



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

New Hampshire PUC/DOE

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: New Hampshire

Agency Status:

Date of Visit: 08/30/2022 - 09/02/2022

Agency Representative: Paul G. Kasper, Director Division of Enforcement
David Degler, Gas Inspector

Rating:

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

PHMSA Representative: Glynn Blanton, PHMSA State Programs

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

Name/Title: Jared Chicoine, Commissioner

Agency: New Hampshire Department of Energy

Address: 21 South Fruit Street

City/State/Zip: Concord, NH 03301

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

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

Possible Points Points Scored

0	0
15	12
10	5
50	50
15	2
10	10
0	0

TOTALS

100	79
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State Rating **79.0**

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. Jurisdictional authority, number of operators and units inspected were verified via PHMSA Portal to be correct.
- b. Number of inspection person days 172 meet the minimum requirement of 143. Construction days of 111.5 meet the 29 required number.
- c. Verification of operators match attachment 1 & 3. No issues.
- d. No incidents reported for CY2021 and was verified in PHMSA Portal. No issues.
- e. Error on total number of carryover & corrected violations to be corrected during CY in attachment 5. Requested Program Manager contact Carrie Winslow to correct information. Four compliance actions were taken and 23 assessments resulted in civil penalties in the amount of \$162,750 collected.
- f. No issues on records maintained by previous agency.
- g. Reviewed TQ training records and 2 inspectors have attended all classes to meet the Gas Inspector category. Previous program manager was listed as an inspector resulted in 2- Category I and 1 - Category III.
- h. Adopted civil penalty amount of \$200,000 to \$2 Million. All federal regulations have been adopted. No issues.
- i. Performance description and background history was provided in each section. No issues.

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 | 2 |
| | <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:

Three points were deducted from question B-1, which addresses the Programs written procedures. State Guidelines 5.3 states, in part, "To ensure the efficient, effective, and consistent completion of State Agency conducted inspection activities the State Agency must develop detailed written procedures for reviewing operator compliance with the State and Federal pipeline safety regulations." At the time of the evaluation, NH DOE was unable to access/provide any written procedures, and thus unable to utilize written procedures as a guide to conduct inspections. PHMSA evaluator, Glynn Blanton, provided the program manger an old copy of written procedure that he happened to have. These procedures are now being used by the Program but need to be updated to ensure they reflect current rules, laws and other relevant policies deployed by the NH DOE.

- a. b. & c. Yes, these items are listed in Section IV, pages 4-5 of NH PUC Guidelines for Pipeline Safety Inspections.
- d. Yes, this is listed in Section V on page 11 of NH PUC Guidelines for Pipeline Safety Inspections.
- e. Yes, this is listed in Section V on page 10 of NH PUC Guidelines for Pipeline Safety Inspections.
- f. & g. Yes, these are listed in Section V on page 9 of NH PUC Guidelines for Pipeline Safety 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:

Yes, this is listed in Section IV, Intervals of Inspection, on page 4 of NH PUC Guidelines for Pipeline Safety Inspections. Risk Based inspection process is listed in section VI pages 12-13. inspection units appear to be broken down correctly. No issues.

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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:

Yes, this is listed in Section IX, Miscellaneous/General of NH PUC Guidelines for Pipeline Safety Inspections pages 16-20.

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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? | 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:

Yes, these items are listed in Section V on pages 6-7 of NH PUC Guidelines for Pipeline Safety Inspections.

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

Evaluator Notes:

Procedures need to be updated to reflect the change from NH PUC to NH DOE. The document does not have sufficient detail to ensure effective and consistent completion of the state's inspection activities. Inspectors and Program Manager have not reviewed nor discussed these procedures to ensure they have an understanding of the program and submission of inspection reports for review, enforcement action and final approval. Three point deduction in Part B.

Total points scored for this section: 12
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. b. & c. Brad Taylor and Joe Vercellotti have completed the required courses to be an active Gas Inspector. David Degler and Paul Kasper have only attended the PHMSA PL-1250 course.
- d. Joe Vercellotti has completed all courses to be an active Gas IM Inspectors and successfully completed the root cause & LNG training courses.
- e. No outside training was completed in CY2021.
- f. Joe Vercellotti has obtained minimum qualifications to be the lead inspector.

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|---|--|---|---|
| 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 | 0 |
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Evaluator Notes:

Program Manager, Paul Kasper, has no pipeline safety experience and only attended the PL-1250 course at TQ. He has not participated in any type of pipeline safety inspections. He was not successful in locating and understanding the agency's pipeline safety program procedures. Unable to find the annual state program evaluation questions in the Guidelines for States Participating in the Pipeline Safety Program. Five point deduction.

