PHMSA Underground Natural Gas Storage Safety

2019 Grant Progress Report

for

(State UNGS Safety Authority Name)

Please follow the directions listed below:

1. Review the entire document for completeness.

2. Review and have an authorized signatory sign and date page 2.

3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.

4. Mail the entire document, including this cover page to the following:

ATTN: Angela Sung
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Pipeline Safety PHP-50
1200 New Jersey Avenue, SE Second Floor E22-321
Washington, D.C. 20590

PHMSA Underground Natural Gas Storage Safety
2019 Grant Progress Report

Office: (State UNGS Safety Authority Name)

_____
Authorized Signature

_____
Printed Name

_____
Title

_____
Date

PROGRESS REPORT ATTACHMENTS (UNGS)

PHMSA Form No. PHMSA F 999-92

INSTRUCTIONS:

These attachments request information either for the entire calendar year (CY 2019: January 1 through December 31, 2019) or as of (or on) December 31, 2019. Please report actual as opposed to estimated numbers on the attachments. Be careful to provide complete and accurate information since the PHMSA State Programs will be validating the attachments during the State's next annual onsite Program Evaluation.

Attachment 1: State Jurisdiction Status Over Facilities. Requires the State to indicate the underground natural gas storage operator types over which the State agency has jurisdiction under existing law. If the State does not have jurisdiction over an operator type, indicate why not in the column designated No, using the one alpha code (A or B) which best describes the determination. If the State agency has jurisdiction over an operator type, place an X in the column designated Yes and provide information on the number of operators, the number and percent of operators inspected, the number of inspection units, and the number and percent of inspection units inspected. If the jurisdiction over a type of operator is under a Section 60106 Agreement, indicate X/60106 in the column designated Yes. If you have either 60105 or 60106 partial safety authority for only some of the operators under an individual type, but not all operators designate by X/60105P or X/60106P. If the same operator/inspection unit is visited more than once during the year, count only once under number of operators inspected/number of inspection units inspected on Attachment 1. The multiple visits would, however, be reflected under total inspection person-days in Attachment 2. Use the Notes section to provide further details on operator types which you don't have safety authority or only partial safety authority.

Attachment 2: Total State Field Inspection Activity. Requires the State to indicate by operator type the number of Inspection Person-Days spent during CY 2019 conducting inspections and investigations for: standard comprehensive; specialized; design, testing, and construction; investigating incidents; investigating public complaints; drug and alcohol, and compliance follow-up. Counting "In Office" Inspection Time as an Inspection Person-Day: An inspector may choose to review company procedure manuals or records away from the company facility to effectively use onsite inspection time. The amount of time spent reviewing procedures and records may be counted as part of the inspection process. It is important an inspector only record time for activities that normally would be completed as part of an onsite inspection. For example, an inspector may attribute the three hours he or she spent reviewing an operator's procedure manual and records prior to an on-site inspection towards the total inspection time. Each supervisor must carefully review the reported time to ensure the time attributed is consistent with the activity completed and is carefully delineated from normal office duties.

Attachment 3: Facility Subject to State Safety Jurisdiction. States should only list the facilities that are jurisdictional to PHMSA (under Title 49 of the Pipeline Safety Act and Part 192) of which the State has safety authority over. Attachment 3 requires the business name and address of each person subject to the safety jurisdiction of the State agency as of December 31, 2019. The operator identification number (OPID) assigned by PHMSA must also be included on this attachment.

Attachment 5: State Compliance Actions. This requires a summary of State identified violations and compliance actions. In the Number of Compliance Actions Taken column, keep in mind one compliance action can cover multiple probable violations.

Attachment 6: State Record Maintenance and Reporting. Requires a list of records and reports maintained and required by the State agency.

Attachment 7: State Employees Directly Involved in the Underground Natural Gas Storage Safety Program. This attachment requires a list by name and title of each employee directly involved in the underground natural gas storage safety program. Be sure to include the percentage of time each employee has been involved in the underground natural gas storage safety program during 2019. If an employee has not been in the underground natural gas storage safety program

the full year of 2019, please note the number of months working on the program. Indicate a Qualification Category (Currently N/A and Under Development) for each of the State's inspectors. Finally, provide in summary form the number of all staff (supervisors, inspectors/investigator, technical and clerical/administrative) working on the underground natural gas storage safety program and the person-years devoted to underground natural gas storage safety. Person-years should be reported in hundreds (e.g., 3.25).

