



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

1200 New Jersey Avenue SE
Washington DC 20590

2021 Gas State Program Evaluation

for

MAINE PUBLIC UTILITIES COMMISSION

Document Legend

PART:

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



2021 Gas State Program Evaluation -- CY 2021

Gas

State Agency: Maine

Agency Status:

Date of Visit: 07/13/2022 - 07/15/2022

Agency Representative: Nathan Dore, Gas Safety Manager
Sean Watson, Pipeline Safety Inspector
Hattie Trask, Administrative Assistant

PHMSA Representative: Glynn Blanton, State Liaison PHP-50 State Programs

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

Name/Title: Philip L. Bartlett II, Chairman
Agency: Maine Public Utilities Commission
Address: 26 Katherine Drive
City/State/Zip: Hallowell, ME 04347

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 2021 (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
15
10
48
15
10
0

TOTALS

100 98

State Rating

98.0

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. Maine Public Utilities Commission (MPUC) is a 60105 agency. Jurisdictional authority, number of operators and units inspected were found correct and verified via PHMSA Portal.
- b. Number of inspection person days 264 exceeded the minimum requirement of 225. Construction days of 53 exceeded the 45 required days. Total drug & alcohol inspections were 4 person days.
- c. Operator's names and ID numbers in PHMSA Portal match attachment 1 & 3.
- d. No incidents were reported by MPUC on attachment 4 for CY2021.
- e. Number of carry over violations is 10 and number to be corrected is 12. Twenty-three compliance actions were taken and three civil penalties assessed and collected. Dollars collected were \$12,000.
- f. A review of list of records appears to be correct and listed in detail.
- g. A review of TQ Blackboard crystal report found all 2 inspectors are gas qualified, category II and gas IM qualified. Two inspectors have completed the root cause course.
- h. MPUC has adopted all federal regulations and civil penalty is \$200,000/\$2 Million.
- i. Information was provided on planned and past performance. No areas of concerns were found on all attachments in the progress report.

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:

- a. Yes, Standard Inspection is listed in section 5 and Appendix C of MPUC Gas Safety Program Procedures.
- b. Yes, TIMP & DIMP Inspections procedures are listed in Appendix C.
- c. Yes, OQ Inspection procedures are listed in Appendix C chart.
- d. Yes, Damage Prevention Inspection procedures are included in the Standard Inspection.
- e. Yes, this is listed in Appendix C chart.
- f. Yes, Construction Inspection procedures are listed in Appendix C chart.
- g. Yes, LNG inspection procedures and scheduling is listed in Appendix C chart.

- | | | | |
|---|---|---|---|
| 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 to e: These items are listed in Section 5, Appendix C of MPUC Gas Safety Program Procedures.
- f. Yes, all inspection units were found broken down correctly and reviewed annually by Gas Safety Manager.

- | | | | |
|---|---|---|---|
| 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. Yes, written procedures to identify notification of non-compliances are located in Appendix D. Enforcement Procedures.
- b. & c. Yes, written procedures to routinely review progress of compliance action and closing violations are found in Appendix D, section D. Compliance Tracking and Follow-up.

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

- a. Yes, mechanism to receive and respond to incidents reported by the operator are located in Appendix E, Accident Investigation Procedures, section C. Initial Notification.
- b. Yes, this item is described in Appendix E, Accident Investigation Procedures D. Follow-up Response

5 General Comments:
Info Only = No Points

Info Only Info Only

Evaluator Notes:

No loss of points occurred in this section of the program evaluation review.

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 4.3
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:

A review of TQ Blackboard report found all inspectors are category II, gas qualified, DIMP/IMP trained, completed LNG course and have completed the root cause course.

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

Evaluator Notes:

Mr. Nathan Dore has completed all required training at TQ. He has demonstrated a good working knowledge of the responsibilities of the Gas Safety Manager position in the last three months since his appointment on April 26, 2022. He was previously a gas pipeline safety inspector and been with MPUC for nine years. Prior to coming to the MPUC he worked for a major natural gas transmission operator in East Tennessee.

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

Evaluator Notes:

No loss of points occurred in this section of the review.

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 <ol 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) | 5 | 5 |
|----------|--|---|---|

Evaluator Notes:

Random generated operators to be checked for this evaluation period consisted of 2 distribution, 6 LPG and 1 LNG operator. A review of data provided by Gas Safety Manager on inspections performed on each operator was checked and found time intervals were met in accordance to MPUC procedures to at least once every 4 calendar years.

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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. Part 193 LNG Inspectionsf. Constructiong. OQ (see Question 3 for additional requirements)h. IMP/DIMP (see Question 4 for additional requirements) | 10 | 10 |
|----------|--|----|----|

Evaluator Notes:

MPUC uses IA to perform their inspections. A review of standard inspections in IA for the 2 distribution (Northern Utilities & Woodland Pulp, LLC), 6 LPG (Rymes Heating Oil, AmeriGas, Hall Smith, No Frills Oil Co., AE Robinson Oil Co., & R. H. Foster Energy, LLC) and 1 LNG (Northern Utilities Inc.) operators found all information was entered correctly.

