



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington DC 20590

# 2010 Hazardous Liquid State Program Evaluation

for

NM PIPELINE SAFETY BUREAU

## Document Legend

### PART:

- O -- Representative Date and Title Information
- A -- General Program Qualifications
- B -- Inspections and Compliance - Procedures/Records/Performance
- C -- Interstate Agent States
- D -- Accident Investigations
- E -- Damage Prevention Initiatives
- F -- Field Inspection
- G -- PHMSA Initiatives - Strategic Plan
- H -- Miscellaneous
- I -- Program Initiatives



2010 Hazardous Liquid State Program Evaluation -- CY 2010  
Hazardous Liquid

**State Agency:** New Mexico

**Rating:**

**Agency Status:**

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

**Date of Visit:** 03/21/2011 - 09/02/2011

**Agency Representative:** Jason N. Montoya, PE, Bureau Chief

**PHMSA Representative:** Patrick Gaume

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

**Name/Title:** Mr. Patrick H. Lyons, Chairman

**Agency:** New Mexico Public Regulation Commission

**Address:** 1120 Paseo de Peralta, 4th floor , P.O. Box 1269

**City/State/Zip:** Santa Fe, New Mexico 87504-1269

**INSTRUCTIONS:**

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 2010 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. 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 space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual certification/agreement attachments provide the basis for determining the state's pipeline safety grant allocation.

**Field Inspection (PART F):**

The field inspection form used will allow different areas of emphasis to be considered for each question. Question 13 is provided for scoring field observation areas. In completing PART F, the PHMSA representative should include a written summary which thoroughly documents the inspection.

**Scoring Summary**

<b>PARTS</b>	<b>Possible Points</b>	<b>Points Scored</b>
A General Program Qualifications	26	26
B Inspections and Compliance - Procedures/Records/Performance	24.5	22.5
C Interstate Agent States	0	0
D Accident Investigations	1.5	1.5
E Damage Prevention Initiatives	9	9
F Field Inspection	12	12
G PHMSA Initiatives - Strategic Plan	8	6.5
H Miscellaneous	3	3
I Program Initiatives	9	7
<b>TOTALS</b>	<b>93</b>	<b>87.5</b>
<b>State Rating</b> .....		<b>94.1</b>



# PART A - General Program Qualifications

Points(MAX) Score

<b>1</b>	Did the state submit complete and accurate information on the attachments to its most current 60105(a) Certification/60106 (a) Agreement? (NOTE: PHMSA Representative to verify certification/agreement attachments by reviewing appropriate state documentation. Score a deficiency in any one area as "needs improvement". Attachment numbers appear in parenthesis) Previous Question A.1, Items a-h worth 1 point each Yes = 8 No = 0 Needs Minor Improvement = 3-7 Needs Major Improvement = 2	8	8
	a. State Jurisdiction and agent status over Hazardous Liquid and CO2 facilities (1)		<input checked="" type="checkbox"/>
	b. Total state inspection activity (2)		<input checked="" type="checkbox"/>
	c. Hazardous Liquid facilities subject to state safety jurisdiction (3)		<input checked="" type="checkbox"/>
	d. Hazardous Liquid pipeline incidents (4)		<input checked="" type="checkbox"/>
	e. State compliance actions (5)		<input checked="" type="checkbox"/>
	f. State record maintenance and reporting (6)		<input checked="" type="checkbox"/>
	g. State employees directly involved in the Hazardous Liquid pipeline safety program (7)		<input checked="" type="checkbox"/>
	h. State compliance with Federal requirements (8)		<input checked="" type="checkbox"/>

**SLR Notes:**

A.1 ?Yes - 8 points. C: the Operator IDs were missing on Attachment 3, but this problem was corrected with a revised Certification submitted 3/31/11.

<b>2</b>	Did the state have an adequate mechanism to receive operator reporting of incidents to ensure state compliance with 60105(a) Certification/60106(a) Agreement requirements (accident criteria as referenced in 195.50? - Mechanism should include receiving "after hours" reports) (Chapter 6) Previous Question A.2 Yes = 1 No = 0	1	1
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**SLR Notes:**

A.2. Yes, in SOP. Also the web site is updated to show correct phone numbers.

<b>3</b>	Has the state held a pipeline safety T & Q seminar(s) in the last 3 years? (NOTE: Indicate date of last seminar or if state requested seminar, but T&Q could not provide, indicate date of state request for seminar. Seminars must be held at least once every 3 calendar years.) (Chapter 8.5) Previous Question A.5 Yes = 2 No = 0	2	2
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**SLR Notes:**

A.3. Yes, past TQ Seminars were held June 13-15, 2005, Sept 24-26, 2008, Oct 19-21, 2009 and June 15-17, 2010. The next seminar is targeted for September 13-15, 2011.

<b>4</b>	Were pipeline safety program files well-organized and accessible?(NOTE: This also includes electronic files) (Chapter 5) Previous Question A.6 Yes = 1 No = 0	1	1
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**SLR Notes:**

A.4. Yes, files are kept in the Bureau of Pipeline Safety office area. Starting in 2010 all records are scanned into electronic records. (PSB is continuing to receive Operator Annual Reports as a courtesy. PSB has drafted a regulation to make submittal of annual reports mandatory, and plans to submit the proposed regulation to the New Mexico PRC Commissioners. Date is pending.)

<b>5</b>	Did state records and discussions with the state pipeline safety program manager indicate adequate knowledge of PHMSA program and regulations? (Chapter 4.1, Chapter 8.1) Previous Question A.7 Yes = 2 No = 0 Needs Improvement = 1	2	2
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**SLR Notes:**

A.5. Yes. Jason is fully engaged in his role as Pipeline Safety Manager and his staff is supportive.

<b>6</b>	Did the state respond in writing within 60 days to the requested items in the Chairman's letter following the Region's last program evaluation? (No response is necessary if no items are requested in letter and mark "Yes") (Chapter 8.1) Previous Question A.9 Yes = 1 No = 0	1	1
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**SLR Notes:**

A.6. Yes, the PHMSA letter was sent 8/3/2010. The NM response was sent 9/29/2010. This is a timely response.

<b>7</b>	What actions, if necessary, did the State initiate as a result of issues raised in the Chairperson's letter from the previous year? Did actions correct or address deficiencies from previous year's evaluation? (Chapter 8.1) Previous Question A.10 Yes = 1 No = 0	1	1
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SLR Notes:

A.7. Yes, they gave a full response; all items were addressed point by point. Many items referenced in the chairman letter are now being tracked electronically.

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## Personnel and Qualifications

**8** Has each inspector fulfilled the 3 year T&Q training requirement? If No, has the state been granted a waiver regarding T&Q courses by the Associate Administrator for Pipeline Safety? (NOTE: If the State has new inspectors who have not attended all T&Q courses, but are in a program which will achieve the completion of all applicable courses within 3 years of taking first course (5 years to successfully complete), or if a waiver has been granted by the applicable Region Director for the state, please answer yes.) (Chapter 4.4) Previous Question A.11  
Yes = 3 No = 0

SLR Notes:

A.8. Yes, all inspectors with 3+ years of service have passed all TSI core courses, and the new inspectors are taking courses and are scheduled for the rest.

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**9** Brief Description of Non-T&Q training Activities Info Only Info Only  
Info Only = No Points

For State Personnel:

A.9. State- In 2010 3 inspectors went to NACE training. All of the Staff attended the TQ Seminar.

For Operators:

Operators ? Had a large Operator attendance at the NM Regional CGA, and at the TQ Seminar.

For Non-Operator Entities/Parties, Information Dissemination, Public Meetings:

Non-operator/public ? The Public was invited to 12 Damage prevention Public Awareness Meetings in 2010.

SLR Notes:

A.9. State- In 2010 3 inspectors went to NACE training. All of the Staff attended the TQ Seminar.

Operators ? Had a large Operator attendance at the NM Regional CGA, and at the TQ Seminar.

Non-operator/public ? The Public was invited to 12 Damage prevention Public Awareness Meetings in 2010.

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**10** Did the lead inspectors complete all required T&Q OQ courses and Computer Based Training (CBT) before conducting OQ Inspections? (Chapter 4.4.1) Previous Question A.13  
Yes = 1 No = 0

SLR Notes:

A.10. Joe Johnson, TSI 299 11/03; Isaac Lerma, 11/03; are the Lead OQ inspectors. They were also TSI 311 trained in 3/07 & 3/07. Starting 2010 additional OQ Leads are Dennis Segura and Mike Smith.