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

Five point deduction in Part C.

Total points scored for this section: 5
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:

Random generated operators to be checked for this evaluation period consisted of 2 distributions (Peterborough Retirement Community & Energy North Natural Gas), 1 transmission (Energy North Natural Gas), 1 LNG operators (Energy North Natural Gas Concord) and 5 LPG operators (AmeriGas, STE Development Corp, STE Development Corp, P. Gagnon & Son, Huckleberry Propane & River Mead). A review of Program Manager's data base on inspections dates indicated the following: Peterborough Retirement Community 08-01-17, Energy North Liberty Central 11-10-21 & 05-30-18, Energy North Natural Gas Transmission 04-15-20 & 05-05-16, Energy North Natural Gas LNG - Concord 12-17-20 & 10-29-19, Manchester 12-29-21 & 12-16-20, Tilton 12-22-20 & 08-15-18, LPG- AmeriGas 8 units- Concord 3-30-21 & 07-24-20; Franconia 01-12-17 & 03-20-18; Keene 05-17-22 & 08-31-17; Conway 05-12-15 & 01-17-17; Greenland 01-17-17 & 02-26-14; Laconia 03-16-18 & 09-04-20; Londonderry 09-30-20 & 02-22-18; Youngs 03-08-16 & 04-29-18; STE Development 03-02-17 & 03-13-18; P. Gagnon & Son 03-12-05 & 10-28-16; Huckleberry Propane & Oil 04-20-22 & 07-22-21. All inspections appear to be performed in accordance with the agency's schedule not to exceed 60 months. All LNG inspections were found to be performed within a thirty-six-month period.

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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, inspection forms listed in the NH PUC Guidelines for Pipeline Safety Inspections covered all sections of the code requirements.

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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, a review of inspection reports found OQ Protocol 9 & Plans were reviewed during the scheduled inspection visits.

- 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 2 2
- Yes = 2 No = 0 Needs Improvement = 1
- 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?
 - c. Are the states verifying operators are including low pressure distribution systems in their threat analysis?

Evaluator Notes:

- a. Yes, a review of inspection reports found the state's two largest operators Liberty Energy Utilities & Unitil were reviewed annually. They are required to file their plan on April 1st each year.
- b. Yes, this is reviewed during the O&M or form 2 standard inspection.
- c. Yes, all low pressure system sections of Liberty Energy Utilities and Unitil were reviewed. At the direction of the agency they were ordered to review existing procedures regarding the connection of gas mains during replacement for possible improvement to minimize potential confusion or errors in sequencing, documenting and the ability to achieve successful outcomes to outage or other overpressure failures.

- 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 2 2
- Yes = 2 No = 0 Needs Improvement = 1
- 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 thru g: Yes, these items are reviewed during O&M inspections.

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

Evaluator Notes:

- Yes, advisory bulletins are forwarded to each private distribution operators via E-mail from Program Manager.

- 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 10 10
- Yes = 10 No = 0 Needs Improvement = 1-9

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

Evaluator Notes:

- a. Yes, four compliance letters were sent out in CY2021. A review of letters (Liberty Utilities) found inspection reports were mailed to the company officer.
- b. Yes, all probable violations were well documented.
- c. Yes, probable violations were resolved by action by the operator to correct the item(s).
- d. Yes, Program Manager routinely reviews inspection reports and violations on a monthly schedule.
- e. Yes, four compliance actions were taken in CY2021
- f. Yes, civil penalties in the amount of \$162,750 were assessed.
- g. Yes, all compliance action is reviewed and approved by the Program Manager.
- h. Show cause is available to the operator as a option to settlement of the probable violation(s).
- i. Yes, a review of files found a post inspection briefing was being conducted within the 30 days requirement.
- j. Yes, a review of inspection files and reports found this was being met.

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:

Yes, no accidents occurred during this program evaluation period.

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:

No response was required from Commissioner Jared Chicoine on the state program evaluation conducted on November 1-5, 2021.

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

Last seminar was held in October, 2018. They plan to hold another seminar in CY2023.

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| 11 | Has state confirmed transmission operators have submitted information into NPMS database along with changes made after original submission?
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

Yes, the operator is required to notify the NH DOE at the time they updated the information in the NPMS. This requirement only applies to Liberty Energy.

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| 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).
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

Yes, this is accomplished by the NH DOE website.

