



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

RAILROAD COMMISSION OF TEXAS

## 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:** Texas

**Agency Status:**

**Date of Visit:** 08/14/2023 - 08/25/2023

**Agency Representative:** Stephanie Weidman, PHMSA Program Manager, Pipeline Safety  
Carrie Ebbinghaus

**PHMSA Representative:** Michael Thompson, State Liaison  
David Lykken, State Liaison

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

**Name/Title:** Christi Craddick, Chairman

**Agency:** Rail Road Commission of Texas

**Address:** 1701 N. Congress

**City/State/Zip:** Austin, TX 78701

**Rating:**

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

**INSTRUCTIONS:**

Complete this evaluation in accordance with the Evaluator Guidance for conducting state pipeline safety program evaluations. The evaluation should generally reflect state program performance during CY 2022 (not the status of performance at the time of the evaluation). A deficiency in any one part of a multiple-part question should be scored as "Needs Improvement." Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the appropriate notes/comments section. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and they OBJECTIVELY reflect the state's program performance for the question being evaluated. Increasing emphasis is being placed on how the state pipeline safety programs conduct and execute their pipeline safety responsibilities (their performance). This evaluation, together with selected factors reported in the state's annual progress report attachments, provide the basis for determining the state's pipeline safety grant allocation.

**Scoring Summary**

**PARTS**

**Possible Points Points Scored**

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

0  
15  
10  
50  
15  
6  
0

0  
15  
10  
44  
15  
6  
0

**TOTALS**

**96 90**

**State Rating .....**

**93.8**

## 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. Information is pulled from the PIPES data base
- B. Numbers are pulled from weekly submitted time reports from inspectors.
- C. The number of operators on attachment 3 don't match those on attachment 1. The state will be providing notes in future progress reports to help explain the differences.
- D. Verified reportable incidents in PDM with Attachment 4. There were no issues identified.
- E. Verified compliance actions submitted on Attachment 5.
- F. TX RRC keeps all records electronically in their PIPES database.
- G. Reviewed qualifications and verified with Blackboard and the RRC training records. No issues identified.
- H. TX RRC has adopted all the regulations within the 2 year requirement.
- I. TX RRC listed their planned and past performance activities and damage prevention initiatives

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. 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:

- Yes, Section 3 addresses pre and post inspection activities for each type of inspection.
- A. Yes, Section 3 has comprehensive inspection procedures which give guidance to inspectors on conducting comprehensive procedures.
- B. Yes Section 7.1 and 7.2 has IMP and DIMP inspection procedures which give guidance to inspectors on how to conduct inspections. The procedures include pre and post inspection activities.
- C. Yes Section 7.3 has OQ inspection procedures which give guidance to inspectors on how to conduct inspections. The procedures include pre and post inspection activities.
- D. Yes Section 7.7 has Damage Prevention inspection procedures which give guidance to inspectors on how to conduct inspections. The procedures include pre and post inspection activities.
- E. Section 6 has On-Site Training procedures which includes documentation of training on PES.
- F. Section 7.6 which gives guidance to inspectors on how to conduct construction inspections.
- G. Section 3.3.11 mentions LNG facility 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, Section 3 has a risk based inspection priority. PES generates an inspection schedule each calendar year based on risk factors for each system. The risk factors include: previous violations, customer count, leaks, type of pipe, inspection frequency, incidents, HCAs, class location and non evaluated systems. Inspection units are broken down into systems which vary in size.

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

- Section 3.6 and Section 5 have procedures to notify operator of alleged violations. In 3.2.2 it states that contact must be an

officer of the company. In 3.4 it states the RRC sends a executive closing summary to the operator when they close out an inspection. Section 5 is for follow ups.

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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:

- A. Section 8.2.1 and 8.2.2 has On-Call procedures that include after hours response. RRC inspectors rotate on call duties. During operating hours, the RRC Accident Coordinator receives calls and routes them to the on-call inspector.
  - B. Section 8.2.3 shows the requirements for an on-site investigation. The procedure states that all incidents that meet their requirements must have an on-site investigation on both regulated intrastate and non-regulated intrastate pipelines.
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- 5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

NONE

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



## PART C - State Qualifications

Points(MAX) Score

- |   |  |   |   |
|---|--|---|---|
| 1 | Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.3<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 IMP Training before conducting inspection as lead</li><li>c. Root Cause Training by at least one inspector/program manager</li><li>d. Note any outside training completed</li><li>e. 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. Yes lead inspectors are qualified to conduct inspections. The Program Manager has procedure to allow inspectors be qualified to conduct comprehensive inspections without completing the required T&Q courses.
- B. Yes, verified all lead inspectors are qualified to lead IMP inspections.
- C. Yes, there are RRC inspectors who have completed the Root Cause training course.
- D. RRC inspectors attend outside training.
- E. Verified during records review that all inspectors are qualified before leading any type of inspection.

