



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

1200 New Jersey Avenue SE
Washington DC 20590

2022 Gas State Program Evaluation

for

Minnesota Office of Pipeline Safety

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



2022 Gas State Program Evaluation -- CY 2022

Gas

State Agency: Minnesota

Agency Status:

Date of Visit: 07/31/2023 - 08/03/2023

Agency Representative: Jonathan Wolfgram

PHMSA Representative: Joe Subsits

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

Name/Title: Bob Jacobson, Commissioner

Agency: Minnesota Department of Public Safety

Address: 445 Minnesota Street, Suite 147, Town Square

City/State/Zip: St. Paul, MN 55101-5147

Rating:

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

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 2022 (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	15
10	10
50	49
15	15
10	10
0	0
100	99

TOTALS

State Rating **99.0**

PART A - Progress Report and Program Documentation Review

Points(MAX) Score

- 1 Were the following Progress Report Items accurate? (*items not scored on progress report) Info Only Info Only
Info Only = No Points
- Stats On Operators Data - Progress Report Attachment 1
 - State Inspection Activity Data - Progress Report Attachment 2
 - List of Operators Data - Progress Report Attachment 3*
 - Incidents/Accidents Data - Progress Report Attachment 4*
 - Stats of Compliance Actions Data - Progress Report Attachment 5*
 - List of Records Kept Data - Progress Report Attachment 6 *
 - Staff and TQ Training Data - Progress Report Attachment 7
 - Compliance with Federal Regulations Data - Progress Report Attachment 8
 - Performance and Damage Prevention Question Data - Progress Report Attachment 10*

Evaluator Notes:

- Minnesota reports 18 private distribution systems with 48 units, 33 Municipal systems with 34 units, 2 master meters with 3 units, 14 LPG with 21 units, 27 intrastate transmission with 28 units. 2 intrastate LNG with 3 units. There are also 8 interstate transmission with 13 units and 1 interstate LNG with 1 unit. This information was collected from the Sales Force data base. Changes from last year are 2 private operators less and 2 intrastate transmission operators gained.
- Minnesota recorded 1056 inspection days. 725 SICT days were calculated. 241 days were construction days. This is 33% of the total inspection days. Days were calculated from the Sales force data base. Data is derived from timesheets. Personnel fill out two time sheets. Direct supervisor and administrative staff check the two timesheets for consistency.
- Attachment 1 and 3 unit counts match.
- There was one incident in 2022. This was an LNG thread failure at Wescott LNG facility. This is consistent with PSDM and NRC information.
- 48 violations were correctly carried over from 2021. Progress report compliance numbers added up correctly. \$328,359 in penalties were assessed and \$473,350 in penalties was collected. The higher collection amount is carry over from last year.
- Records are maintained electronically.
- The Progress report aligns with blackboard.
- Minnesota is up to date on rule adoptions.
- Accomplishments include Minnesota OPS hosting a virtual conference, they transitioned from Covid -19 policies, submitted legislative language and performed one call investigations.

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

- | | | | |
|---|---|---|---|
| 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 Inspections b. TIMP and DIMP Inspections (reviewing largest operator(s) plans annually) c. OQ Inspections d. Damage Prevention Inspections e. On-Site Operator Training f. Construction Inspections (annual efforts) g. LNG Inspections | | |

Evaluator Notes:

- Pre inspection procedures are addressed in sections 5.1(3) and 5.2. Inspection procedures are found in Section 5.2. Post inspection procedures are found in section 5.1.(3) and Section 5.2.
- a. Standard inspections are addressed in section 5.2.1, Control room management is found in section 5.2.9, Public awareness inspections are addressed in section 5.2.10, Drug and alcohol inspections are addressed in 5.2.11.
 - b. TIMP/DIMP is addressed in section 5.2.4.
 - c. OQ inspections are found in section 5.2.5.
 - d. Damage Prevention investigations are addressed in Section 5.2.7.
 - e. Operator training is addressed in section 5.2.3.
 - f. Construction inspections are addressed in Section 5.2.2.
 - g. LNG inspections are addressed in section 5.2.14.

- | | | | |
|---|--|---|---|
| 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 inspection b. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities) c. Type of activity being undertaken by operators (i.e. construction) d. Locations of operator's inspection units being inspected - (HCA's, Geographic area, Population Centers, etc.) e. Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors) f. Are inspection units broken down appropriately? | | |

Evaluator Notes:

- a-e Risk based criteria and inspection days are addressed in section 4.1. A List of risk assessment criteria is identified in section 4.1.1.
- f. Units appear to be broken down appropriately.

- | | | | |
|---|---|---|---|
| 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 identified b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns c. Procedures regarding closing outstanding probable violations | | |

Evaluator Notes:

- Compliance procedures are addressed in Section 5.3.
- a. Section 5.3.1 addresses notification to company officers when non-compliance is identified. Section 5.1 addresses exit interview and findings letter time requirements. Opportunities' for hearing are addressed in section 5.3.2.2. Civil penalties are addressed in section 5.3.2.5.

- b. Follow up activity is addressed in section 5.3.1.
- c. Closure procedures are found in Section 5.3.1(3).

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:

Accident/incident procedures are found in Section 6. Procedure 6.1 mentions FIR. Observations, contributing factors and recommendations have been added to state investigation forms.

a. Section 6.1 states that PHMSA will notify state when a notification occurs. Table 6.1 show a on-scene deployment matrix. Section 6.4 addresses notifications received from the Minnesota duty Officer.

b. Section 6.4 requires documentation in Sales Force when an on-site investigation cannot be made.

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

Evaluator Notes:

There were no issues with Part B.

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



- | | | | |
|---|--|---|---|
| 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 |
|---|--|---|---|
- a. Completion of Required OQ Training before conducting inspection as lead
 - b. Completion of Required DIMP/IMP Training before conducting inspection as lead
 - c. Completion of Required LNG Training before conducting inspection as lead
 - d. Root Cause Training by at least one inspector/program manager
 - e. Note any outside training completed
 - f. 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:

Gas core qualified personnel are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Patrick Donovan, Thomas Chrisfield, Olaf Engebretson, Muibarek Gemtessa, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneek and Jon Sogard.

a. Operator Qualification trained inspectors are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Tricia Montbriand, Luke Schuette, Patrick Donovan, Thomas Chrisfield, Olaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneek and Jon Sogard.

b. IMP trained personnel are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Tricia Montbriand, Patrick Donovan, Thomas Chrisfield, Polaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneek and Jon Sogard. DIMP trained personnel are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Patrick Donovan, Thomas Chrisfield, Olaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneek and Jon Sogard.

c. LNG trained personnel are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Patrick Donovan, Thomas Chrisfield, Olaf Engebretson, Adam Retzlaff and Elizebeth Skalneek.

d. Root cause qualified personnel are Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Olaf Engebretson, Adam Retzlaff, Elizebeth Skalneek and Jon Sogard.

e. No outside training conducted last year though a GTI design class was conducted about five years ago.

f. Inspectors were qualified to perform the inspections they conducted.

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

Jon is currently president of NAPSRS. Jon completed all the core T&Q and IMP training. Jon is familiar with pipeline safety regulation and processes. Jon came started with Minnesota in 2009 and has been a Program Manager for 10 years.

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

Evaluator Notes:

There are no issues with part C.

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

- | | | | |
|---|--|---|---|
| 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 | 4 |
|---|--|---|---|
- a. Standard (General Code Compliance)
 - b. Public Awareness Effectiveness Reviews
 - c. Drug and Alcohol
 - d. Control Room Management
 - e. Part 193 LNG Inspections
 - f. 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:

All types of inspections were conducted. Inspection intervals were evaluated for operators on the random inspection list.

Two previous inspection intervals were beyond the 5-year requirement.

a. One standard inspection exceeded the 5-year previous inspection interval. Hibbing Public Utilities last standard inspection was conducted on 2/21/2019 and the previous inspection interval was 8/26/2013.

b. Public awareness inspection intervals were within the required intervals for the operators evaluated.

c. One Drug and Alcohol inspection previous inspection interval was exceeded. Argle Municipal Gas Transmission System was last inspected on 5/27/2022 and previously inspected on 9/14/2015.

Control room inspection intervals were within the required intervals for the operators evaluated.

e. LNG inspection intervals were within the three-year intervals for the operators that were evaluated.

f. 145 inspection days were required. Minnesota had 241 days.

g. Operator Qualification inspection intervals were within the required intervals for the operators evaluated.

h. IMP/TIMP inspection intervals were within the required intervals for the operators evaluated.

There were two instances of previous inspection intervals being exceeded. This results in a one-point deduction.

