



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

New Hampshire PUC/DOE

### Document Legend

#### PART:

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



# 2022 Gas State Program Evaluation -- CY 2022

## Gas

**State Agency:** New Hampshire

**Agency Status:**

**Date of Visit:** 07/31/2023 - 08/04/2023

**Agency Representative:** Dave Degler, Program Manager  
Paul Kasper, Director of Enforcement  
Andrew Harmon, Hearing Examiner  
James Murphy, Utility Analyst

**PHMSA Representative:** Glynn Blanton, PHMSA State Programs

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

**Name/Title:** Jared Chicoine, Commissioner  
**Agency:** New Hampshire Department of Energy  
**Address:** 21 South Fruit Street  
**City/State/Zip:** Concord, NH 03301

**Rating:**

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

### INSTRUCTIONS:

Complete this evaluation in accordance with the Evaluator Guidance for conducting state pipeline safety program evaluations. The evaluation should generally reflect state program performance during CY 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 14  
10 9  
50 44.5  
15 15  
10 10  
0 0

#### TOTALS

100 92.5

**State Rating** .....

92.5

## PART A - Progress Report and Program Documentation Review

Points(MAX)    Score

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

### Evaluator Notes:

- a. Jurisdictional authority, number of operators and units inspected were found correct and verified via PHMSA Portal. Errors on state agency jurisdiction/agency status was found and suggested corrections be made by contacting Carrie Winslow.
- b. Number of inspection person days 175 meet the minimum requirement of 142. Construction days of 88 excess the 28 required number.
- c. Verification of operators match attachment 1 & 3. No issues.
- d. No incidents reported for CY2022 and was verified in PHMSA Portal. No issues.
- e. No compliance actions or assessments issued in CY2022.
- f. No issues on records maintained by agency.
- g. TQ training records show 2 inspectors have attended all classes to meet the Gas Inspector category. New program manager has completed four of the required courses.
- h. Adopted civil penalty amount of \$200,000 to \$2 Million. All federal regulations have been adopted.
- i. Performance description and background history was provided in each section.

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



## PART B - Program Inspection Procedures

Points(MAX) Score

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |   |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 1 | Do written procedures address pre-inspection, inspection and post inspection activities for each of the following inspection types: Chapter 5.1<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. TIMP and DIMP Inspections (reviewing largest operator(s) plans annually)</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><li>g. LNG Inspections</li></ul> |   |   |

**Evaluator Notes:**

- a. b. & c. Yes, these items are listed on pages 15-17 of NH DOE Guidelines for Pipeline Safety Inspections that was revised on July 21, 2023.
- d. Yes, this is listed on page 12 of NH DOE Guidelines for Pipeline Safety Inspections.
- e. Yes, this is listed on page 11 of NH DOE Guidelines for Pipeline Safety Inspections.
- f. Yes, on page 10 of NH DOE Guidelines for Pipeline Safety Inspections.
- g. Yes, on page 8 of NH DOE Guidelines for Pipeline Safety Inspections.

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |   |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 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:**

- Yes, this is listed on page 14 of NH DOE Guidelines for Pipeline Safety Inspections under the title "Risk Based Inspection Process".

- |   |                                                                                                                                                                                                                                                                                                                           |   |   |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 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 | 2 |
|   | <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:**

- a. Yes, this is listed on page 15 of NH DOE Guidelines for Pipeline Safety Inspections
  - b. This item is not in the procedures.
  - c. This item is not in the procedures.
- Improvement is needed in updating the written procedures to include a review of compliance actions and closing outstanding probable violations. A loss of one point occurred.

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

Mechanism to receive and record respond from operator on incidents/accidents are listed on page 8 of NH DOE procedures. NH DOE does maintain a list of individuals to contact in a separate file entitled, "Emergency/Accident Notification Protocol Roster". Documentation and support decisions to not response to an incident is not clear in the procedures. Improvement is needed by including this item in future revision of the procedures.

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**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

A loss of one point occurred on Question B.3 in this section of the review.

