



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

1200 New Jersey Avenue SE
Washington DC 20590

2020 Hazardous Liquid State Program Evaluation

for

NM PIPELINE SAFETY BUREAU

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 Hazardous Liquid State Program Evaluation -- CY 2020
Hazardous Liquid

State Agency: New Mexico

Rating:

Agency Status:

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

Date of Visit: 06/28/2021 - 07/01/2021

Agency Representative: Jason Montoya, Pipeline Safety Bureau Chief

PHMSA Representative: Agustin Lopez, State Evaluator

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

Name/Title: Stephen Flschmann, Chairman

Agency: New Mexico Public Regulation Commission

Address: 1120 Paseo De Peralta

City/State/Zip: Santa Fe, NM 87504

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 | 0 | 0 |
| B Program Inspection Procedures | 15 | 15 |
| C State Qualifications | 10 | 10 |
| D Program Performance | 50 | 50 |
| E Field Inspections | 15 | 15 |
| F Damage prevention and Annual report analysis | 6 | 6 |
| G Interstate Agent/Agreement States | 0 | 0 |
| TOTALS | 96 | 96 |
| State Rating | | 100.0 |



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. Verified information with PDM and Annual Reports and have no issues.
- b. Reviewed Attachment 2 data with NMPRC consolidated data sheet to verify inspection activity data.
- c. Verified operator data with Annual Reports and attachment 3 seems to be accurate.
- d. Verified incidents with PDM and there were no reportable incidents in NM in 2020. Suggested to NMPRC to check with operators on the 5 gallon reportable criteria.
- e. Verified compliance actions with NMPRC data and found no issues. Carryovers were accurate and have increased due to covid pandemic and retirement of supervisor.
- f. NMPRC keeps electronic records.
- g. Verified staff training and qualifications with TQ Blackboard.
- h. The NMPRC has adopted all required federal regulations.
- i. NMPRC submitted their performance goals and damage prevention initiatives.

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. IMP Inspectionsc. OQ Inspectionsd. Damage Prevention Inspectionse. On-Site Operator Trainingf. Construction Inspections (annual efforts) | | |

Evaluator Notes:

- a. Section 1, VII of the Standard Operating Procedures has guidance for state inspectors on how to perform standard inspections. The procedure includes pre and post inspection activities. Section 3 gives guidance to inspectors on how to perform standard and specialized inspections (VII) which include Drug & Alcohol, CRM and PAP inspections.
- b. Section 1, VII of the Standard Operating Procedures has guidance for state inspectors on how to perform standard inspections. The procedure includes pre and post inspection activities. Section 3 gives guidance to inspectors on how to perform standard and specialized inspections (VII) which include DIMP and IMP.
- c. Section 1, VII of the Standard Operating Procedures has guidance for state inspectors on how to perform standard inspections. The procedure includes pre and post inspection activities. Section 3 gives guidance to inspectors on how to perform standard and specialized inspections (VII) which include OQ inspections.
- d. Section 1, VII of the Standard Operating Procedures has guidance for state inspectors on how to perform standard inspections. The procedure includes pre and post inspection activities. Section 3 gives guidance to inspectors on how to perform standard and specialized inspections (VII) which include Damage Prevention inspections.
- e. Section 1, VII of the Standard Operating Procedures has guidance for state inspectors on how to perform standard inspections. The procedure includes pre and post inspection activities. Section 3 gives guidance to inspectors on how to perform standard and specialized inspections (VII) which include operator training.
- f. Section 1, V.I. and Section 2, IX has procedures for conducting construction inspections.

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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:

Section I, V and VI has procedures to determine inspection priorities which include history, compliance actions, length of last inspection, internal/external operating events, mergers, etc. Inspection 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 |
| | <ul style="list-style-type: none">a. Procedures to notify an operator (company officer) when a noncompliance is identifiedb. Procedures to routinely review progress of compliance actions to prevent delays or breakdownsc. Procedures regarding closing outstanding probable violations | | |

Evaluator Notes:

a. Section 1, VIII(B) has procedures to notify company/gov't official of non compliance.

b. Section 1, VIII has compliance procedures which requires to routinely follow up on open compliance actions to avoid breakdowns.

c. Section 1, VIII has procedures on closing outstanding probable violations.

4 (Incident/Accident Investigations) Does the state have written procedures to address state actions in the event of an incident/accident? 3 3

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:

a. Section 2 and PSB Policy 10-004 has mechanism and procedures that address the reporting and investigation of incidents/accidents.

b. Section 2 and PSB Policy 10-004 has mechanism and procedures that address the reporting and investigation of incidents/accidents which includes the gathering of sufficient information if decision is made not to go on site.

