Guidelines for States Participating in the Underground Natural Gas Storage Safety Program – Progress Report Scoring

Appendix Q

STATE PERFORMANCE CRITERIA

I. RATING FROM STATE PROGRAM EVALUATION (50 PERCENT OF SCORE)

II. INFORMATION FROM STATE PROGRESS REPORT (50 PERCENT OF SCORE)

A. Extent of Intrastate Safety Authority (12 Points)

(Progress Report Attachment 1)

N = Number of operator types which state has safety authority
M = Number of operator types located in state

60105 State: N/M x 12 60106 State: N/M x 12 x .5

Operator Type

1. Private
   - a Depleted Reservoir
   - b Aquifer
   - c Salt formation
2. Municipal
   - a Depleted Reservoir
   - b Aquifer
   - c Salt formation
3. Public Utility
   - a Depleted Reservoir
   - b Aquifer
   - c Salt formation

B. Inspector Qualifications (8 POINTS)

(Progress Report Attachment 7)

8 - Highest percentage of inspectors in categories I and II (Highest percentage of inspectors (50% or greater) are in categories I and II combined)

4 - Highest percentage of inspectors in categories I, II and III (If percentage of categories I and II combined are less than 50% but percentage of inspectors in categories I, II and III combined are 50% or greater)

0 - Highest percentage of inspectors in categories III, IV and V (If categories I, II and III combined are below 50%.)

C. Number of Inspection Person-Days (9 POINTS)

(Progress Report Attachment 2)

9 - Meets or exceeds the recommended number of inspection person-days.

7 - Comes within 10 percent of meeting the recommended number of inspection Person-days (achieved 90 percent or above of recommended number).

5 - Comes within 25 percent of meeting the recommended number of inspection person-days (achieved 75 percent or above of recommended number).
3 - Meets less than 75 percent but at least 50 percent of the recommended number of inspection person-days (achieved 50 to 75 percent of recommended number).
0 - Meets less than 50 percent of recommended number of inspection person-days (achieved under 50

D. State Adoption of Maximum Civil Penalty Requirement (2 POINTS)
(Progress Report Attachment 8, Section I, Item 1)

2 -Adopted $200,000/day; up to $2,000,000
1 -Taking steps to adopts (has filed draft legislation)
0 -Not Adopted

E. State Adoption of Applicable Federal Regulations (8 POINTS)
(Progress Report Attachment 8, Section I, Items 2, 3, 4, 5, and 6)

8 - Adopted within 24 months of effective date (or two general sessions of the state legislature, whichever is longer).
5 - Taking steps to adopt (has filed draft legislation).
3 - Adopted all regulations within required time frame except one -- where continuing opposition has blocked adoption and state is not presently attempting to adopt.
0 - Not Adopted within 36 months of effective date.

F. One Call System Minimum Requirements under Part 198 (8 POINTS)
(Progress Report Attachment 8 Section III)

1.5 - Mandatory coverage of areas having pipeline facilities
0.5 - Qualification for operation of one-call system
1.5 - Mandatory excavator notification of one-call center
0.5 - State determination whether calls to center are toll free
1.5 - Mandatory intrastate pipeline operator participation
1.0 - Mandatory operator response to notification
1.0 - Mandatory notification of excavators/public
0.5 - Civil penalties/injunctive relief substantially same as DOT

G. State Attendance at Annual PHMSA Meeting (3 POINTS)
(Progress Report Attachment 8, Section III)

3 - Attended full time (lead rep or alternate pipeline program staff)
1 - Attended less than full time
0 - No one attended

H. Penalty Points

-2 - State CY Progress Report not received at PHMSA HQ by due date
-4 - points assigned if over 1 month late

1 Applicable Federal regulation for five year period will be listed in Progress Report attachments
2 Established under state law by statute, regulation, license, Progress Report, order, or any combination of these legal means