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Total points scored for this section: 14  
Total possible points for this section: 15



## PART C - State Qualifications

Points(MAX) Score

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |   |   |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 1 | Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.3<br>Yes = 5 No = 0 Needs Improvement = 1-4                                                                                                                                                                                                                                                                                                                                                                                                                                  | 5 | 5 |
|   | <ul style="list-style-type: none"><li>a. Completion of Required OQ Training before conducting inspection as lead</li><li>b. Completion of Required DIMP/IMP Training before conducting inspection as lead</li><li>c. Completion of Required LNG Training before conducting inspection as lead</li><li>d. Root Cause Training by at least one inspector/program manager</li><li>e. Note any outside training completed</li><li>f. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector (Reference State Guidelines Section 4.3.1)</li></ul> |   |   |

Evaluator Notes:

- a. b. & c. Brad Taylor and Joe Vercellotti have completed the required courses to be an active Gas Inspector. Dave Degler has attended four courses including the PL-1250 course in CY2023.
- d. Joe Vercellotti completed all courses to be an active Gas IM Inspectors and successfully completed the root cause & LNG training courses.
- e. No outside training was completed in CY2022.
- f. Joe Vercellotti has obtained minimum qualifications to be the lead inspector.

- |   |                                                                                                                                                                                      |   |   |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 2 | 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 | 4 |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

Evaluator Notes:

David Degler became the new Program Manager in July 2023. He has been with the NH DOE for 17 months and has experience in hazardous waste. He previously worked with NH Department of Environmental Services. He has a good understanding of the regulations and has performed several pipeline safety inspections. Due to being the Program Manager for less than one year a loss of one point occurred.

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

Evaluator Notes:

A loss of one point occurred on Question C.2 of this section of the review.

Total points scored for this section: 9  
Total possible points for this section: 10



## PART D - Program Performance

Points(MAX) Score

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |   |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 1 | Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1<br>Yes = 5 No = 0 Needs Improvement = 1-4                                                                                                                                                                                                                                                                | 5 | 0 |
|   | <ul style="list-style-type: none"><li>a. Standard (General Code Compliance)</li><li>b. Public Awareness Effectiveness Reviews</li><li>c. Drug and Alcohol</li><li>d. Control Room Management</li><li>e. Part 193 LNG Inspections</li><li>f. Construction (did state achieve 20% of total inspection person-days?)</li><li>g. OQ (see Question 3 for additional requirements)</li><li>h. IMP/DIMP (see Question 4 for additional requirements)</li></ul> |   |   |

### Evaluator Notes:

Random selected operators to be checked for this evaluation period consisted of the following: AmeriGas Propane LP, Gorham Paper & Tissue, LLC, Energy North Natural Gas, Inc., White Mountain Oil & Propane, Ferrellgas, Osterman Propane, Pinetree Place Condominium & L&G Propane. In the review of inspections performed it was found the inspection cycle was not met on several operators. Therefore, a loss of five points occurred on this question.

- |   |                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |    |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| 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 |
|   | <ul style="list-style-type: none"><li>a. Standard (General Code Compliance)</li><li>b. Public Awareness Effectiveness Reviews</li><li>c. Drug and Alcohol</li><li>d. Control Room Management</li><li>e. Part 193 LNG Inspections</li><li>f. Construction</li><li>g. OQ (see Question 3 for additional requirements)</li><li>h. IMP/DIMP (see Question 4 for additional requirements)</li></ul>                                            |    |    |

### Evaluator Notes:

Yes, NH DOE downloaded the Federal IA form questions and included this information into all of their inspection forms. NH DOE inspection program includes a review of all pipeline safety regulations with the operator over a five-year inspection cycle. A review of inspections performed in CY2022 found all portions of the inspection documents were complete. Answers to questions with an NA were provided with a comment or explanation.

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

### Evaluator Notes:

Yes, OQ Protocol 9 and operator plans were reviewed in CY2022 during scheduled or construction inspections.

- |   |                                                                                                                                                                                                                                                                                                                            |   |   |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| 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<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|   | <ul style="list-style-type: none"><li>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?</li></ul>                                                                                                             |   |   |

- b. Are states verifying with operators any plastic pipe and components that have shown a record of defects/leaks and mitigating those through DIMP plan?
- c. Are the states verifying operators are including low pressure distribution systems in their threat analysis?

Evaluator Notes:

- a. Yes, a review of inspection reports found the state's two largest operators Liberty Energy Utilities & Unitil were reviewed annually. Operators are required to file their plan with NH DOE on April 1st each year.
- b. Yes, this item is reviewed with the operator in the O&M or Form 2 standard inspection document.
- c. Yes, all low-pressure system sections of Liberty Energy Utilities and Unitil were reviewed in CY2022. NH DOE has a directive that requires Liberty Energy & Unitil to review their procedures on low-pressure distribution maintenance to minimize potential confusion or errors.

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
	<ul style="list-style-type: none"> <li>a. Operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken;</li> <li>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);</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>f. Operator procedures for considering low pressure distribution systems in threat analysis?</li> <li>g. Operator compliance with state and federal regulations for regulators located inside buildings?</li> </ul>		

Evaluator Notes:

- a thru g: Yes, these items continue to be reviewed during O&M inspections. No issues.

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	0.5
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Evaluator Notes:

- No. The program manager failed to forward advisory bulletins to each private distribution operators via E-mail. Improvement is needed and a loss of 0.5 points occurred.

7	(Compliance Activities) Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1 Yes = 10 No = 0 Needs Improvement = 1-9	10	10
	<ul style="list-style-type: none"> <li>a. Were compliance actions sent to company officer or manager/board member if municipal/government system?</li> <li>b. Were probable violations documented properly?</li> <li>c. Resolve probable violations</li> <li>d. Routinely review progress of probable violations</li> <li>e. Did state issue compliance actions for all probable violations discovered?</li> <li>f. Can state demonstrate fining authority for pipeline safety violations?</li> </ul>		



- 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:

No compliance actions were taken against operators in CY2022.

<b>8</b>	(Incident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations? Yes = 10 No = 0 Needs Improvement = 1-9	10	10
	a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?		
	b. Did state keep adequate records of Incident/Accident notifications received?		
	c. If onsite investigation was not made, did the state obtain sufficient information from the operator and/or by means to determine the facts to support the decision not to go on site?		
	d. Were onsite observations documented?		
	e. Were contributing factors documented?		
	f. Were recommendations to prevent recurrences, where appropriate, documented?		
	g. Did state initiate compliance action for any violations found during any incident/accident investigation?		
	h. Did state assist Region Office or Accident Investigation Division (AID) by taking appropriate follow-up actions related to the operator incident reports to ensure accuracy and final report has been received by PHMSA?		
	i. Does state share any lessons learned from incidents/accidents?		

Evaluator Notes:

Yes, no accidents occurred during this program evaluation period.

<b>9</b>	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 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:

Yes, Commissioner Jared S. Chicoine response letter to Zach Barrett was received on January 20, 2023, within the sixty-day period.

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

Last seminar was held in October 2018. They will be participating in the NEPSR Seminar scheduled on October 24-25, 2023, in Cape Cod, MA

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

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

- 12 Does the state have a mechanism for communicating with stakeholders - other than state pipeline safety seminar? (This should include making enforcement cases available to public). 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, this is accomplished by their NH DOE website.

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

Evaluator Notes:

No safety related condition reports were issued in CY2022. Conducted a review of the PDM and confirmed this information was correct. No issue.

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

Evaluator Notes:

- a. Yes, responses to NAPSR and participation in PHMSA team meetings have been observed during this state program evaluation period.  
b. No Work Management system tasks were assigned during this review period.

- 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:

No waiver has been issued in CY2022.

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

Evaluator Notes:

Yes, files were maintained in their office with information on violations, inspection reports and other relative information. No issues.

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

Evaluator Notes:

Yes, Program Manager completed and filed their information into the SICT on July 26, 2023.

- 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:

Reviewed the PHMA performance metrics on damages and other relative information with PM. No issues.

- 19 Did the state encourage and promote operator implementation of Pipeline Safety Management Systems (PSMS), or API RP 1173? This holistic approach to improving pipeline safety includes the identification, prevention and remediation of safety hazards. Info Only Info Only  
Info Only = No Points  
a. https://pipelinesms.org/  
b. Reference AGA recommendation to members May 20, 2019

Evaluator Notes:

They continue to promote PSMS at meetings with the operators.

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**20** General Comments:

Info Only = No Points

Info Only Info Only

Evaluator Notes:

Loss of 0.5 point occurred on Question D.6 in this section of the review.

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Total points scored for this section: 44.5  
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:

This was a new construction project by Unitil Gas Company. Personnel presented at the site was Kevin Gnecco, Foreman NEUCO, Nathan Gendreau, Foreman NEUCO, Eric Lewis, Unitil, Inspector, Meggan Pena, Unitil Director, Pipeline Safety and Compliance and Christal Ripley, Unitil. New England Utility Constructors, Inc (NEUCO) crew was installing a new 8" HD PE 4710 pipe along Blackwater Road in Somersworth, NH. This inspection unit was last inspected two weeks ago. This is an ongoing project for the City of Somersworth.

- 2 Did the inspector use an appropriate inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) 2 2

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

Yes, David Degler was using NH DOE construction form to conduct the inspection. This observer saw information was being recorded into the paper form as pictures and other documents were reviewed for compliance with the pipeline safety regulations.

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

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

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

### Evaluator Notes:

Yes, Mr. Degler performed a professional inspection and recorded all information about the pipeline being installed and checked all construction crew members operator qualifications. The inspection was of adequate length and time based on the work being performed.

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

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

Yes, Mr. Degler has completed four of the required courses at TQ and has previously worked for NH Department of Environmental Services.

- 5 Did the inspector conduct an exit interview, including identifying probable violations? (If inspection is not totally completed the interview should be based on areas covered during time of field evaluation) 1 1

Yes = 1 No = 0 Needs Improvement = .5

### Evaluator Notes:

Yes, Mr. Degler conducted an exit interview and the end of the day with the Unitil Gas Company officials. No areas of concerns or violations were found.

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

Info Only Info Only

Info Only = No Points

- a. No unsafe acts should be performed during inspection by the state inspector
- b. What did the inspector observe in the field? (Narrative description of field observations and how inspector performed)
- c. Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices)
- d. Other

Evaluator Notes:

Yes, safety practices were followed. In this case, safety boots with steel toes were being worn, safety vests, hard hats and eye protection was used by all personnel at the site. Local police officer was at the site directing traffic around the construction site.

7 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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

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



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

- |          |                                                                                                                                                                                              |   |   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>1</b> | 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:**

Yes, operator's incident/accident reports and trends in damages is collected in the NH DOE database.

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |   |   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>2</b> | 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:**

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

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>3</b> | Has the state reviewed the operator's annual report pertaining to Part D - Excavation Damage?<br>Yes = 4 No = 0 Needs Improvement = 1-3 <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> | 4 | 4 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|

**Evaluator Notes:**

- a thru e. Yes  
f. The number of damages resulting from mismarks in CY2022 was ten.  
g. The number of damages resulting from not locating within time requirements (no-shows) in CY2022 was two.  
h. Yes, NH operators are required by NH DOE rule 800 Underground Damage Prevention Rule Section 804.01(e)(f) to address mapping errors.  
i. Yes, mapping corrections are required under the NP DOE rule 800 to be made in a timely manner.  
j. Yes, this is reviewed in NH DOE Rule Section 805.02.

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>4</b> | 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:

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

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**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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

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



## PART G - Interstate Agent/Agreement States

Points(MAX) Score

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

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 2 If inspections were conducted independent of a PHMSA team inspection was notice of all identified probable violations provided to PHMSA within 60 days? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 3 If inspections were conducted independent of a PHMSA team inspection was PHMSA immediately notified of conditions which may pose an immediate safety hazard to the public or environment? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 4 If inspections were conducted independent of a PHMSA team inspection did the state coordinate with PHMSA if inspections not were not included in the PHMSA Inspection Work Plan? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

- 5 Did the state take direction from and cooperate with PHMSA for all incident investigations conducted on interstate pipelines? Info Only Info Only  
Info Only = No Points

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

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

Evaluator Notes:

NH DOE is not an interstate agent and does not have a 60106 agreement with PHMSA.

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