviewed OQ Plan and procedures adequately to assure plan is in compliance with regulations.
- Inspector reviewed OQ records to assure personnel is qualified to perform tasks.
- There were no field activities evaluated during the inspection. Evaluation was conducted virtually and only the office portion(OQ Plan and records review) of the inspection was evaluated.
- No other comments.
- Yes the inspection was adequate in length to properly and thoroughly review the OQ Plan and records.

- 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:

Yes, Mr. Doug Donnelson demonstrated adequate knowledge of the pipeline safety program and regulations.

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| 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, Mr. Doug Donnelson concluded the inspection with an exit interview to discuss findings or issues with the operator. The only issue found during the inspection was due to the operator not having records to demonstrate current qualifications of a couple of technicians performing covered tasks. The contractor company provided the current qualification records during the exit interview which was in compliance with the regulations. The inspector recommended that the operator conduct review/training with technicians of tasks that are seldom performed to keep technicians as a refresher training.

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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. The inspection was performed very safely. With the ongoing pandemic, inspectors social distance themselves during the inspection.
 - b. The field portion of the inspection was not part of the evaluation.
 - c. Good recommendation that the inspector provided to the operator was to conducte periodic refresher training of technicians on covered tasks that are not performed on a regular basis.
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| 7 | General Comments: | Info Only | Info Only |
|---|-------------------|-----------|-----------|
- Info Only = No Points

Evaluator Notes:

A field evaluation was conducted while Mr. Doug Donnelson performed and OQ Plan inspection of Stuart Gas Company. Mr. Donnelson performed an excellent job and demonstrated knowledge of the pipeline safety program and regulations.

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

Yes, the NE SFM conducts Annual Report inspections and documents any discrepancies or negative trends. Incidents are investigated and reviewed for any issues.

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

Evaluator Notes:

Yes NE passed a law in 2019 (Title 155, Chapter 1 and 2) that requires the operator to report any unintended release of gas caused by Natural Force, Outside Force, Over Pressurization, Excavation, and some criteria on evacuations as well. This helps in investigating and analyzing the causes for recurrence or pipeline safety violations.

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

Evaluator Notes:

Yes, Annual Report Part D is reviewed yearly and discuss with operator. The "other" category has significantly decreased due to the implementation of the new law and the annual report reviews.

- | | | | |
|----------|---|----------|----------|
| 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?
Yes = 2 No = 0 Needs Improvement = 1 <ol style="list-style-type: none">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? | 2 | 2 |
|----------|---|----------|----------|

Evaluator Notes:

Data is gathered from the one call center. Run report only using initial ticket called in so data won't be so skewed. Get more accurate numbers, due to not counting getting multiple tickets.

5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

The NE SFM is mainly complying with Part F of the Evaluation.

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:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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

Evaluator Notes:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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

Evaluator Notes:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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

Evaluator Notes:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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

Evaluator Notes:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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

Evaluator Notes:

The NE SFM is not an Interstate Agent nor has a 60106 Certification.

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