Attachment 8: State Compliance with Federal Requirements. This requires the State to indicate whether it has adopted the applicable federal requirements for the Underground Natural Gas Storage Safety Program. If a regulation has been adopted, indicate the date adopted (e.g., 05/01/2017) in the appropriate column. If the regulation is applicable but has not been adopted indicate N in the Y/N/NA column and explain why not in the appropriate column (e.g., requires legislative action). If the State has not adopted the maximum penalty amounts of $200,000 per day up to $2,000,000 for a related series of violations please indicate civil penalty levels in effect in the State as of December 31, 2019. For State Adoption of Part 198 State One Call Damage Prevention Program if a State has any penalty amount for its damage prevention law please mark item 7.h as “Adopted but Different Dollar Amounts” and list the penalty amount in the Notes section. Note at the end of Attachment 8 we are requesting each State to indicate the frequency its legislature meets in general session. This information will be considered when determining if applicable federal regulations have been adopted within 24 months of the effective date or two general sessions of the State legislature.

DEFINITIONS:

Inspection Unit. An inspection unit is all or part of an operator's underground natural gas storage facilities that are under the control of an administrative unit that provides sufficient communication and controls to ensure uniform design, construction, operation, and maintenance procedures for the facilities. An inspection unit may be one storage facility or a group of wells representing a portion of a storage facility.

Inspection Person-Day. An inspection person-day is all or part of a day spent by a State agency representative, including travel, conducting an on-site evaluation or an on-site investigation of an underground natural gas storage facility to determine compliance with federal or State underground natural gas storage safety regulations. Time expended on such activities should be reported as one inspection person-day for each day devoted to safety issues, regardless of the number of operators visited during that day.

Probable Violation. A probable violation is a non-compliance with any section or, where a section is divided into subsections (a), (b), (c), etc., any subsection of federal or State pipeline regulations. Each numbered section should be counted separately. Multiple non-compliances of a numbered section discovered on the same inspection should be counted as one probable violation with multiple pieces of evidence.

Compliance Action. A compliance action is an action or series of sequential actions taken to enforce federal or State underground natural gas storage regulations. One compliance action can cover multiple probable violations. A compliance action may take the form of a letter warning of future penalties for continued violation, an administratively imposed monetary sanction or order directing compliance with the regulations, an order directing corrective action under hazardous conditions, a show-cause order, a criminal sanction, a court injunction, or a similar formal action.

Attachment 1: STATE JURISDICTION OVER UNGS FACILITIES AS OF DECEMBER 31, 2019

Operator Type	State Agency Jurisdiction/ Certification/Agreement Status		No. of Operators	Operators Inspected		No. of Inspection Units	Units Inspected	
	No[1]	Yes		#	%		#	%
Private								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Public Utility								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Municipal								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								

Other								
Other								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Total								

[1]Codes:

A - None in State and does not have jurisdiction;

B - State does not have jurisdictional authority (Provide current status or action being taken to obtain authority in notes section below)

X/60105P = Yes, I have Section 60105 (Certification) over some of the operator type (meaning: I have 60105 authority over some, but not all of this operator type and do not have a 60106 agreement with PHMSA to inspect them). These operators are identified in the notes below.

Other – UNGS Operators which do not fit into Private, Public Utility, Municipal, and Other, etc.

General Instructions - All above facilities should only include facilities as defined by federal pipeline regulations and should not include extended jurisdiction by State regulation. States should explain any special circumstances in the Notes section below.

Attachment 1 Notes:

Attachment 2: TOTAL STATE FIELD INSPECTION ACTIVITY AS OF DECEMBER 31, 2019

Operator Type	Standard Comprehensive	Specialized	Design, Testing and Construction	Investigating Incidents	Investigating Public Complaints	Compliance Follow-up	Drug and Alcohol	Total
Private								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Public Utility								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Municipal								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								
Aquifers								
Other								
Other								
Depleted Reservoir								
Salt Caverns								
Mined Caverns								

Aquifers								
Other								
Totals								

Attachment 2 Notes:

Attachment 3: List of Operators from January 1 to December 31, 2019

Operator	**Operator Type (Inspection Units)**				**Storage Type (Number of Storage Fields)**					**Storage Type (Number of Wells)**				
Business Name Operator ID Address	**Private**	**Public Utility**	**Muni**	**Other**	**Depleted Reservoir**	**Salt Cavern**	**Mined Cavern**	**Aquifer**	**Other**	**Depleted Reservoir**	**Salt Cavern**	**Mined Cavern**	**Aquifer**	**Other**
Barrett Storage 1 OPID: 123456 123 Maybe Street Somewhere, OK 12345														
Winslow Production OPID: 123457 122 Awesome Street Everywhere, OK 12346														
Evans Enterprises OPID: 123458 124 Excellent Street Myplace, OK 12349														
Totals														

Attachment 3 Notes:

Attachment 4: Incidents – Not sure this should be part of Progress Report as PHMSA will get Reportable Incidents from the Operator and it is redundant to have State send the information in again.