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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 | 0 |
|----------|--|---|---|

Evaluator Notes:

A review of records found MPUC has not performed Protocol 9/Form 15 inspection on all LPG operators in CY2021. A loss of two points occurred due to failure to perform these inspections and verify the operator's plans are updated and persons performing covered tasks are qualified.

- | | | | |
|----------|--|---|---|
| 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 Subparts O and P
Yes = 2 No = 0 Needs Improvement = 1 <ol style="list-style-type: none">a. Are the implementation plans of the state's large/largest operators(s) being reviewed annually to ensure they are completing full cycle of the 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? | 2 | 2 |
|----------|--|---|---|

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

Evaluator Notes:

- a. Yes, MPUC is using Inspection Assistant for DIMP inspections. Reviewed Northern Utilities DIMP (12-21-2021) and Woodland Pulp DIMP (01-03/22). MPUC has a rule requirement that all distribution operators are required to submit their plan to the MPUC by May 1st each calendar year for review.
- b. Yes, filing of plastic pipe fitting defects is one of MPUC gas rule requirements that operators must comply to.
- c. Yes, only one operator Unitil has a low pressure system. They have rank risk this item into their DIMP program.

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:

- a to e. MPUC continues to include NTSB recommendations when using the IA forms and referencing the items in the consideration section of the form.
- f. MPUC has conducted meetings with Unitil officials about their low pressure system and ensure this item is included in their DIMP.
- g. MPUC continues to sent an annual emails to all operators about inside regulators and meter sets located inside a building or home.

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, Advisory bulletins are emailed to all operators when they are released from PHMSA. These items are also discussed at meetings or inspection visits.

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:

- a. Yes. A review of 2021 MPUC Progress Report found 23 compliance actions taken, 3 civil penalties assessed and 2 collected \$12,000.00. Conducted a review of the compliance letters to verify they were sent to company officers. The following letters were reviewed: Champagnes Energy, Garthwaite Energy, Bangor Natural Gas, Dead River and Suburban Propane. No issues with letters being sent to company officers.
 - b. Yes, each letter listed probable violations and corrected action to be taken.
 - c. Yes, probable violations were resolved with an order or plan of action.
 - d. Yes, all probable violations are reviewed by the Gas Safety Manager.
 - e. Yes, compliance action was taken on non-compliance letters.
 - f. Yes, the two civil penalties collected from Suburban Propane \$5,000 and Champagnes Energy \$7,000.00 in CY2021.
 - g. Yes, Gas safety Manager routinely reviews and approves all compliance letters.
 - h. Yes, due process is provided in accordance to MPUC rules and regulations.
 - i. Yes, a review of inspection reports clearly demonstrated an exit interviews were conducted at the end of the inspection audit.
 - j. Yes, a review of inspection reports and compliance letters demonstrated written findings were well documented and provided to the operator within 90 days from the inspection date.
- No issues were found or noted in a review of compliance activities.

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:

No incidents or accidents occurred in CY2021. This information was validated in PHMSA Portal.

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
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, Chairman Bartlett's response letter to Zach Barrett was received on September 21, 2021 and 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:

A virtual seminar was held on September 22-23, 2021 for jurisdictional propane operators. MPUC is considering hosting a pipeline safety seminar in the future but a date has not be established.

- 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, this item is reviewed and checked with the operator during their IA inspection.

- 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, this is accomplished via MPUC website. A review of the website found information pertaining to enforcement cases available and a list of pipeline safety staff.

- 13** Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.7 1 1
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No safety related condition reports were submitted in CY2021.

- 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:

- a. Yes, Gas Safety Manager has participated in NAPSRS surveys and PHMSA team meetings with Zach Barrett.
b. Yes, Gas Safety Manager is familiar with accessing the WMS and checking tasks that may be assigned to him or other staff members.

- 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 continues to be an open waiver with Unitil which was amended as of May 8, 2014 pertaining to MAOP. Unitil is required to submit annual updates on this item to MPUC.

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

Evaluator Notes:

Yes, files were accessible and well organized. 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:

Gas Safety Manager has a good understanding of the SICT on scoring inspection days. However, he has not submitted this year's SICT score that is due on July 31, 2022.

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- 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:

A review of this year's performance metrics indicated total leaks repaired was down to 80 from previous year of 107. Hazardous leaks scheduled for repaired was down to 27 from 35 per 1,000 miles. No areas of concern.

- 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, at the last pipeline safety seminar a PSMS presentation was given. Currently, Unitil has implemented this system into their organization.

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

Evaluator Notes:

A loss of two points occurred on question D.3 due to not performing Protocol 9/Form 15 inspections on all LPG operators in CY2021.