5 General Comments: Info Only Info Only

Info Only = No Points

Evaluator Notes:

The NMPRC is mainly complying with Part B of the Evaluation

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



PART C - State Qualifications

Points(MAX) Score

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

Evaluator Notes:

- a. Yes, reviewed randomly selected inspection reports to verify that lead inspectors were qualified. b. IMP lead inspectors have the required training.
 - c. There are no jurisdictional LNG facilities in NM.
 - d. Several inspectors have taken the Root Cause Training course.
 - e. There was no outside training in 2020.
 - f. Inspectors have obtained qualifications to lead applicable 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 **5** **5**
Yes = 5 No = 0 Needs Improvement = 1-4

Evaluator Notes:

Yes, Mr. Jason Montoya is very knowledgeable of the pipeline safety program and regulations.

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

Evaluator Notes:

The NMPRC 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

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- | | | | |
|----------|---|---|---|
| 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 <ol style="list-style-type: none">a. Standard (General Code Compliance)b. Public Awareness Effectiveness Reviewsc. Drug and Alcohold. Control Room Managemente. Construction (did state achieve 20% of total inspection person-days?)f. OQ (see Question 3 for additional requirements)g. IMP (see Question 4 for additional requirements) | 5 | 5 |
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Evaluator Notes:

Reviewed Large operator inspection data spreadsheet to verify inspection units are meeting the inspection intervals per the NMPRC Procedures. Due to the covid pandemic and shutdown of the state, there were some inspections that were started in 2020 but completed in 2021.

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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 <ol style="list-style-type: none">a. Standard (General Code Compliance)b. Public Awareness Effectiveness Reviewsc. Drug and Alcohold. Control Room Managemente. Constructionf. OQ (see Question 3 for additional requirements)g. IMP (see Question 4 for additional requirements) | 10 | 10 |
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Evaluator Notes:

The NMPRC utilizes PHMSA equivalent forms to document the inspections. Reviewed randomly selected inspection reports to verify the completion of the applicable portions of the forms. The inspections reports were complete along with notes and records/field activities.

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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 NMPRC is conducting OQ inspections to verify operator OQ Plans meet the regulations. Reviewed randomly selected inspection reports and NMPRC inspection list to verify completion of OQ Inspections

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| 4 | Is state verifying operator's integrity management Programs (IMP)? This should include a review of plans, along with monitoring progress. In addition, the review should take in to account program review and updates of operator's plan(s). 49 CFR 192 Subpart P Yes = 2 No = 0 Needs Improvement = 1 <ol 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? | 2 | 2 |
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Evaluator Notes:

Yes, the NMPRC conducted IMP inspections to verify operator IMP/DIMP plans. Reviewed randomly selected IMP/DIMP inspections to verify IMP/DIMP inspections are being performed by the NMPRC.



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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 |
| | a. Operator records of previous accidents and failures including reported third-party damage and leak response to ensure appropriate operator response as required by 195.402; and | | |
| | b. Directional drilling/boring procedures of each pipeline operator or its contractor to determine if they include actions to protect their facilities from the dangers posed by drilling and other trench less technologies; | | |

Evaluator Notes:

The NMPRC added an Addendum sheet to the inspection form which include NTSB and ADB questions to verify with each operator. New questions are added to the Addendum whenever they posted.

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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:

The NMPRC added an Addendum sheet to the inspection form which include NTSB and ADB questions to verify with each operator. New questions are added to the Addendum as they are posted.

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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 | 10 |
| | 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:

Yes, reviewed randomly selected inspections to verify compliance action procedures are being followed. The NMPRC properly documents and resolves compliance actions and routinely reviews the progress of compliance cases.

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

There were no reportable incidents in 2020 but the NMPRC has investigated all reportable incidents in the past.

- 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, the NMPRC responded within the 60 day 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 NMPRC co-host a yearly seminar with the LDNR and also have New Mexico Common Ground Alliance and NM 811 Conferences yearly.

- 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, inspection forms cover the NMPS submittals by operators.

- 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, NMPRC website has pipeline safety information and also participate in conferences.

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

Evaluator Notes:

There were no SRCR in 2020 but the NMPRS does follow-up on SRCR whenever one is reported.

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

Evaluator Notes:

Yes, the NMPRC responds to PHMSA and NAPSRS surveys and requests. Keep WMS tasks updated.

- 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:

NMPRC has no current waivers that require follow up action.



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

Evaluator Notes:

Yes, all records were reviewed electronically with no issues.