- |   |  |   |   |
|---|--|---|---|
| 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 | 5 |
|---|--|---|---|

Evaluator Notes:

Yes, the Program Manager has been with the RRC for a while and has completed T&Q courses. She demonstrates knowledge of the PHMSA program and regulations.

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

Evaluator Notes:

NONE

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



## PART D - Program Performance

Points(MAX) Score

- |   |  |   |   |
|---|--|---|---|
| 1 | Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1<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. Construction (did state achieve 20% of total inspection person-days?)</li><li>f. OQ (see Question 3 for additional requirements)</li><li>g. IMP (see Question 4 for additional requirements)</li></ul> |   |   |

### Evaluator Notes:

- 1) Pasadena Refining System - Last IM on 10/5/2020, Last OQ on 12/19/2018, Last D&A on 2/11/2019, Last PAPEI on 1/17/2017, Last O&M on 8/22/2016. No record of priors for each.
- 2) Enterprise Products Operating LLC - Last OQ on 11/30/2020, Last PAPEI on 10/21/2019. No record of priors for both.
- 3) CITGO Refining & Chemical - Last OQ on 3/28/2022. Last prior in 2005. Last O&M on 9/21/2020. Last CRM on 2/6/2028. No record of priors for OQ, O&M, and CRM.
- 4) Intercontinental Terminal Company - Exceeded five-year interval for PAPEI, O&M, and Std Comp. Last IM on 5/4/2020, Last OQ on 2/18/2020, Last D&A on 3/4/2019. No record of priors for each.
- 5) XTO Energy - Last PAPEI on 3/18/2019, Last O&M on 2/12/2018, Last D&A on 11/5/2019. No record of priors for each.
- 6) Exxon Mobile Oil Corp. - Exceeded five-year interval for IM. Last PAPEI on 6/27/2022, Last OQ on 11/2022, Last D&A on 9/19/2022. No record of priors for each.
- 7) Lavaca Pipeline CO. - No record of OQ, IM, D&A, O&M, PAPEI.
- 8) Southcross NGL Pipeline - Last PAPEI on 3/4/2020, Last IM on 11/2020, Last D&A on 2/11/2019, No record of priors. No record of STD Comp.
- 9) Seadrift Pipeline - Last OQ on 10/22/2018. No record of prior.
- 10) Medallion Operating Company - Last OQ on 5/13/2019, Last O&M on 6/17/19, Last CRM on 12/9/2019. No record of priors. No record of D&A inspections.
- 11) Plains Pipeline L.P. - Last OQ on 4/28/2020. No record of prior.
- 12) Besco Operating L.P. - Last PAPEI on 1/18/22, Last O&M on 1/22/2021, Last IM on 7/6/2021, Last D&A on 5/4/2020. No record of priors for each. No record of OQ inspections.
- 13) Mustang Pipeline - Missed five-year interval for OQ inspections. Last on 1/22/2020. Last prior in 2005.
- 14) Ironwood Midstream Energy - Last PAPEI on 4/20/2020, Last OQ on 9/8/2020, Last IM on 10/31/2022, Last D&A on 4/21/2020, Lastt CRM on 7/20/202. No record of priors for each.
- 15) Delek Marketing and Supply - Last PAPEI on 1/7/2020, Last OQ on 3/19/2018, Last D&A on 7/5/2022. No record of priors for each. Missed five-year interval for Std Comp. Last 10/13/2020 Last prior on 1/23/2012.
- 16) ORYK Delaware Oil - Last PAPEI on 10/9/2020, Last OQ on 10/27/2020. Last O&M on 6/1/2021. No record of priors.
- 17) Nustar Logistics - Last PAPEI on 10/4/2021, Last OQ on 4/6/2020. Missed five-year interval for IM. Last IM on 12/22/2022. Last prior on 12/10/2012.
- 18) Enterprise Crude Pipeline - Last PAPEI on 10/21/2019. No record of prior.

Five-points deducted for not meeting established time intervals.

**\*\*This portion of the evaluation was hampered by the RRC Texas using the same data base, (PIPES) to store the information and records for their new division, "Critical Infrastructure Division" (CID). The information/nomenclature used is the same as the Pipeline Safety Division uses and creates a real confusion and loss of time and effort to evaluate the inspections, findings, and compliance records for the pipeline safety division. Action by the RRCTX to address this situation is vital to the PHMSA State Programs to ensure the records for Pipeline Safety are verifiable in an effective and efficient way.**

- |   |   |    |    |
|---|---|----|----|
| 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></ul>   |    |    |

- 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:

Yes. No issues noted. The program utilizes the PHMSA the IA equivalent forms for conducting inspections. Program inspectors do a good job documenting inspections results to support unsatisfactory findings and possible areas of concern.

