PHMSA UNDERGROUND NATURAL GAS STORAGE (UNGS) STATE PROGRAM EVALUATION – CY2018 CONDUCTED CY2019	
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PHMSA UNGS STATE PROGRAM EVALUATION – CY2018

	A – PROGRESS REPORT AND PROGRAM DOCUMENTATION REVIEW THIS SECTION ANALYZES ACCURACY AND COMPLETENESS OF ANNUAL PROGRESS REPORT	SCORE
1	Accuracy of Jurisdictional Authority and Operator/Inspection Units Data – Progress Report Attachment 1 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
2	Review of Inspection Days for accuracy – Progress Report Attachment 2 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
3	Accuracy verification of Operators and Operators Inspection Units in State – Progress Report Attachment 3 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
4	Accuracy verification of Compliance Activities – Progress Report Attachment 5 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
5	Were UNGS program files well-organized and accessible? - Progress Report Attachment 6 (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
6	Was employee listing and completed training accurate and complete? – Progress Report Attachment 7 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
7	Verification of Part 192 and 199 Rules and Amendments – Progress Report Attachment 8 (Yes= 1 point, No= 0 Points) **Comments:**	1
8	List of Planned Performance - Did State describe accomplishments on Progress Report in detail – Progress Report Attachment 10 (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
9	**General Comments:**	9

B – PROGRAM INSPECTION PROCEDURES Does State Inspection Plan include procedures that address the following elements? (See Guidelines Section 5.1)		
1	Does State have written inspection procedures? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
2	Standard Inspections Do Standard Inspection procedures give guidance to State inspectors that insure consistency for inspections conducted by the State? The following elements should be addressed at a minimum. • Pre-Inspection Activities • Inspection Activities • Post Inspection Activities (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
3	Specialized Inspections Do Specialized Inspection procedures give guidance to State inspectors that insure consistency for inspections conducted by the State? The following elements should be addressed at a minimum. • Pre-Inspection Activities • Inspection Activities • Post Inspection Activities (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
4	Design, Testing, and Construction Inspections Do Design, Testing, and Construction Inspection procedures give guidance to State inspectors that insure consistency for Inspections conducted by the State? The following elements should be addressed at a minimum. • Pre-Inspection Activities • Inspection Activities • Post Inspection Activities (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1

5	Drug and Alcohol Inspections Do Drug and Alcohol Inspection procedures give guidance to State inspectors that insure consistency for Inspections conducted by the State? The following elements should be addressed at a minimum. • Pre-Inspection Activities • Inspection Activities • Post Inspection Activities (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
6	Does inspection plan address inspection priorities of each inspection unit, based on the following elements? • **Length of time since last inspection (Within five-year interval per inspection unit)** • **Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)** • **Type of activity being undertaken by operators in inspection units (i.e. construction)** • **Locations of operator's inspection units being inspected - (HCA's, Geographic area, Population Density, etc.)** • **Process to identify high-risk inspection units considering integrity threats** • **Are inspection units broken down appropriately?** (Yes= 6 points, No= 0 Points, NI=1-5 points) **Comments:**	6
7	**General Comments:**	14

C – PROGRAM PERFORMANCE		
1	Was ratio of Total Inspection Person-Days to Total Person-Days acceptable? (Chapter 4.2) **A = Total Inspection Person Days (Attachment 2)** **B = Total Inspection Person Days Charged to the program** **(220 x Number of Inspection person years from Attachment 7)** **Ratio = A/B If Ratio >= .38 then score = 5 points. If Ratio < .38 then score = 0 points.** (Yes= 5 points, No= 0 Points) **Comments:**	5
2	Has each Inspector and Program Manager fulfilled the Training Requirements? (See Guidelines Appendix C for requirements and Chapter 4.3.1) (Yes= 5 points, No= 0 Points, NI=1-4) **Comments:**	5
3	Does State use the PHMSA Inspection Assistant (IA) program to document inspections? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
4	Did records and discussions with Program Manager indicate adequate knowledge of PHMSA program and regulations? Chapter 4.1,8.1 (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
5	Did State respond to PHMSA's Evaluation Letter within 60 days and correct or address any noted deficiencies? Chapter 8.1 (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
6	Did State inspect all types of operators and inspection units in accordance with time intervals established in their written procedures? Chapter 5.1 (Yes= 5 points, No= 0 Points, NI=1-4 points) **Comments:**	5
7	Did State Inspection form(s) cover all applicable code requirements addressed on Federal Inspection form(s)? Chapter 5.1 (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
8	Did State complete all applicable portions of inspection forms? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
9	Has the State reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2

10	Is the State verifying operators are conducting drug and alcohol tests required by regulations? This should include verifying positive tests are responded to in accordance with program. 49 CFR 199 (Yes= 2 points, No= 0 Points, NI= 1 point) **Comments:**	2
11	Does the State have a mechanism for communicating with stakeholders regarding the inspection and enforcement program? (This should include making enforcement cases available to public). (Yes= 1 points, No= 0 Points, NI=.5 point) **Comments:**	1
12	Did State execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3 (Yes= 1 points, No= 0 Points, NI=.5 point) **Comments:**	1
13	Did the State participate in/respond to surveys or information requests from PHMSA? (Yes= 1 points, No= 0 Points, NI=.5 point) **Comments:**	1
14	Did the State forward any potential waivers/special permits to PHMSA for review prior to issuing them to operators? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
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. (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
16	**General Comments:**	34

D – COMPLIANCE ACTIVITIES		
1	Does the State have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1 • **Procedures to notify an operator (company officer) when a noncompliance is identified** • **Procedures to routinely review progress of compliance actions to prevent delays or breakdowns** • **Procedures regarding closing outstanding probable violations** (Yes= 4 points, No= 0 Points, NI=1-3 points) **Comments:**	4
2	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 • Were compliance actions sent to company officer or manager/board member if municipal/government system? • Document probable violations • Resolve probable violations • Routinely review progress of probable violations • ; and (Yes= 4 points, No= 0 Points, NI=1-3 points) **Comments:**	4
3	Did State within 30 days of the end of an inspection conduct a post-inspection briefing with the owner or operator of the UNGS facility inspected outlining any concerns identified during the inspection? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
4	Did State within 90 days, to the extent practicable, provide the owner or operator with written preliminary findings of the inspection? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
5	Did the State issue compliance actions for all probable violations discovered? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
6	Did compliance actions give reasonable due process to all parties? Including "show cause" hearing if necessary. (Yes= 2 points, No= 0 Points) **Comments:**	2

7	Is the Program Manager familiar with State process for imposing civil penalties? (describe any actions taken) (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
8	Were civil penalties considered for repeat violations, violations which can't be corrected by other means, or violations resulting in incidents? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
9	Can the State demonstrate it is using their enforcement fining authority for safety violations? (Yes= 1 point, No= 0 Points, NI= .5 point) **Comments:**	1
10	**General Comments:**	21

E – INCIDENT INVESTIGATIONS		
1	Does the State have written procedures to address State actions in the event of an incident? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
2	Does State have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
3	Did the State keep adequate records of Incident notifications received? (Yes= 2 points, No= 0 Points, NI=1 point) **Comments:**	2
4	If onsite investigation was not made, did State obtain sufficient information from the operator and/or by other means to determine the facts to support the decision to not go on-site? Chapter 6 (Yes= 1 point, No= 0 Points, NI= .5 point) **Comments:**	1
5	Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? • **Observations and document review** • **Contributing Factors** • **Recommendations to prevent recurrences where appropriate** (Yes= 3 points, No= 0 Points, NI=1-2 points) **Comments:**	3
6	Did the State initiate compliance action for violations found during any incident investigation? (Yes= 1 point, No= 0 Points) **Comments:**	1
7	Did the State assist the 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? (validate report data from operators concerning incidents and investigate discrepancies) Chapter 6 (Yes= 1 point, No= 0 Points, NI= .5 point) **Comments:**	1
8	Does State share lessons learned from incidents with PHMSA? (Yes= 1 point, No= 0 Points) **Comments:**	1

9	**General Comments:**	13

F – DAMAGE PREVENTION		
1	Did the State inspector verify UNGS operators are following their written procedures pertaining to notification of excavation, marking, positive response and the availability and use of the one call system? (API 1171 Section 11.10 Public Awareness and Damage Prevention) (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
2	Did the State encourage and promote practices for reducing damages to all underground facilities to its regulated companies? (Common Ground Alliance Best Practices, support excavation damage prevention legislation, etc.) (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
3	**General Comments:**	4

G – FIELD INSPECTIONS		
1	Operator, Inspector, Location, Date and PHMSA Representative **Comments:**	
2	Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? (Yes= 1 point, No= 0 Points) **Comments:**	1
3	Did the inspector use an appropriate inspection form/checklist and was the form/checklist used as a guide for the inspection? (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
4	Did the inspector thoroughly document results of the inspection? (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
5	Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Yes= 1 point, No= 0 Points) **Comments:**	1
6	Did the inspector adequately review the following during the field portion of the State Program Evaluation? • **Procedures** • **Records** • **Field Activities/Facilities** • **Other (please comment)** (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
7	Did the inspector have adequate knowledge of the UNGS safety program and regulations? (Evaluator will document reasons if unacceptable) (Yes= 2 points, No= 0 Points, NI=1 Point) **Comments:**	2
8	Did the inspector conduct an exit interview? (If inspection is not totally complete the interview should be based on areas covered during time of field evaluation) (Yes= 1 point, No= 0 Points) **Comments:**	1

9	During the exit interview, did the inspector identify probable violations found during the inspections? (if applicable) (Yes= 1 point, No= 0 Points) **Comments:**	1
10	**General Comments:** • **What did the inspector observe in the field? (Narrative description of field observations and how inspector performed)** • **Best Practices to Share with Other States - (Field - could be from operator visited or State inspector practices**) • **Other**	12
	Field Observation Areas Observed (check all that apply)	

H - 60106 AGREEMENT STATE (if applicable)		
1	Did the State use the current federal inspection form(s)? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
2	Are results documented demonstrating inspection units were reviewed in accordance with State inspection plan? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
3	Were any probable violations identified by State referred to PHMSA for compliance action? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
4	Did the State immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
5	Did the State give written notice to PHMSA within 60 days of all probable violations found? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
6	Did the State initially submit adequate documentation to support compliance action by PHMSA on probable violations? (Yes= 1 point, No= 0 Points, NI=.5 point) **Comments:**	1
7	**General Comments:**	6