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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 |
|---|---|----|----|
- a. Standard (General Code Compliance)
 - b. Public Awareness Effectiveness Reviews
 - c. Drug and Alcohol
 - d. Control Room Management
 - e. Part 193 LNG Inspections
 - f. Construction
 - g. OQ (see Question 3 for additional requirements)
 - h. IMP/DIMP (see Question 4 for additional requirements)

Evaluator Notes:

Operator inspection reports reviewed were the operators on the random inspection list.

a. IA is used for standard inspections. Standard inspections forms were filled out completely and correctly for inspections that were reviewed.

b. IA is used for Public Awareness inspections. Forms were filled out completely and correctly for inspections that were reviewed.

c. IA is used for drug and Alcohol inspections. Forms were filled out completely and correctly for inspections that were reviewed.

d. IA is used for control room management inspections.

e. IA is used for LNG inspections. Forms were filled out correctly and completely for inspections that were reviewed.

f. The State uses its own form for construction inspections.

g. IA is used for Operator Qualification inspections. forms were filled out completely and correctly for the inspections that were reviewed.

h. IA is used for IMP/DIMP forms. Forms were filled out completely and correctly for the inspections that were reviewed.

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:

OQ inspections were checked and within required timeframes. Protocol 9 is performed within 5 year intervals for each unit.

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	2	2
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- 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:

IMP/DIMP inspections are within the required timeframes.

- a. Large operators are sent Request for specific information annually. The request are reviewed by the inspector assigned to the operator. These requests are used to annually review IMP/DIMP programs. Cognito forms is used as a survey platform.
- b. Identification of problematic pipe is performed during DIMP inspections.
- c. There is no low pressure systems in Minnesota. Excel had a system that was eliminated as validated in an April 11, 2021 memo. This issue is also reviewed as part of annual report review process. A low pressure system alert notice was sent out by the State.

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
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- 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-b There is no cast iron in Minnesota.
- c-g Minnesota sends out a request for information when NTSB notices are released. These notices solicit responses from the operator. Information now being managed using cognito forms.

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:

This was addressed using the Cognito survey. The survey requires a response from the operator.

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 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)	10	10
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Evaluator Notes:

Compliance activities were reviewed for inspections reviewed on the random inspection list. No issues were found.

- a. Compliance letters are sent to the chief executive officer.
- b. Compliance activities were properly documented.
- c. Most compliance issues were resolved. Some issues are ongoing and require follow up. No issues were identified.
- d. Minnesota has an adequate process for following up on ongoing compliance issues. These issues are tracked in the Sales Force data base.
- e. All compliance issues identified during inspections were listed in the appropriate compliance letter.
- f. \$400,000 in penalties was assessed.
- g. Letters are reviewed by the inspector's direct supervisor and signed and reviewed by Jon.
- h. Minnesota offers opportunity for hearing. This is described in the compliance letter template.
- i. Exit interviews are conducted within 30 days of the last day of the inspection.
- j. On the general checklist. Email of issues accompanies exit interview. The email documents issues found during the inspection.

8	(Incident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations? 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?	10	10
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- 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 was one incident in Minnesota in 2022. It was a LNG incident at Wescott. An investigation checklist is used to document information.

- a. Inspectors are on call weekly. They receive notification from the State duty officer. The On-call person is expected to go out if there is a PHMSA notification.
- b. Yes, incident case files contain e-mails, photos, and the investigation checklist.
- c. The investigation Checklist is filled out for all state and federal reportable incident. No go justification is documented in the investigation checklist.
- d-f. There is a space for observations contributing factors and recommendations in the investigation checklist.
- g. This incident was still under vacation and a letter has not been issued yet.
- h. AID has two inspectors in Minnesota. There is not much contact with AID.
- i. Lessons learned are presented at regional NAPS meetings, damage prevention meetings and seminars.

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:

A letter went out to Commissioner Harrington on 10/7/2022. An acceptable response was submitted 11/11/2022. Bob Jacobson is the new Commissioner.

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:

The last seminar was in April 2022, the previous seminar was in April 2021. Minnesota strives to do a seminar every year. The seminar combines liquid and gas operators.

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:

Transmission mapping is addressed on IA questions. A staff GIS person also keeps track of this information.

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:

The Minnesota web page contains one call information, national mapping system information, PHMSA links, alert notices, telephonic notices, contact information, forms, regulations, MNOPS annual reports. Minnesota does a holiday mailing with key information. Enforcement information is available to the public through the web page.

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:

There were no gas Safety Related Conditions in 2022.

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. Jon completes NAPSRS surveys.
- b. Certain staff are assigned WMS and IM notification duties. Elizebeth manages most of the notices. Jon follows up to determine that somebody has properly followed up on processing of notification, WMS was up to date. Not many notices were received.

- 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 were four waivers listed on PHMSA's page. 2 waivers appeared to be expired. Jon will look into eliminating the expired waivers.

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

Evaluator Notes:

Files are maintained electronically. Information was readily accessible.

- 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:

SICT numbers were met. There were no peer review comments.

- 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:

Metrics were discussed.

- 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:

Safety Management requirements have been put in compliance orders. SMS has also been seminar topic in past.

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

Evaluator Notes:

There were two previous inspection intervals that exceeded the 5-year requirement. (see item D.1) This will result in a one-point deduction.

Total points scored for this section: 49
 Total possible points for this section: 50

PART E - Field Inspections

Points(MAX) Score

- 1 Operator, Inspector, Location, Date and PHMSA Representative (enter specifics into the comments box below) Info Only Info Only

Info Only = No Points

- What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc)
- When was the unit inspected last?
- Was pipeline operator or representative present during inspection?
- Effort should be made to observe newest state inspector with least experience

Evaluator Notes:

- A standard inspection was conducted of the Xcel Fargo District. The inspection was conducted in Moorhead by Olaf Engbretson. We observed a leak repair which was found the week of the inspection.
- This District was previously inspected last year.
- The compliance officer was at the inspection.
- Olaf has 9 years of inspector experience.

- 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:

Inspection documentation is filled out electronically. Inspection Assistant and Safes Force is used.

- 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:

This portion of the inspection mainly consisted of field review activities. Leak survey records, Operator Qualification and damage prevention records were observed. This was one day of a multiple day 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:

Olaf was knowledgeable of regulations and operational processes. He asked good follow up questions and observed appropriate aspects of the leak repair.

- 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:

No probable violations were found during the leak repair. An exit interview was to be conducted with the crew upon completion.

- 6 Was inspection performed in a safe, positive, and constructive manner ? Info Only Info Only

Info Only = No Points

- No unsafe acts should be performed during inspection by the state inspector

- b. What did the inspector observe in the field? (Narrative description of field observations and how inspector performed)
- c. Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices)
- d. Other

Evaluator Notes:

- a. The inspection was conducted in a safe manner. Proper PPE was worn.
- b. The leak survey results were reviewed, Damage prevention records were observed. The excavation, leak site, adjoining meter set were inspected. OQ records were also reviewed.

7 General Comments:
Info Only = No Points

Info Only Info Only

Evaluator Notes:

There were no issues with Part E.

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:

Each inspector reviews their operators annual report. Annual report information is used to populate the risk assessment.

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

Minn has tighter reporting criteria for state notifications. Causal analysis is looked at during state incident reporting review.

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

Annual report information is reviewed annually. The appendix D damage prevention summary spreadsheet was discussed and identified as a tool for addressing damage prevention program weaknesses.

a. Information is reviewed during Damage prevention audits. These inspections are performed at 5 year intervals. A state form is used for this inspection.

b-c. The state does not see much of the "practices not sufficient category."

d-j. These issues are looked at during the damage prevention audit.

- | | | | |
|---|--|---|---|
| 4 | Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests?
Yes = 2 No = 0 Needs Improvement = 1 <ol style="list-style-type: none">a. What stakeholder group is causing the highest number of damages to the pipelines? Operator, contractor, locating company or public.b. Has the state verified the operator is appropriately focusing damage prevention education and training to stakeholders causing the most damages?c. Has the state evaluated which of the following best describes the reason for the excavation damages; i.e., operator or contractor not following written procedures, failure to maintain marks, failure to support exposed facilities, failure to use hand tools were required, failure to test-hole (pot hole), improper backfilling practices, failure to maintain clearance or insufficient excavation practices. | 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 state tabulates information for pipeline operators.

a. Excavators are responsible for the most pipeline damage.

b. The state performs operator training on damage prevention. This is covered in PA and also addressed in the damage prevention checklist.

c-d. This is done during the damage prevention audit.

5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

There was no issue with Part F.

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:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

- 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:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

- 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:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

- 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:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

- 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:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

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

Evaluator Notes:

Region will complete these questions at the end of the calendar year and forward to Zach Barrett for including any issues in letter to the Chair.

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