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|---|--|---|---|
| 3 | Is state verifying monitoring (Protocol 9/Form15) of operators OQ programs? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals established in the operator's plan. 49 CFR Part 195 Subpart G<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

The program did devote 252 days to OQ plan reviews and Protocol 9 field verification inspections in CY2022. Points deducted under D-1 for not meeting time intervals for conducting OQ inspections.

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

Evaluator Notes:

Deducted one-point for needing improvement. The program conducted 51 IM inspections devoting 337 days to IM plan reviews, but no field validation inspections conducted. The program continues to work on getting caught up on missed IM inspection intervals and will be utilizing PHMSA IA Equivalent Form 19 - HL IM Field Validation Inspection form going forward.

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

Evaluator Notes:

No change from prior years. NTSB recommendations imbedded into program inspection forms.

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

Evaluator Notes:

Yes, the TX RRC form has incorporated the NTSB recommendations and ADB questions.

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|---|---|----|----|
| 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<br>Yes = 10 No = 0 Needs Improvement = 1-9 | 10 | 10 |
|---|---|----|----|



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

Evaluator Notes:

a. Compliance correspondence sent to appropriate company officials. b. Unsatisfactory results/Probable violations sufficiently documented to support findings. c & d. Violations tracked through the PIPES database. Compliance actions issued for all PV's discovered. f. The program did refer certain inspections to direct enforcement. Penalties have been assessed and collected but not in amounts that would act as a deterrent. Civil penalty amounts noted in state rules do not align with nor reference DOT maximum penalties. g & h. Yes, i & j. Executive Closing Summary detailing inspection findings typically issued to the operator at the time of the exit interview satisfying the 30 and 90-day requirements. Most compliance letters issued to operators within one to two weeks after completion of the inspection.

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8	(Accident Investigations) Were all federally reportable incidents investigated, thoroughly documented, with conclusions and recommendations?	10	10
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Yes = 10 No = 0 Needs Improvement = 1-9

- a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?
- b. Did state keep adequate records of Incident/Accident notifications received?
- c. If onsite investigation was not made, did the state obtain sufficient information from the operator and/or by means to determine the facts to support the decision not to go on site?
- d. Were onsite observations documented?
- e. Were contributing factors documented?
- f. Were recommendations to prevent recurrences, where appropriate, documented?
- g. Did state initiate compliance action for any violations found during any incident/accident investigation?
- h. Did state assist Region Office or Accident Investigation Division (AID) by taking appropriate follow-up actions related to the operator incident reports to ensure accuracy and final report has been received by PHMSA?
- i. Does state share any lessons learned from incidents/accidents?

Evaluator Notes:

Yes. No issues noted. No change from prior years. A. The program utilizes a 24-hour notification system which notifies the on-call engineer. B. Yes, the program maintains records of operator incident notifications and copies of NRC reports. d & e. The program utilizes PHMSA Form 11 and TXRRC Incident Investigation Reports to document on-site investigations. The program does a good job documenting observations, contributing factors and recommendations to prevent reoccurrences. The program maintains excellent communications with PHMSA AID. i. Incident information shared at NAPSR regional and national meetings, and operator seminars.

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9	Did state respond to Chairman's letter on previous evaluation within 60 days and correct or address any noted deficiencies? (If necessary) Chapter 8.1	1	1
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, the chairman's letter went out on 7/26/2022 and the state responded on 8/30/2022

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

Yes, The seminar was conducted on August 8-10, 2022. Alan Mayberry and Chris Ruhl and Chris McLaren attended and gave presentations.

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

Yes, the inspection form addresses the NPMS database changes question.

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

Yes, website has pipeline safety section which provides information to stakeholders.

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

Yes, the state has 2 individuals assigned follow up on all WMS work flow. The PM has a monthly reminder set to go in and ensure all actions are closed. This will be added to their procedures before next years evaluation.

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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 NAPS or PHMSA; and<br>b. PHMSA Work Management system tasks? | 1 | 1 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, Verified the TXRRC responded to surveys by NAPS and PHMSA

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

Yes, the state has three active waivers and has set up a calendar reminder to verify each one on an annual basis.

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

NO, \*\*This evaluation was hampered by the RRC Texas using the same data base, (PIPES) to store the information and records for their new division, "Critical Infrastructure Division) (CID). The information/nomenclature used is the same as the Pipeline Safety Division uses and creates a real confusion and loss of time and effort to evaluate the inspections, findings, and compliance records for the pipeline safety division. Action by the RRCTX to address this situation is vital to the PHMSA State Programs to ensure the records for Pipeline Safety are verifiable in an effective and efficient way.

