



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

PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

## 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:** West Virginia

**Rating:**

**Agency Status:**

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

**Date of Visit:** 01/01/1900 - 01/01/1900

**Agency Representative:** Mary Friend, Director Gas Pipeline Safety

**PHMSA Representative:** David Appelbaum

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

**Name/Title:** Charlotte R. Lane, Chairman

**Agency:** Public Service Commission of West Virginia

**Address:** 201 Brooks Street

**City/State/Zip:** Charleston, WV 25301

**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**

<b>PARTS</b>	<b>Possible Points</b>	<b>Points Scored</b>
A Progress Report and Program Documentation Review	0	0
B Program Inspection Procedures	15	15
C State Qualifications	10	10
D Program Performance	50	38.5
E Field Inspections	15	15
F Damage prevention and Annual report analysis	10	8
G Interstate Agent/Agreement States	0	0
<b>TOTALS</b>	<b>100</b>	<b>86.5</b>
<b>State Rating</b> .....		<b>86.5</b>



# 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. WVPSC has finally separated gathering and transmission facilities and attachment 1 appears correct.
- b. Reviewed WV tracking spreadsheet to verify inspection activity.
- c. Appears okay.
- d. Verified Attachment 4 incident investigated with PDM.
- e. Attachment 5 carry over compliance actions from CY2021 to CY2022 appear correct.
- f. The WVPSC lists all records kept by the state.
- g. Program appears to be compliant with training requirements.
- h. WV PSC has adopted all federal regulations.
- i. The WV PSC lists accomplishments and initiatives in attachment 10.

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



- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | 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<br>a. Standard Inspections, which include Drug/Alcohol, CRM and Public Awareness Effectiveness Inspections<br>b. TIMP and DIMP Inspections (reviewing largest operator(s) plans annually)<br>c. OQ Inspections<br>d. Damage Prevention Inspections<br>e. On-Site Operator Training<br>f. Construction Inspections (annual efforts)<br>g. LNG Inspections | 5 | 5 |
|----------|--|---|---|

**Evaluator Notes:**

- a. Section B has types of inspections which include standard, D&A, CRM and PAPEI
- b. Section B-5 addresses IMP and DIMP inspections which give guidance to inspectors on how to conduct IMP plan inspections.
- c. Section B-4 and 5 addresses Operator Qualification inspections which gives guidance to inspectors when conducting OQ inspections. Section 5 addresses OQ Plan reviews.
- d. Section 5 addresses PAPEI and damage prevention inspections.
- e. Section 7.2 addresses the need for Operator Training.
- f. Section B-3 addresses construction inspections which gives guidance to inspectors to perform construction inspections.
- g. There are no jurisdictional LNG facilities in WV.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | 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<br>a. Length of time since last inspection<br>b. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)<br>c. Type of activity being undertaken by operators (i.e. construction)<br>d. Locations of operator's inspection units being inspected - (HCA's, Geographic area, Population Centers, etc.)<br>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)<br>f. Are inspection units broken down appropriately? | 4 | 4 |
|----------|--|---|---|

**Evaluator Notes:**

- a. Length of time since last inspection. Have a 5 year interval preferably 2 year for standard inspections.
- b. Operating History of operator.
- c. Type of activities undertaken by the operator(i.e. Construction, replacements, etc)
- d. Location of operator units is taken into consideration.
- e. Annual report data and information which include damages, age of pipe, materials, etc.
- f. Yes, units are broken down appropriately.

- |          |   |   |   |
|----------|---|---|---|
| <b>3</b> | (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<br>a. Procedures to notify an operator (company officer) when a noncompliance is identified<br>b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns<br>c. Procedures regarding closing outstanding probable violations | 3 | 3 |
|----------|---|---|---|

**Evaluator Notes:**

Yes, Section C Post Inspection Activities addresses compliance activities undertaken by WV PSC after completion of an inspection. The procedures address 30 and 90 day requirements and step by step actions to complete compliance actions. Appendix A addresses the timeline for processing cases. All other requisite steps are sufficiently outlined in procedures.

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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:

Section D has detailed procedures for accident/incident investigations and a mechanism to receive incident notifications. The WVPSC has an emergency number which is monitored 24/7 by the on call GPSD inspector, which is rotated on a monthly basis(generally) Procedures include the gathering of sufficient information to make decision to go onsite or not.

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

Evaluator Notes:

On a few occasions, the PSC has injected language in their procedures that is superfluous and unnecessary. The PM advised this was by design to address personnel matters where an inspector complained that procedures were ambiguous. PHMSA recommended the PSC address personnel issues in a different forum and provide written procedures per PHMSA guidelines.

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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**

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- 1** Has each inspector and program manager fulfilled training requirements? (See Guidelines Appendix C for requirements) Chapter 4.3 **5** **5**  
Yes = 5 No = 0 Needs Improvement = 1-4
- a. Completion of Required OQ Training before conducting inspection as lead
  - b. Completion of Required DIMP/IMP Training before conducting inspection as lead
  - c. Completion of Required LNG Training before conducting inspection as lead
  - d. Root Cause Training by at least one inspector/program manager
  - e. Note any outside training completed
  - f. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector (Reference State Guidelines Section 4.3.1)

Evaluator Notes:

Yes. All lead inspectors and Program Manager have met the requisite training requirements.

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

Evaluator Notes:

Yes, the PM is sufficiently knowledgeable of the pipeline safety program and regulations.

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

Evaluator Notes:

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



**PART D - Program Performance**

**Points(MAX) Score**

- |          |   |   |   |
|----------|---|---|---|
| <b>1</b> | Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1<br>Yes = 5 No = 0 Needs Improvement = 1-4  | 5 | 5 |
|          | <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:**

Using the random generator program, a selection of operators for CY2022 were determined across all types. All intervals appear to have been met.  
PSC met the 20% construction inspection requirement.

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

A review of randomly selected 2022 inspection files found all applicable portions of the forms were completed appropriately, and all other requirements in the question appear satisfactory.

\*PHMSA recommends the PSC add to the inspection form an area to ensure verification that operators are using calibrated testing equipment.

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|----------|--|---|---|
| <b>3</b> | 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, the WVPSC utilizes IA to perform and document most inspections. Reviewed randomly selected OQ inspections to verify that OQ Programs are being reviewed for compliance.

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

PSC added questions in IA that now satisfy this requirement.

5	<p>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</p> <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>	2	2
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Evaluator Notes:

NTSB questions are documented in the operator description form which is periodically sent to operators for updating. NTSB questions are also discussed with operators during quarterly meetings and seminars.

6	<p>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</p>	1	1
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Evaluator Notes:

NTSB and ADB questions are documented in the operator description form which is periodically sent to operators for updating. NTSB and ADB questions are also discussed with operators during quarterly meetings and seminars.

7	<p>(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</p> <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> <li>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)</li> <li>h. Did state compliance actions give reasonable due process to all parties? Including "show cause" hearing, if necessary.</li> </ul>	10	0
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- 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:**

None of the compliance actions discovered in CY 2022 (there were seven) have had a letter drafted and sent to a company officer. Concurrently, none of these probable violations have been resolved. (affects "a" and "c" above.) Additionally, the same deficiencies identified in last year's evaluation have not been resolved, notwithstanding the Chairman's response letter that indicated they would be settled.

In a separate occurrence that impacts this question, on October 5, 2022, the program manager and PHMSA discovered a public safety concern in Dunbar, WV. An unsupported two-inch steel gas pipe was traversing a ditch stemming off of Tyler Creek. The circumstances presented possible probable violations, and possibly a public safety concern, and PHMSA generated an email to the program manager requesting the PSC take appropriate action. PHMSA sent a follow-up email on March 9, 2023, and eventually the pipe was addressed (re-wrapped) by the operator. PHMSA remains concerned that the pipe is still unsupported and a safety concern. Notwithstanding, the matter illustrates a deficiency with letter "e" above. When considering the totality of the of circumstances described above (i.e., number of deficiencies, systemic deficiencies (>25%), recurrence of deficiencies) all ten points are deducted.

<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	9
	<ul style="list-style-type: none"> <li>a. Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports?</li> <li>b. Did state keep adequate records of Incident/Accident notifications received?</li> <li>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?</li> <li>d. Were onsite observations documented?</li> <li>e. Were contributing factors documented?</li> <li>f. Were recommendations to prevent recurrences, where appropriate, documented?</li> <li>g. Did state initiate compliance action for any violations found during any incident/accident investigation?</li> <li>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?</li> <li>i. Does state share any lessons learned from incidents/accidents?</li> </ul>		

**Evaluator Notes:**

West Virginia had three incidents reflected on attachment #4. The program did not have adequate records of receipt of the incident notifications (letter "b" above). One point deduction.

<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:**

PSC met the timeline requirements for this question.

<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:**

Seminars conducted in April 2023 - no issues.

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

Evaluator Notes:

Three operators have mileage differences that need to be reconciled. Program had evidence that matters are being addressed.

- 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:

Holds quarterly meetings with our larger operators. May also use email or industry organizations for communication purposes.

- 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:

State has three open SRCRs that need to be finalized in WMS. Point taken on D-14, but this question appears to be sufficiently addressed.

- 14 Was the State responsive to: 1 0.5  
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:

Three open (overdue) cases in WMS - two from CY 2022 and one from CY 2023. 1/2 point deduction.

- 15 If the State has issued any waivers/special permits for any operator, has the state verified conditions of those waivers/special permits are being met? This should include having the operator amend procedures where appropriate. 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

There are no waivers for gas operators.

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

Evaluator Notes:

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:

No apparent concerns

- 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:

Discussed performance metrics with WV PSC and the analysis of the data. Annual reports are reviewed in addition to a variety of data and trends.



- 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:

Program continues to promote SMS.

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

Evaluator Notes:

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Total points scored for this section: 38.5  
Total possible points for this section: 50



- 1** Operator, Inspector, Location, Date and PHMSA Representative (enter specifics into the comments box below) Info Only Info Only  
 Info Only = No Points
- a. What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc)
  - b. When was the unit inspected last?
  - c. Was pipeline operator or representative present during inspection?
  - d. Effort should be made to observe newest state inspector with least experience

**Evaluator Notes:**

On June 6th an OQ field inspection was done in Peoples Gas in Fairmont, WV. Th PSCWV inspector was Bob Weiford. Areas of concern were properly identified and resolved.

On June 7th an inspection on a gathering facility operated by Goff Connector was done. The PSCWV inspector was Keith Knowles. Again, areas of concern were properly identified and resolved.

- 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:**

Field notes were appropriately taken and inspections were performed using IA

- 3** Did the inspector adequately review the following during the inspection 10 10  
 Yes = 10 No = 0 Needs Improvement = 1-9
- a. Procedures (were the inspector's questions of the operator adequate to determine compliance?)
  - b. Records (did the inspector adequately review trends and ask in-depth questions?)
  - c. Field Activities/Facilities (did inspector ensure that procedures were being followed, including ensuring that properly calibrated equipment was used and OQ's were acceptable?)
  - d. Other (please comment)
  - e. Was the inspection of adequate length to properly perform the inspection?

**Evaluator Notes:**

All elements of this question were sufficiently satisfied on both days.

- 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:**

Both inspectors were sufficiently knowledgeable and capable of performing their inspections

- 5** Did the inspector conduct an exit interview, including identifying probable violations? (If inspection is not totally completed the interview should be based on areas covered during time of field evaluation) 1 1  
 Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

No deficiencies noted with this question.

- 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:

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7 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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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**

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

Program did an excellent job assessing damage ratios and data pertaining to the GDAR. However, program did no assessments of Part C or other relevant parts to their annual reports. To avoid points lost next year program needs to be able to answer the following:

- ? Do they understand the causes of leaks, and how those leaks have trended over time? Is there a nexus between inordinate leak rates and material type, geography, other circumstances, etc.? [Part C breaks this information down]
  - ? Do they understand reasons for gas loss and how its trended over time? \*Is the quantity of loss going up or down?
  - ? Is the operator meeting its commitment to repair system leaks?
  - ? Are the operators meeting commitments to install excess flow valves and service valves?
  - ? Can the operator account for its gas loss reflected in Part G? How did the operator account (calculate) that loss?
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- |          |  |   |   |
|----------|--|---|---|
| <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 | 0 |
|----------|--|---|---|

Evaluator Notes:

Program provided no evidence that these requirements were met (and admitted to the same).

Going forward, the program needs to ensure, among other things, the following:

- ? Verify the state is holding operators accountable for compliance to ? 192.617/195.402.
  - ? Verify the state is ensuring operators know who their repeat violators/Habitual offenders are.
  - ? Verify that states are challenging OQ's appropriately for mismarks, no-shows, contractor/ locator performance.
  - ? Verify that states are ensuring discovere
- 

- |          |   |   |   |
|----------|---|---|---|
| <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 | 4 | 4 |
|----------|---|---|---|

- a. Is the information complete and accurate with root cause numbers?
- b. Has the state evaluated the causes for the damages listed under "One-Call Notification Practices Not Sufficient" (Part D.1.a)?
- c. Has the state evaluated the causes for the damages listed under "Locating Practices Not Sufficient" (Part D.1.b)? For each operator, does the state review the following?
- d. Is the operator or its locating contractor(s) qualified and following written procedures for locating and marking facilities?
- e. Is the operator appropriately requalifying locators to address performance deficiencies?
- f. What is the number of damages resulting from mismarks?
- g. What is the number of damages resulting from not locating within time requirements (no-shows)?
- h. Is the operator appropriately addressing discovered mapping errors resulting in excavation damages?
- i. Are mapping corrections timely and according to written procedures?
- j. Has the state evaluated the causes for the damages listed under "Excavation Practices Not Sufficient" (Part D.1.c)?

Evaluator Notes:

As identified in question F-1, the program did a good job answering this question.

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- |          |  |   |   |
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| <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 | 2 | 2 |
|----------|--|---|---|



- a. What stakeholder group is causing the highest number of damages to the pipelines? Operator, contractor, locating company or public.
- b. Has the state verified the operator is appropriately focusing damage prevention education and training to stakeholders causing the most damages?
- c. Has the state evaluated which of the following best describes the reason for the excavation damages; i.e., operator or contractor not following written procedures, failure to maintain marks, failure to support exposed facilities, failure to use hand tools were required, failure to test-hole (pot hole), improper backfilling practices, failure to maintain clearance or insufficient excavation practices.
- d. Has the state verified the operator is appropriately focusing damage prevention education and training to address the causes of excavation damages?

Evaluator Notes:

As identified in F-1, the program did a good job answering this question.

**5** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

Program continues to assert they have no responsibility for "damage prevention." PHMSA reminded the PM that the PSC is entirely responsible for ensuring regulated operators are complying with their obligations under the State's one-call law, and those directly affecting pipeline safety regulations.

Total points scored for this section: 8  
 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:

WV PSC 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:

WV PSC 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:

WV PSC 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:

WV PSC 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:

WV PSC 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:

WV PSC 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