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:

Discussed the SICT inspection days and there are no issues or concerns with the hazardous liquid program.

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

Evaluator Notes:

Discussed Performance Metrics the NMPRC. The NMPRC reviews the performance metrics for negative trends and check for accuracy of annual reports.

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:

Yes, have discussed with operators and will add question to the inspection form Addendum.

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

Evaluator Notes:

The NMPRC is mainly complying with Part D of the Evaluation.

Total points scored for this section: 50
Total possible points for this section: 50



- 1** Operator, Inspector, Location, Date and PHMSA Representative (enter specifics into the comments box below) Info Only Info Only
 Info Only = No Points
- a. What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc)
 - b. When was the unit inspected last?
 - c. Was pipeline operator or representative present during inspection?
 - d. Effort should be made to observe newest state inspector with least experience

Evaluator Notes:
 Enterprise Products
 Loretta Cuthrell- NMPRC Lead Inspector
 Virtual Inspection
 May 10-12, 2021
 Agustin Lopez- PHMSA State Evaluator

- a. Loretta Cuthrell conducted a standard inspection of Enterprise Products. Due to the ongoing pandemic, the inspection was conducted virtually.
- b. Last inspection was April 2016
- c. Yes, operator representatives were present during the inspection.
- d. Due to scheduling and limited number of qualified HL inspectors Loretta Cuthrell was evaluated.

- 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 NMPRC utilizes PHMSA Standard Inspection Report of a Liquid Pipeline Carrier form to document and use as a guide during the inspections.

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

Evaluator Notes:
 a. Yes, procedures were reviewed during the inspection.
 b. Yes, records were reviewed during the inspection.
 c. There were no field activities during the inspection.
 d. no other activities.
 e. Yes, the inspection was adequate in length to conduct a thorough 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:
 Yes, Loretta Cuthrell is very knowledgeable of 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:

Yes, Ms. Loretta Cuthrell concluded the inspection with an exit interview. The following were identified during the inspections:

195.11(d) need to have more details to reference record retention

195.12(d) add retention requirements of records

195.306- need to add water as test medium for pressure tests.

Need detail on Access to O&M Manual for technicians

442(c)(6) need references to damage prevention documents

- 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:

Yes the inspection was conducted in a safe, positive and constructive manner.

a. There were no unsafe acts.

b. The inspector reviewed procedures and records.

c. Ms. Loretta Cuthrell performed a very thorough inspection.

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

Evaluator Notes:

Ms. Loretta Cuthrell has been with the NMPRC for many years and is very knowledgeable 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 |
|----------|--|---|---|

Evaluator Notes:

The NMPRC review and analyze Annual Report and incident data to risk rank their operators. Data is kept in the Large Operator report.

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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:

Discussed the verification of third party data submitted by operators to assure operators are minimizing the recurrence of incidents. The NMPRC works with their Damage Prevention section to review and analyze data. This is all done on the Gas annual reports but damage prevention activities are applied to both the gas and hazardous liquid programs.

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|----------|--|-----------|-----------|
| 3 | Has the state reviewed the operator's annual report pertaining to Part D - Excavation Damage? Info Only = No Points 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)? | Info Only | Info Only |
|----------|--|-----------|-----------|

Evaluator Notes:

The NMPRC has enforcement over Damage Prevention and conducts investigations of pipeline damages. The NMPRC reviews annual reports Part D to check for trends or concerns. Data is kept in their Large Operator consolidated spreadsheets. The analysis is conducted on gas operators but the damage prevention activities are applied to both gas and hazardous liquid programs.

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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? Yes = 2 No = 0 Needs Improvement = 1 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. | 2 | 2 |
|----------|---|---|---|



d. Has the state verified the operator is appropriately focusing damage prevention education and training to address the causes of excavation damages?

Evaluator Notes:

The NM 811 collects the data and the NMPRC receives the data for trends. In addition the NMPRC reviews the Performance Metrics in PRIMIS to verify damages and look for negative trends.

5 General Comments:
Info Only = No Points

Info Only Info Only

Evaluator Notes:

The NMPRC is mainly complying with Part F of the Evaluation.

Total points scored for this section: 6
Total possible points for this section: 6



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 NMPRC does no have an Interstate Agent Agreement nor 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 NMPRC does no have an Interstate Agent Agreement nor 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 NMPRC does no have an Interstate Agent Agreement nor 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 NMPRC does no have an Interstate Agent Agreement nor 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 NMPRC does no have an Interstate Agent Agreement nor a 60106 Certification.

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

Evaluator Notes:

The NMPRC does no have an Interstate Agent Agreement nor a 60106 Certification.

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