Attachment 5: - STATE COMPLIANCE ACTIONS -- CALENDAR YEAR (CY) 2019

Probable Violation Categories	**No. Violations**
Number of violations carried over from all previous CY's	
Number of violations found during CY	
Number of violations submitted for PHMSA action [60106 Agreement only]	
Number of violations corrected during CY (including carry over from previous year(s)	
Number of violations to be corrected at end of CY (including carry over)	
Number of Compliance Actions Taken (See Definition)[1]	
Civil Penalties	
Number of civil penalties assessed during CY	
Civil Penalty dollars assessed during CY	
Number of civil penalties collected during CY	
Civil Penalty dollars collected during CY	

[1]**Do not double count for a related series of actions.**

<u>Attachment 5 Notes</u>

Attachment 6 - UNGS STATE RECORD MAINTENANCE AND REPORTING DURING CY 2019

Records Maintained by the State Agency

Reports Required from Operators

Attachment 6 Notes

Attachment 7 - Staffing

STATE EMPLOYEES DIRECTLY INVOLVED IN THE UNGS SAFETY PROGRAM DURING CY 2019

Supervisor	**Time (%)**	**Months(#)**	**Qualification**
Supervisor Name. **Title**			
Supervisor Name. **Title**			
Inspector/Investigator			
Inspector/Investigator Name **Title**			
Inspector/Investigator Name **Title**			
Inspector/Investigator Name **Title**			
Clerical/Technical Support			
Clerical/Technical Support Name **Title**			

Employee Type	**No. of Staff**	**Person-Years**
Supervisor		
Inspector/Investigator		
Technical		
Clerical/Administrative		
Total:		

Attachment 8 - Compliance with Federal Regulations

STATE COMPLIANCE WITH FEDERAL REQUIREMENTS AS OF DECEMBER 31, 2019

No.	Rule Effective Date	Rule Description	Adoption Date	Adoption Status
190-17 Note[1]	4/27/2017	Maximum Penalties Substantially same as PHMSA ($205,638/$2,056,308). Provide State penalty amount in notes.		
	Part 192 Amendments			
192-122	01/18/2017	192.3 Definitions		
192-122	01/18/2017	192.7 Documents Incorporated by Reference Partly or Wholly in this Part		
192-122	01/18/2017	192.12 Underground Natural Gas Storage Facilities`		
Original Document	08/19/1970	192.15 Rules of Regulatory Construction		
	Part 199 - Drug Testing Amendments			
199-27 Note[1]	01/05/2015	[Part 199 and all Amendments through 199-27]		
	04/26/1996	State Adoption of Part 198 State One-Call Damage Prevention Program		
a. Note[1]	04/26/1996	Mandatory coverage of areas having pipeline facilities		

b. **Note[1]**	**04/26/1996**	**Qualification for operation of one-call system**		
c. **Note[1]**	**04/26/1996**	**Mandatory excavator notification of one-call center**		
d. **Note[1]**	**04/26/1996**	**State determination whether calls to center are toll free**		
e. **Note[1]**	**04/26/1996**	**Mandatory intraState pipeline operator participation**		
f. **Note[1]**	**04/26/1996**	**Mandatory operator response to notification**		
g. **Note[1]**	**04/26/1996**	**Mandatory notification of excavators/public**		
h. **Note[1]**	**04/26/1996**	**Civil penalties/injunctive relief substantially same as DOT**		

[1]If Adoption Status is No, Please provide an explanation

<u>Attachment 8 Notes</u>

Attachment 10 - Performance Questions

CALENDAR YEAR (CY) 2019

Planned Performance: What are your Planned Annual and Long-term goals for your Underground Natural Gas Safety Program?

Past Performance: What did the Underground Natural Gas Safety Program accomplish during the subject year (to this document) to contribute toward the program's annual and long-term goals?

Attachment 10 Notes: