



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2022 Hazardous Liquid 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 Hazardous Liquid State Program Evaluation -- CY 2022  
Hazardous Liquid

**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

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**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.

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**Scoring Summary**

<b>PARTS</b>		<b>Possible Points</b>	<b>Points Scored</b>
A	Progress Report and Program Documentation Review	0	0
B	Program Inspection Procedures	15	15
C	State Qualifications	10	10
D	Program Performance	50	50
E	Field Inspections	15	15
F	Damage prevention and Annual report analysis	6	6
G	Interstate Agent/Agreement States	0	0
<b>TOTALS</b>		<b>96</b>	<b>96</b>
<b>State Rating</b> .....			<b>100.0</b>

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## 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. Minnesota has 2 intrastate refined petroleum products with 2 units. There is one intrastate crude operator with one unit. There are 4 interstate refined product systems with 5 units. There are 5 interstate crude systems with 6 units. There are 2 interstate HVL systems with 3 units.
- b. Minnesota recorded 125 inspection days. 12 SICT days were calculated. 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.
- c. Attachment 1 and 3 unit counts match.
- d. There were no incidents in 2022. This is consistent with PSDM and NRC information.
- e. There were no violations that needed to be carried over from 2021. There were 5 violations from 2022. These will be carried over into 2023. No penalties were assessed.
- f. Records are maintained electronically.
- g. The Progress report aligns with blackboard.
- h. Minnesota is up to date on rule adoptions.
- i. Accomplishments include hosting a virtual conference, transitioning from Covid -19, and submitted legislative language.

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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<br>Yes = 5 No = 0 Needs Improvement = 1-4                                                                                                                                                              | 5 | 5 |
|   | <ul style="list-style-type: none"> <li>a. Standard Inspections, which include Drug/Alcohol, CRM and Public Awareness Effectiveness Inspections</li> <li>b. IMP Inspections</li> <li>c. OQ Inspections</li> <li>d. Damage Prevention Inspections</li> <li>e. On-Site Operator Training</li> <li>f. Construction Inspections (annual efforts)</li> </ul> |   |   |

## 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.

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

## 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 effectively.

- |   |                                                                                                                                                                                                                                                                                                                               |   |   |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 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<br>Yes = 3 No = 0 Needs Improvement = 1-2                                                                                                                  | 3 | 3 |
|   | <ul style="list-style-type: none"> <li>a. Procedures to notify an operator (company officer) when a noncompliance is identified</li> <li>b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns</li> <li>c. Procedures regarding closing outstanding probable violations</li> </ul> |   |   |

## 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.(3)
- c. Closure procedures are found in Section 5.3.1(3).

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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:

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 an 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.

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

Evaluator Notes:

There were no issues with Part B.

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



- |          |                                                                                                                                                                            |   |   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>1</b> | Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.3<br>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 IMP Training before conducting inspection as lead
  - c. Root Cause Training by at least one inspector/program manager
  - d. Note any outside training completed
  - e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector (Reference State Guidelines Section 4.3.1)

## Evaluator Notes:

Inspectors are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Tricia Montbriand, Luke Schuette, Patrick Donavan, Thomas Chrisfield, Olaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneki 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 Donavan, Thomas Chrisfield, Olaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneki and Jon Sob. b. IMP trained personnel are Thomas Coffman, Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Tricia Montbriand, Patrick Donavan, Thomas Chrisfield, Olaf Engebretson, Estelle Hickman, Adam Retzlaff, Elizebeth Skalneki and Jon Sogard.
- c. Root cause qualified personnel are Michael Mendiola, Todd Stanbury, Jonathan Wolfgram, Jeff Blackwell, Joseph Hauger, Olaf Engebretson, Adam Retzlaff, Elizebeth Skalneki and Jon Sogard.
- d. A GTI design class was held about five years ago.
- e. Inspectors were qualified to perform the inspection they were assigned.

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

## Evaluator Notes:

Jon is currently president of NAPS. 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.