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

No safety related condition reports were issued. Conducted a review of the PDM confirm this information was correct. No issue.

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

- a. Yes, responses to NAPSR and participation in PHMSA team meetings have been observed during this state program evaluation period.
 - b. No Work Management system tasks were assigned during this review period.
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| 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.
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

No waiver has been issued in CY2021.

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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:

Yes, files were maintained in their office with information on violations, inspection reports and other relative information.

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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:

Yes, Program Manager has an understanding on how to enter the information and use the data for their inspection program.

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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:

Reviewed the PHMA performance metrics on damages and other relative information with PM. Damages per 1,000 locate tickets show a rate of 1.3 in CY2021. No issues.

- 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:

They continue to promote PSMS at meetings with the operators.

- 20** 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: 50
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 Info Only Info Only comments box below)

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 standard inspection using the agency's Propane Facilities - DOE Form 13
- The last inspection was performed on August 8, 2017
- Yes, Peterborough Retirement Community at Upland Farm Inc (River Mead) - Doug Sharp, Director, Capitol Improvement & Ed Anderson- LPG Plus LLC
- Yes, David Degler, Gas Inspector. Mr. Degler has no pipeline safety experience, but has attended the PL-1250 course.

- 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 0

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

No, Mr. Degler did not use DOE Form 13 nor include the questions in his discussion with the operator during the inspection. Observed Mr. Degler reviewing the operator's plot plan on the facilities in the community conference room and asking general questions about the propane facilities on the property. Two point deduction occurred.

- 3 Did the inspector adequately review the following during the inspection 10 2

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:

- The inspector did not use the questions in the DOE Form 13 nor include them in determining the operator's compliance with the pipeline safety regulations. General discussions about the history of the facility and changes in management were reviewed.
- No records were checked or reviewed for compliance to safety regulations.
- After a brief conversation with Mr. Doug Sharp, Director, Capitol Improvement & Ed Anderson- LPG Plus LLC., a field observation of customer meters, regulators and vents were performed with photos taken on these sites.
- N/A
- No. Insufficient time was spend reviewing the facilities instead of checking the operator's maintenance manual, records, mapping and cathodic protection readings.

Eight point deduction and improvement is needed.

- 4 From your observation did the inspector have adequate knowledge of the pipeline safety program and regulations? (Evaluator will document reasons if unacceptable) 2 0

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The inspector has limited understanding and experience in conducting an inspection. He did not demonstrate an understanding of the agency's written procedures in conducting a pre-inspection, inspection or post inspection. Two point deduction.

- 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 0
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No exit interview was conducted by the inspector. One point deduction.

- 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:

Safety procedures were followed during the walk around of the property and reviewing individuals meter sets.

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

Evaluator Notes:

Thirteen point deduction in Part E.

Total points scored for this section: 2
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:

Although the new program manager was unaware of this requirement, information collected from the agency on the operator's incident/accident reports and trends in damages is collected in the NH DOE database.

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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. All underground utility operators are required to file form E-26 on any damages that occur on their facilities to the NH DOE. Also, Excavators are required to file SNU-0401 form with the agency if they damage any underground facilities.

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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:

- a thru e. Yes
f. The number of damages resulting from mismarks in CY2021 was four.
g. The number of damages resulting from not locating within time requirements (no-shows) in CY2021 was zero.
h. Yes, NH operators are required by NH DOE rule 800 Underground Damage Prevention Rule Section 804.01(e)(f) to address mapping errors.
i. Yes, mapping corrections are required under the NP DOE rule 800 to be made in a timely manner.
j. Yes, this is reviewed in section 805.02.

- | | | | |
|----------|---|---|---|
| 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? | 2 | 2 |
|----------|---|---|---|

- 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.
- b. Yes, the State of NH has verified and participates with operators to provide and focus on damage prevention education and training thru Managing Underground Safety Training (MUST). This program promote underground facility safety through training efforts in cooperation with Dig Safe.
- c. Yes, the failure to use hand tools was found to be the reason in NH for excavation damages.
- d. Yes, NH monitors the operators' action in damage prevention, education and training during meetings with the operator and the MUST program.

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:

NH DOE does not have a 60106 agreement with PHMSA and not 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:

NH DOE does not have a 60106 agreement with PHMSA and not 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:

NH DOE does not have a 60106 agreement with PHMSA and not 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:

NH DOE does not have a 60106 agreement with PHMSA and not 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:

NH DOE does not have a 60106 agreement with PHMSA and not 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 state program evaluation.

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