Total points scored for this section: 48
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

- 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:

- This was a construction inspection performed on Bangor Gas Company in East Hampden, ME along Hamel Avenue and Old County Road. The construction company doing the work was JDR Construction Company.
- Last year in 2021.
- Yes, Bangor Gas company personnel at the site are listed below:
Darren Turner, Bangor Gas company inspector & Danny Bowman, crew foreman.
JDR Construction personnel at the site are listed below:
Dan Bowley crew lead and Scott Simonds, contractor worker.
- Sean Watson was the only inspector available to be observed on this state program evaluation review. MPUC is in the process of hiring another inspector to replace Nathan Dore who was promoted to Gas Safety Manager.

- 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, Mr. Sean Watson was observed using his laptop computer and accessing the construction inspection form. He used the form to monitor and check the components the operator was installing on the construction project for compliance to the pipeline safety regulations. He recorded items he observed and asked the operator representatives questions about the work that was being conducted.

- 3 Did the inspector adequately review the following during the inspection 10 10
- Yes = 10 No = 0 Needs Improvement = 1-9

- Procedures (were the inspector's questions of the operator adequate to determine compliance?)
- Records (did the inspector adequately review trends and ask in-depth questions?)
- Field Activities/Facilities (did inspector ensure that procedures were being followed, including ensuring that properly calibrated equipment was used and OQ's were acceptable?)
- Other (please comment)
- Was the inspection of adequate length to properly perform the inspection?

Evaluator Notes:

- Yes, observed Mr. Watson asking questions during the field inspections with the operator representatives at the construction site. He checked and measure the location of the tracer wire and recorded the manufacture date of the 6" ASTM D2513 pipeline. Mr. Watson reviewed the operator's OQ records and depth of the 6 inch SDR pipeline being installed along Old County Road.
- Mr. Watson also accessed the operator's records to review the construction project plans and directional drilling project at the Sucker Brook Bridge location.
- Yes, Mr. Watson reviewed and monitored the company's procedure on the construction project. Calibration dates were check on each type of equipment being used by the Bangor Gas Company.
- Yes, Mr. Watson conducted a professional inspection.
- Yes, the construction inspection was of adequate length.

- 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. Watson has completed all required courses to be a gas inspector and demonstrated excellent knowledge in pipeline safety regulation enforcement during this inspection site review.

- 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. Watson had an exit interview with Mr. Bowley who was the crew lead for JDR Construction Company doing construction work for Bangor Gas Company. No violations or areas of concerns were found.

- 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. Yes, at the construction site all safety procedures were followed. This included each individual wearing a safety vest, hard hat and eye protection.
b. The inspector observed the installation of the ASTM D2513 6" pipeline along Old County Road.
c. Yes, best practices were shared with the operator representatives on the company's construction procedures,
-

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

Evaluator Notes:

No loss of points occurred in this section of the review.

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



PART F - Damage prevention and Annual report analysis**Points(MAX) Score**

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

Evaluator Notes:

Annual reports are reviewed by Gas Safety Manager and entered into "Summary of Distribution System for Calendar Year" spreadsheet each year. The spreadsheet list the utility companies and leaks eliminated and damage prevention root causes. The spreadsheet is reviewed by each inspector. If an error is found in the annual report the Gas Safety Manager contacts the operator and request corrections be made and re-submit the report.

- | | | | |
|---|--|---|---|
| 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, MPUC has an active damage prevention group of two Damage Prevention Investigators who check each damage report submitted to the agency. Information on their investigations of damages is shared with the Gas Safety Manager and inspectors. Discussions occur with the operator during each records review with the operator. Yes, repeated violators of ME One Call law are shared with the operator and have been include in their DIMP plan.

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

a, b & c. Yes, this is reviewed in the operator's annual report and root cause numbers are listed in MPUC spreadsheet section entitled, "Excavation Damages by Apparent Root Cause".
d & e. Yes, this is reviewed during the OQ Inspections.
f. Number of damages resulting form mismarks for the top four operators in CY2021 was 8.
g. Number of damages from not locating within required time for the top four operators in CY2021 was 2.
h. Yes, this is reviewed during the DIMP inspection.
i. Yes, operator's are taking action to correct mapping errors when found in a timely manner.
j. Yes, this is reviewed during the annual review of operator's annual reports. The largest cause of damage in Maine is due to "Excavation Practices".

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

- a. Excavators are causing the highest number of damages in Maine.
- b. Yes, this is accomplished via the Damage Prevention Enforcement program and review of the operator's O&M Procedures.
- c. Yes, the best description of the reason for excavation damages in Maine is operator and contractor not following written procedures.
- d. Yes, this is reviewed during the standard inspection audit.

5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No loss of points occurred in this section of the review.

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:

MPUC does not have a 60106 agreement with PHMSA nor an interstate agent.

- 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:

MPUC does not have a 60106 agreement with PHMSA nor an interstate agent.

- 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:

MPUC does not have a 60106 agreement with PHMSA nor an interstate agent.

- 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:

MPUC does not have a 60106 agreement with PHMSA nor an interstate agent.

- 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:

MPUC does not have a 60106 agreement with PHMSA nor an interstate agent.

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

Evaluator Notes:

No loss of points occurred in this section of the review.

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