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

Yes, the state has worked to update the SICT. The SICT for 2022 was 2396 and they completed 3519.

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

Evaluator Notes:

Texas

State Program Metrics: 2022

Damage Prevention: The numbers have increased from 2021 at 3.3 to 3.7 in 2022. What's up and what are you going to do to fix it?

Inspection days per 1000 mile of gas pipe: The number of days has decreased from 42.70 in 2020 to 38.01 in 2021.

Inspection Days per MMO/LPG Unit: The number of days has moved down from 0.70 in 2020 to 0.57 in 2021.

Inspection days per 1000 mile of HL pipe: The inspection days for HL pipelines has gone up from 68.65 in 2019 to 82.54 days in 2020.

Inspector Qualifications: The gas pipeline inspector qualifications have increased in all categories except Additional Training from 2020 to 2021. It is the same with the HL inspector training.

Gas Distribution system leaks: Total leaks repaired per 100 miles of pipe have increased for the third year in a row from 378 in 2020 to 421 in 2022. Hazardous leaks repaired increased from 168 in 2021 to 173 in 2022. The number of leaks scheduled for repairs decreased from 236 in 2021 to 222 in 2022.

Gas pipeline enforcement program evaluation:

The annual gas evaluation score went from 85 in 2019 to 100 in 2020. The HL score did the same.

Incident evaluation Program: Both programs have been at 100 since 2016.

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- 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:

Discussed at 8/8-10/2022 seminar with operators.

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

Evaluator Notes:

D-1. Five-points deducted for not inspecting all HL operators and operator units within the maximum time intervals established.

D-4. One-point deducted for not conducting any IM Field Verification inspections as well as annual review of the state's largest of operators.

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Total points scored for this section: 44  
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:

Menzies Aviation  
Priscilla Alfred, Inspector V, RRC  
Houston, TX  
March 29-31, 2023  
Agustin Lopez, Evaluator, PHMSA

- Inspector conducted a standard inspection of a hazardous liquid pipeline.
- June 2022.
- Yes, operator was notified of inspection in advance and was present at the inspection.
- Yes, Ms. Priscilla Alfred has not been evaluated in the past.

- 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, RRC Form 3 and BO Tank Form were utilized by the inspector to document 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:

- Procedures were reviewed to verify certain items (IMP Program, OQ Plan, D&A Plan)
- Yes, records were reviewed by the inspector with great detail.
- Inspector conducted a field inspection of the pipeline facilities.
- No other.
- Yes, the inspection was adequate length for the size of the unit.

- 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, Priscilla Alfred is very knowledgeable of the pipeline safety program and regulations.

- 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:

The inspection was concluded with an exit briefing with the operator to discuss any issues or probable violations identified during the inspection.

Issues discussed:

Tanks seemed to have some soil movement. Tanks are scheduled to be evaluated or put out of service with new pipeline being put in service.

Relief Device was not inspected within calendar year in 2022. Was inspected in Dec 2021 and then again in January 2023.

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**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 the inspection was performed in a safe, positive, and constructive manner.

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**7** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

Ms. Priscilla Alfred performed an excellent inspection. She reviewed records, certain procedures, a field inspection of the pipeline facilities and concluded with an exit briefing. She is very familiar with the pipeline safety regulations and works well with the operators. She is a great asset to the RRC.

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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**

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

The TXRRC reviews operator's annual and incident reports to complete the yearly risk assessment for their work plan. They also track top ten root causes, types of equipment, work performed and excavators in order to thoroughly and completed analyze the entire data for trends and issues.

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

The TXRRC reviews operator's annual and incident reports to complete the yearly risk assessment for their work plan. They also track top ten root causes, types of equipment, work performed and excavators in order to thoroughly and completed analyze the entire data for trends and issues.

- |          |   |           |           |
|----------|---|-----------|-----------|
| <b>3</b> | 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:**

The TXRRC has a dedicated damage prevention department who analyzes data and provides support to pipeline safety related to excavation damages. Discussed with the TXRRC the need to review and analyze Part D data provided in Annual Reports.

- |          |  |   |   |
|----------|--|---|---|
| <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><li>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.</li></ol> | 2 | 2 |
|----------|--|---|---|

- d. Has the state verified the operator is appropriately focusing damage prevention education and training to address the causes of excavation damages?

Evaluator Notes:

Yes their damage prevention personnel and 811 collect damage data which includes damages per 1,000 locates, top ten root causes, types of equipment, work performed and excavators in order to thoroughly and completed analyze the entire data for trends and issues. The damage prevention personnel analyze data and encourage the utilization of best practices.

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5 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

NONE

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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:

TX RRC 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:

TX RRC 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:

TX RRC 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:

TX RRC 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:

TX RRC 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:

TX RRC 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