- |          |                                            |           |           |
|----------|--------------------------------------------|-----------|-----------|
| <b>3</b> | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|----------|--------------------------------------------|-----------|-----------|

## Evaluator Notes:

There were 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<br>Yes = 5 No = 0 Needs Improvement = 1-4 | 5 | 5 |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
- a. Standard (General Code Compliance)
  - b. Public Awareness Effectiveness Reviews
  - c. Drug and Alcohol
  - d. Control Room Management
  - e. Construction (did state achieve 20% of total inspection person-days?)
  - f. OQ (see Question 3 for additional requirements)
  - g. IMP (see Question 4 for additional requirements)

## Evaluator Notes:

All inspection intervals were checked for operators on the random inspection list. All inspection intervals were consistent with required time intervals.

- a. Standard inspections were within the required intervals.
- b. Public awareness inspections were within the required intervals.
- c. Drug and Alcohol inspections were within the required intervals.
- d. Control Room Management inspections were within the required intervals.
- e. Minnesota had 5 construction days. Liquid operators are not required to meet the 20% criteria.
- f. Operator Qualifications Inspections were within the required intervals.
- g. IMP inspections were within the required intervals.

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |    |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| 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?<br>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. Construction
  - f. OQ (see Question 3 for additional requirements)
  - g. IMP (see Question 4 for additional requirements)

## Evaluator Notes:

IA is used for inspection work. Forms were filled out appropriately. All fields were checked with an explanation. The lead inspector was qualified.

- a. IA is used for standard inspections.
- b. IA is used for Public awareness inspections.
- c. IA is used for Drug and Alcohol inspections.
- d. IA is used for control room management inspections.
- e. A state form is used for construction inspections.
- f. IA is used for Operator Qualification inspections.
- g. IA is used for Integrity Management inspections.

- |   |                                                                                                                                                                                                                                                                                                                                                              |   |   |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 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 Part 195 Subpart G<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

## Evaluator Notes:

Programmatic Operator Qualification inspections were completed within the required intervals. Protocol nines are performed during the field and records review.

- 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 Part 195 Subpart F & G 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?

Evaluator Notes:

Integrity Management Program inspections were evaluated within the required inspection intervals. Intrastate liquid operator are smaller operators. Interstate operators are the larger operators.

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

Evaluator Notes:

a-b A Request for information was sent to operators. The request includes notification of advisory bulletins and NTSB recommendations. This was last done last year in 2021. Marathon and Flint (the intrastate liquid operators) responded to the information request. Cognito surveys are filled out to address NTSB advisory bulletins.

- 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:

This item was addressed with a Cognito survey. The survey provides operator responses to advisory bulletins.

- 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:

Compliance procedures were followed. Violations and compliance activities were adequately documented.

- a. All compliance letters would be sent to the appropriate company/government official. There were no liquid compliance issues found during the random operator review.  
b. There were no liquid compliance issues found during the random operator review.



- c. There were no liquid compliance issues found during the random operator review.
- d. There were no liquid compliance issues found during the random operator review. A process is in place for monitoring the progress of open violations using sales force.
- e. There were no liquid compliance issues found during the random operator review.
- f. Though fines have been issued on the gas side, the only penalty on the liquid side was set about ten years ago for an interstate system for not marking their line.
- g. Jon signs all compliance letters. The letters are also reviewed by the inspectors direct supervisor.
- h. Due process is identified as an option on all compliance letters.
- i. Exit interviews were within 30 days. They are usually conducted on the last day of the inspection.
- j. Written notice of probable violations is provided during the exit interview. There were no probable violation found during the review of random operators..

8 (Accident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations? 10 10

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:

There were no liquid incidents in 2022.

- a. An investigation checklist is also 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. There were no incidents in 2022.
- c. There were no incidents in 2022
- d. There were no incidents in 2022
- e. There were no incidents in 2022.
- f. There were no incidents in 2022.
- g. There were no incidents in 2022
- h. There are two Minnesota AID investigators so there is a reduced need for AID interaction
- i. Lessons are shared at NAPS regional meetings and at the annual seminar. Lesson are also shared at damage prevention 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 John Harrington on 10/7/2022. The State responded to the letter on 11/11/2022. Minnesota provided a satisfactory response to the letter. Bob Jacobson in 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:

A seminar was held 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.

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- |           |                                                                                                                                                                      |           |           |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| <b>11</b> | Has state confirmed transmission operators have submitted information into NPMS database along with changes made after original submission?<br>Info Only = No Points | Info Only | Info Only |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|

Evaluator Notes:

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

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|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>12</b> | 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).<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

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

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

Evaluator Notes:

There was no safety related conditions in 2022.

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

Evaluator Notes:

- a. Jon responds to most NAPSRS survey requests.
  - b. All WMS activities were closed. Elizabeth Skalnek monitors WMS activity.
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- |           |                                                                                                                                                                                                                                                                              |   |   |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>15</b> | 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.<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

There are no liquid waivers in Minnesota.

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|-----------|-------------------------------------------------------------------------------------|-----------|-----------|
| <b>16</b> | Were pipeline program files well-organized and accessible?<br>Info Only = No Points | Info Only | Info Only |
|-----------|-------------------------------------------------------------------------------------|-----------|-----------|

Evaluator Notes:

Files are maintained electronically and is information readily accessible.

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|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>17</b> | Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool (SICT). Has the state updated SICT data?<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

There were 12 SICT days. Minnesota had 125 liquid inspection days. There were no peer review comments on the SICT submission.

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|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| <b>18</b> | Discussion on State Program Performance Metrics found on Stakeholder Communication site.\ <a href="http://primis.phmsa.dot.gov/comm/states.htm?nocache=4805">http://primis.phmsa.dot.gov/comm/states.htm?nocache=4805</a><br>Info Only = No Points | Info Only | Info Only |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|

Evaluator Notes:

Metrics were discussed with Jon.

- 
- 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:

Minnesota has added SMS requirements to enforcement orders. SMS has also been a topic at safety seminars. It has also been a topic to address when Minnesota submits "Requests for Information."

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

Evaluator Notes:

There were no issues with Part D.

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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 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:

Elizebeth Skalnek inspected Flint Hills Resources on August 1, 2023.

- The inspection was an anomaly dig South of Bagley Minnesota.
- This was an anomaly dig.
- A compliance person was on-site representing Flint Hills.
- Elizebeth has 21 years of 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 Assistant was used electronically during the inspection.

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

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

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

### Evaluator Notes:

Elizibeth checked OQ qualifications, looked at the dig sheet and weld procedures.

- 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:

Elizebeth asked good questions, she knew what to ask and had good follow up inspections.

- 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:

An exit interview was to be done at the end of the day.

- 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
- 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. Elizebeth conducted the inspection in a safe manner. She wore proper PE.
- b. Elizebeth inspected procedures including weld procedures, and she also check qualifications. She stayed on-site to observe the repair work.

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7 General Comments:

Info Only = No Points

Info Only Info Only

Evaluator Notes:

There were no issues with Part E.

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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.<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

Each inspector reviews their assigned 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)<br>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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

Minn has tighter reportable criteria for state reportables. Causal analysis is looked at during state incident reporting

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

Evaluator Notes:

Annual report information is reviewed annually. The appendix D damage prevention summary spreadsheet was sent 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?<br>Yes = 2 No = 0 Needs Improvement = 1 <ol style="list-style-type: none"><li>a. What stakeholder group is causing the highest number of damages to the pipelines? Operator, contractor, locating company or public.</li><li>b. Has the state verified the operator is appropriately focusing damage prevention education and training to stakeholders causing the most damages?</li></ol> | 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:

The state tabulates damage prevention information.

a. Excavators are responsible for most pipeline damage.

b. The state performs operator training on damage prevention. This is also covered in the public awareness inspections.

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

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**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

There are no issues with part F.

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



## PART G - Interstate Agent/Agreement States

Points(MAX) Score

- 1 Were all inspections of interstate pipelines conducted using the Inspection Assistant program for documenting inspections? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

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