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**11** Did the lead inspectors complete all required T&Q Integrity Management (IMP) Courses/Seminars and CBT before conducting IMP Inspections? (Chapter 4.4.1) Previous Question A.14  
Yes = 1 No = 0

SLR Notes:

A..11. GIMP & LIMP Lead is Joe Johnson. He was trained in 6/05 TSI 297; 10/06 TSI 306; 3/07 TSI 307; 6/04 TSI 292; 5/05-7/05 GIMP CBT 1-6; & LIMP 8/02 TSI 294. No SHRIMP training has been announced.

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**12** Was the ratio acceptable of Total inspection Person-days to Total Person-days charged to the program by state inspectors? (Region Director may modify points for just cause) (Chapter 4.3) Previous Question B.14  
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):

22.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):

220 X 0.24 = 52.80

Ratio: A / B

22.00 / 52.80 = 0.42

If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0

Points = 5

SLR Notes:

A..12. A=22 person days. B=0.24 man years \* 220=52.8 person days. A/B=.42. .42>.38 okay.

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**13** Have there been modifications or proposed changes to inspector-staffing levels? (If yes, describe) Previous Question B.13  
Info Only = No Points



SLR Notes:

A.13. No, Staffing is still targeted for 11 employees. For most of 2010 there were 9 employees. One of the two vacancies was filled in November, 2010. The other vacancy is still pending.

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**14** Part-A General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

A.14. On 1/1/2010 there were 3 Pipeline Bureau vacancies. The PSB hired Mr. Jason N. Montoya, PE to his new position as Bureau Chief in February, 2010, and also committed to hire two Engineering Coordinators within the Pipeline Safety Bureau (PSB) during 2010. PSB has drafted a regulation to make submittal of annual reports mandatory, and plans to submit the proposed regulation to the New Mexico PRC Commissioners.

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Total points scored for this section: 26  
Total possible points for this section: 26



**PART B - Inspections and Compliance - Procedures/Records/ Performance** **Points(MAX) Score**

**Inspection Procedures**

<b>1</b>	Does the State have a written inspection plan to complete the following? (all types of operators) (Chapter 5.1) Previous Question B.1 + Chapter 5 Changes Yes = 6.5 No = 0 Needs Improvement = 50% Deduction	6.5	6.5
a	Standard Inspections (Including LNG) (Max points = 2)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
b	IMP Inspections (Including DIMP) (Max points = .5)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
c	OQ Inspections (Max points = .5)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
d	Damage Prevention (Max points = .5)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
e	On-Site Operator Training (Max points = .5)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
f	Construction Inspections (Max points = .5)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
g	Incident/Accident Investigations (Max points = 1)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
h	Compliance Follow-up (Max points = 1)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>

**SLR Notes:**

B.1. Yes, SOP Section 1 V & VI, Section 2, & Section 3.

<b>2</b>	Did the written Procedures for selecting operators adequately address key concerns? (Chapter 5.1) Previous Question B.2, items a-d are worth .5 point each Yes = 2 No = 0 Needs Improvement = 50% Deduction	2	2
a	Length of time since last inspection	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
b	History of Operator/unit and/or location (including leakage , incident and compliance history)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
c	Type of activity being undertaken by operator (construction etc)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
d	For large operators, rotation of locations inspected	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>

**SLR Notes:**

B.2. Yes, SOP Section 1 addresses items a, b, c, & d.

**Inspection Performance**

<b>3</b>	Did the state inspect all types of operators and inspection units in accordance with time intervals established in its written procedures? (Chapter 5.1) Previous Question B.3 Yes = 2 No = 0	2	0
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**SLR Notes:**

B.3. No. 0 points. Found four intrastate HL operators that have not had an initial LIMP. One of those, Frontier Field Services opid 32248, was created in 2010 and an initial LIMP is not required until end of year 2011. The three that are late include Agave Energy opid 32073, ConocoPhillips opid 31506 and DCP Midstream opid 31130.

<b>4</b>	Did the state inspection form cover all applicable code requirements addressed on the Federal Inspection forms? (Chapter 5.1 (3)) Previous Question B.5 Yes = 1 No = 0	1	1
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**SLR Notes:**

B.4 Yes, NM PRC uses the Federal Forms, current version.

<b>5</b>	Did state complete all applicable portions of inspection forms? (Chapter 5.1 (3)) Previous Question B.6 Yes = 1 No = 0	1	1
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**SLR Notes:**

B.5. Yes, Spot checks of inspections and related NOPV shows complete inspections that are consistent with the NOPVs.

<b>6</b>	Did the state initiate appropriate follow-up actions to Safety Related Condition Reports? (Chapter 6.3) Previous Question B.7 Yes = .5 No = 0	.5	NA
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**SLR Notes:**

B.6. NA, there were no SRCR in 2010.

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<b>7</b>	Did the state review operator procedures for determining areas of active corrosion on liquid lines in sufficient detail? (NOTE: PHMSA representative to describe state criteria for determining areas of active corrosion) Previous Question B.8 Yes = .5 No = 0	.5	0.5
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**SLR Notes:**

B.7. Yes, it is part of the standard inspection and is reviewed on a Unit by Unit level.

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<b>8</b>	Did the state adequately review for compliance operator procedures for abandoning pipeline facilities and analyzing pipeline accidents to determine their causes? (NOTE: PHMSA representative to describe state criteria for determining compliance with abandoning pipeline facilities and analyzing pipeline accidents to determine their causes) Previous Question B.9 Yes = .5 No = 0	.5	0.5
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**SLR Notes:**

B.8. Yes, the standard inspections require that the operator show accident response procedures & records and abandonment procedures & records.

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<b>9</b>	Is the state aware of environmentally sensitive areas traversed by or adjacent to hazardous liquid pipelines? (reference Part 195, review of NPMS) Previous Question B.16 Yes = .5 No = 0	.5	0.5
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**SLR Notes:**

B.9. Yes, Inspectors have been LIMP trained, and LIMP inspections are being performed.

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<b>10</b>	Did the state review 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(c)(5)? Previous Question B.11 Yes = 1 No = 0	1	1
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**SLR Notes:**

B.10. Yes, the SOP directs review of the Operator accident File while preparing for a Standard inspection to insure the Operator has proper procedures for accident response.

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## Compliance - 60105(a) States

<b>11</b>	Did the state adequately document sufficient information on probable violations? (Chapter 5.2) Previous Question B.13 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

B.11. Yes; Inspection reports are in the 'Unit' file, Violation letters & a copy of the Inspection Report are in the Unit 'Suspense' file, When the violation is resolved, it goes into the 'Resolved' file for a given calendar year. Effective April, 2010, all correspondence and inspection is being saved electronically. Electronic files will become the official files.

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<b>12</b>	Does the state have written procedures to identify the steps to be taken from the discovery to the resolution of a probable violation as specified in the "Guidelines for State Participating in the Pipeline Safety Program"? (Chapter 5.1) Previous Question C(1).1 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

B.12. Yes, in the SOP, Section 1. PSB is seeking Commission permission to directly assess small civil penalties.

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<b>13</b>	Does the state have written procedures to notify an operator when a noncompliance is identified as specified in the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(4)) Previous Question C(1).2 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

B.13. Yes, in the SOP, Section 1.

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<b>14</b>	Does the state have a written procedure for routinely reviewing the progress of compliance actions to prevent delays or breakdowns of the enforcement process, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(5)) Previous Question C(1).3 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

B.14. Yes, in the SOP, Section 1.

<b>15</b>	Has the State issued compliance actions for all probable violations discovered? (Note : PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation) Previous Question C(1).4 Yes = 1 No = 0	1	1
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SLR Notes:

B.15. Yes, 2 in 2010, 2 in 2009, and 2 in 2008.

<b>16</b>	Did the state follow its written procedures for reviewing compliance actions and follow-up to determine that prompt corrective actions were taken by operators, within the time frames established by the procedures and compliance correspondence, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? Previous Question C(1).5 Yes = 1 No = 0 Needs Improvement = .5	1	1
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SLR Notes:

B.16. Yes, the NM PRC PSB follows its own procedures.

<b>17</b>	If compliance could not be established by other means, did state pipeline safety program staff request formal action, such as a "Show Cause Hearing" to correct pipeline safety violations? (check each states enforcement procedures) Previous Question C(1).6 No = 0 Yes = 1	1	1
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SLR Notes:

B.17. Yes, it is in the SOP, section 1.VIII.c.1.b.3 & 4.

<b>18</b>	Did the state adequately document the resolution of probable violations? (Chapter 5.1 (6)) Previous Question C(1).7 Yes = 1 No = 0 Needs Improvement = .5	1	1
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SLR Notes:

B.18. Yes, Inspection reports are in the 'Unit' file and Unit 'Suspense' file, Violation letters are in the Unit 'Suspense' file, When the violation is resolved, it goes into the 'Resolved' file for a given calendar year. The Chief sends a final letter when a case has been resolved. Effective April, 2010, all correspondence and inspection is being saved electronically. Electronic files will become the official files.

<b>19</b>	Were compliance actions sent to a company officer? (manager or board member if municipal/government system) (Chapter 5.1(4)) Previous Question C(1).8 Yes = .5 No = 0	.5	0.5
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SLR Notes:

B.19. Yes. In the SOP, section 1, VIII, B.

<b>20</b>	Did the compliance proceedings give reasonable due process to all parties? (check each states enforcement procedures) Previous Question C(1).9 Yes = 1 No = 0 Needs Improvement = .5	1	1
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SLR Notes:

B.20. Yes, due process is afforded all per the SOP & State Regulations.

## Compliance - 60106(a) States

<b>21</b>	Did the state use the current federal inspection form(s)? Previous Question C(2).1 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

B.21-26. NA

<b>22</b>	Are results adequately documented demonstrating inspection units were reviewed in accordance with state inspection plan? Previous Question C(2).2 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

B.21-26. NA

<b>23</b>	Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) Previous Question C(2).3	1	NA
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Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

B.21-26. NA

<b>24</b>	Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? Previous Question C(2).4 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

B.21-26. NA

<b>25</b>	Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question C(2).5 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

B.21-26. NA

<b>26</b>	Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? Previous Question D(2).6 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

B.21-26. NA

<b>27</b>	Is the program manager familiar with state process for imposing civil penalties? Were civil penalties considered for repeat violations (with severity consideration) or violations resulting in incidents/accidents? (describe any actions taken) Info Only = No Points	Info Only	Info Only
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SLR Notes:

B.27 Yes, the Program Manager assesses civil penalties for all 3rd party damages. The Program Manager recommends civil penalties as appropriate for violations of pipeline safety regulations to the Commission.

<b>28</b>	Part B: General Comments/Regional Observations Info Only = No Points	Info Only	Info Only
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SLR Notes:

B.28 New Mexico has been recognized as being only one of 16 states where Damage Prevention is a joint effort with State Agencies, Utility owners, Federal DOT, and the Governor's Office.

The NM PRC is discovering that the best way to find jurisdictional lines is when Operators self report or report on each other. The NM PRC is using various means to identify additional newly jurisdictional gathering lines including items observed during Field Inspections, local knowledge, contractor info and Operator knowledge. Particular focus is Class 3 areas and growing class 2 areas that are outside of city limits.

We appreciate the decision to maintain the PSB in a robust state. The new Bureau Chief was hired in February, 2010, and authorized staff is being maintained at 11 people. It is noted that there was mostly 9 staff during 2010.

Total points scored for this section: 22.5  
Total possible points for this section: 24.5



# PART C - Interstate Agent States

Points(MAX) Score

**1** Did the state use an inspection form that was approved by the Regional Director? Previous Question C(3).1 1 NA  
Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

C.1-8. NA

**2** Are results documented demonstrating inspection units were reviewed in accordance with "PHMSA directed inspection plan"? Previous Question C(3).2 1 NA  
Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

C.1-8. NA

**3** Did the state submit documentation of the inspections within 60 days as stated in its latest Interstate Agent Agreement form? Previous Question C(3).3 1 NA  
Yes = 1 No = 0

SLR Notes:

C.1-8. NA

**4** Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) Previous Question C(3).4 1 NA  
Yes = 1 No = 0

SLR Notes:

C.1-8. NA

**5** Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? Previous Question C(3).5 1 NA  
Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

C.1-8. NA

**6** Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question C(3).6 1 NA  
Yes = 1 No = 0

SLR Notes:

C.1-8. NA

**7** Did the state initially submit documentation to support compliance action by PHMSA on probable violations? Previous Question C(3).7 1 NA  
Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

C.1-8. NA

**8** Part C: General Comments/Regional Observations Info Only Info Only  
Info Only = No Points

SLR Notes:

C.1-8. NA

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



# PART D - Accident Investigations

Points(MAX) Score

**1** Are state personnel following the procedures for Federal/State cooperation in case of an accident? (See Appendix in "Guidelines for States Participating in the Pipeline Safety Program") (Chapter 6.1) Previous Question D.1  
 Yes = 1 No = 0 Needs Improvement = .5

**SLR Notes:**

D.1. Yes, is in the SOP sec 2; 1. Determine if safety violations occurred. 2. Determine root causes of the accident if asked by NTSB. 3. Cooperate with NTSB.

**2** Are state personnel familiar with the jurisdictional authority and Memorandum of Understanding between NTSB and PHMSA? (See Appendix in "Guidelines for States Participating in the Pipeline Safety Program") (Chapter 6 ? Appendix D) Previous Question D.2  
 Yes = .5 No = 0

**SLR Notes:**

D.2. Yes, the MOU between NTSB and OPS is understood, and NM PRC fully cooperates with NTSB.

**3** Did the state keep adequate records of accident notifications received? Previous Question D.3  
 Yes = 1 No = 0 Needs Improvement = .5

**SLR Notes:**

D.3. NA. There were no federally reportable accidents in 2010.

**4** If an onsite investigation of an accident was not made, did the state obtain sufficient information by other means to determine the facts and support the decision not to go on-site? Previous Question D.4  
 Yes = 1 No = 0 Needs Improvement = .5

**SLR Notes:**

D.4. NA. There were no federally reportable accidents in 2010.

**5** Were investigations thorough and conclusions and recommendations documented in an acceptable manner? Previous Question D.5, , comprehensive question worth 2 points total  
 Yes = 2 No = 0 Needs Improvement = 1

- a. Observations Yes  No  Needs Improvement
- b. Contributing factors Yes  No  Needs Improvement
- c. Recommendations to prevent recurrences where appropriate Yes  No  Needs Improvement

**SLR Notes:**

D.5. NA. There were no federally reportable accidents in 2010.

**6** Did the state initiate enforcement action for violations found during any accident investigation(s)? Previous Question D.6 Variation  
 Yes = 1 No = 0 Needs Improvement = .5

**SLR Notes:**

D.6. NA. There were no federally reportable accidents in 2010.

**7** Did the state assist region office by taking appropriate follow-up actions related to the operator accident (and forward to PHMSA within 10 Days per 195.58) reports to ensure accuracy and final report has been received by PHMSA? (validate annual report data from operators concerning incidents/accidents and investigate discrepancies) (Chapter 6) Previous Question D.7/D.8 and A.4  
 Yes = .5 No = 0

**SLR Notes:**

D.7. NA, the Federal region office made no requests in 2010. NM PRC is a partner with PHMSA to ensure that incident reports are accurate & updated.

**8** Part D: General Comments/Regional Observations Info Only Info Only  
 Info Only = No Points

**SLR Notes:**

D.8. The NM PRC SOP and actual practices are in compliance for incident investigations.



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Total points scored for this section: 1.5  
Total possible points for this section: 1.5



# PART E - Damage Prevention Initiatives

Points(MAX) Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Has the state reviewed 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? Previous Question B.12<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

E.1. Yes. This has been added to an addendum sheet and is part of every standard inspection.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | Did the state inspector check to assure the pipeline operator is following its written procedures pertaining to notification of excavation, marking, positive response and the availability and use of the one call system? New 2008<br>Yes = 2 No = 0 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

E.2. Yes, It is addressed under 192.614c and is on the Standard inspection form. NM PRC requires Pipeline Operators to report ALL 3rd party damages in a monthly report to the PSB.

- |          |   |   |   |
|----------|---|---|---|
| <b>3</b> | Did the state encourage and promote the adoption of the Common Ground Alliance Best Practices document to its regulated companies as a means of reducing damages to all underground facilities? Previous Question A.8<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

E.3. Yes, a 2 day seminar was conducted in May, 2007 where 811 was advertized. It was sponsored by NMPRC, One-Call, NUCA, & NM Gas Assoc. These organizations are the original members to create the NM Regional Common Ground Alliance. Attendees included major, middle and small pipeline companies, municipal systems, master meter operators, excavators, & other underground facility operators. Another Seminar was held August 19-20, 2008. In addition 35 two hour seminars were conducted throughout 2008 at locations throughout the State. The 2009 CGA meeting was held August 18-20, 2009 and 16 two hour seminars were conducted during 2009. The 2010 CGA meeting was held June 15-17, 2010 and 62 two hour seminars were conducted during 2010.

- |          |   |   |   |
|----------|---|---|---|
| <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? New 2008<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

E.4. Yes. PSB has access to all locate requests and all damage reports. Evaluations concerning type of damage, hits per alleged violator, cost to repair, injuries, by date, & hit frequency have been done. PSB applied for permission to enter into an information sharing contract with NM One-Call to further enhance data analysis and data collection, and to get the information entered into DIRT (Damage Information Reporting Tool). The contract with NM One-Call was signed in December, 2009 and data is being entered into DIRT. HB 500 (recently passed 3/2011) will allow One-Call & PSB to create the New Mexico virtual DIRT Program. Disaggregation of data will be much easier.

- |          |   |   |   |
|----------|---|---|---|
| <b>5</b> | Did the state review operators' records of accidents and failures due to excavation damage to ensure causes of failure are addressed to minimize the possibility of recurrence as required by 195.402 (c)(5)?<br>Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

E.5. Yes. This has been added to an addendum sheet and is part of every standard inspection.

- |          |   |           |           |
|----------|---|-----------|-----------|
| <b>6</b> | Part E: General Comments/Regional Observations<br>Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

SLR Notes:

E.6. During the last five years PSB has worked to implement the improvement of Public Awareness, the launching of 811, the creation of the NM Regional Common Ground Alliance, the improvement of NM One-Call, Exercising authority over excavators, Enforcing One-call requirements on Operators and Excavators, Issuing fines for One-Call violations to excavators and all underground utility operators, and participating in nation wide data gathering efforts like DIRT.

Effective in December, 2009, the PSB entered into a contract with NM One-Call for information sharing with One-Call to improve your data resources and enhance your field enforcement capabilities. This contract will increase PSB's access to more detailed data and analysis to more fully address and analyze 3rd party hits. Also effective in the 2nd half of 2009 was the delegated authority for PSB personnel to issue written tickets for on-site One-Call violations. It's a 4 part ticket with the white original going to the violator on-site, the yellow copy is sent to the violator's home office, the pink copy goes to the PSB files, and the Canary copy stays as a permanent copy in the ticket book. Fines are typically \$500. Fine authority up to \$5000 for first offense & \$25,000 for subsequent offence has been delegated to the PSB and is usually exercised by the Director of Transportation. An appeal of the fine would be handled by the PRC Commission.

More is needed! Several FTEs could be filled solely for One-Call enforcement. One of the pending hires will be used to address One-Call enforcement.

Total points scored for this section: 9

Total possible points for this section: 9

# PART F - Field Inspection

Points(MAX) Score

**1** Operator, Inspector, Location, Date and PHMSA Representative Info Only Info Only  
Info Only = No Points  
 Name of Operator Inspected:  
 Holly Energy Partners  
 Name of State Inspector(s) Observed:  
 Mike Smith  
 Location of Inspection:  
 Artesia, New Mexico  
 Date of Inspection:  
 8/31 - 9/1/2011  
 Name of PHMSA Representative:  
 Dale Bennett

**SLR Notes:**  
 Mike smith lead the inspection and observed by Joe Johnson and Dale Bennett. The operator was represented by Warren Pettit and Lori Coupland. Six lines were inspected: (1)Artesia to Roswell 4" Product Pipeline 35.18 miles (Jet Fuel):(2)Lovington to Artesia 8" 64.86 miles ISO Butane Line:(3)Lovington to Artesia 64.86 miles, Empire Line Multi Product:(4) Artesia to Whitelakes, Four Corners Pipeline 59.5 miles, Multi Product:(5)Lovington to Artesia 16" LAC, 65 miles Crude:(6)Beeson to Lovington 8" 42 miles Crude.

**2** Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? New 2008 1 1  
Yes = 1 No = 0

**SLR Notes:**  
 Holly Energy Partners was notified on 8/15/2011, of the planned inspection.

**3** Did the inspector use an acceptable inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) Previous Question E.2 2 2  
Yes = 2 No = 0

**SLR Notes:**  
 The inspector used PHMSA'S inspection checklist for hazardous liquid pipelines.

**4** Did the inspector thoroughly document results of the inspection? Previous Question E.3 2 2  
Yes = 2 No = 0

**SLR Notes:**  
 The inspector marked the appropriate blocks for each requirement on the federal inspection form.

**5** Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, valve keys, half-cells, etc.) New 2008 1 1  
Yes = 1 No = 0

**SLR Notes:**  
 The inspector reviewed the operators test equipment that he is going to be using in the field.

**6** What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc) New 2008 Info Only Info Only  
Info Only = No Points

**SLR Notes:**  
 The inspector conducted a standard field inspection.

**7** Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) New 2008, comprehensive question worth 2 points total 2 2  
Yes = 2 No = 0 Needs Improvement = 1

- a. Procedures
- b. Records
- c. Field Activities/Facilities



d. Other (Please Comment)

SLR Notes:

The inspector review how the procedures applied to field activities.

<b>8</b>	Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Liaison will document reasons if unacceptable) Previous Question E.8 Yes = 2 No = 0	2	2
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SLR Notes:

Although Liquid Inspections was new to the inspector he exhibited good knowledge of the requirements in 49CFR Part 195 which were applicable for this inspection.

<b>9</b>	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) Previous Question E.10 Yes = 1 No = 0	1	1
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SLR Notes:

The inspector conducted a detailed exit interview with the operator.

<b>10</b>	During the exit interview, did the inspector identify probable violations found during the inspections? Previous Question E.11 Yes = 1 No = 0	1	1
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SLR Notes:

The inspector reviewed in detail the results of the inspection conducted.

<b>11</b>	What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Info Only = No Points	Info Only	Info Only
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SLR Notes:

The inspector observed pump stations, cathodic protection, line markers, overpressure safety devices, ROW, signs, and valves.

<b>12</b>	Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) Info Only = No Points	Info Only	Info Only
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SLR Notes:

There were no best practices identified.

<b>13</b>	Field Observation Areas Observed (check all that apply) Info Only = No Points	Info Only	Info Only
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- a. Abandonment
- b. Abnormal Operations
- c. Break-Out Tanks
- d. Compressor or Pump Stations
- e. Change in Class Location
- f. Casings
- g. Cathodic Protection
- h. Cast-iron Replacement
- i. Damage Prevention
- j. Deactivation
- k. Emergency Procedures
- l. Inspection of Right-of-Way
- m. Line Markers
- n. Liaison with Public Officials
- o. Leak Surveys
- p. MOP
- q. MAOP



- r. Moving Pipe
- s. New Construction
- t. Navigable Waterway Crossings
- u. Odorization
- v. Overpressure Safety Devices
- w. Plastic Pipe Installation
- x. Public Education
- y. Purging
- z. Prevention of Accidental Ignition
- A. Repairs
- B. Signs
- C. Tapping
- D. Valve Maintenance
- E. Vault Maintenance
- F. Welding
- G. OQ - Operator Qualification
- H. Compliance Follow-up
- I. Atmospheric Corrosion
- J. Other

SLR Notes:

The inspector checked the items above in the field.

**14** Part F: General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

The inspector performed a thorough review of the operator's field procedures. He conducted himself in a professional manner and treated the operator with respect.

Total points scored for this section: 12  
 Total possible points for this section: 12





# PART G - PHMSA Initiatives - Strategic Plan

Points(MAX) Score

## Risk base Inspections - Targeting High Risk Areas

**1** Does state have process to identify high risk inspection units? 1.5 0  
Yes = 1.5 No = 0

Risk Factors (criteria) to consider may include:

Miles of HCA's, Geographic area, Population Density

Length of time since last inspection

History of Individual Operator units (leakage, incident and compliance history, etc.)

Threats - (Excavation Damage, Corrosion, Natural Forces, Other Outside Forces, Material or Welds, Equipment, Operations, Other)

### SLR Notes:

G.1. No, not yet, 0 points. If possible would award partial credit. PSB has created a formal evaluation process for risk factors and applied some of the risk factors during 2010. It is expected that they will be using the risk based process in 2011.

**2** Are inspection units broken down appropriately? (see definitions in Guidelines) .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.2. Yes, as per the State Guidelines.

**3** Does state inspection process target high risk areas? .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.3. Yes. It references, length of time, incident & violation histories, miles of HCA, geography, and population.

## Use of Data to Help Drive Program Priority and Inspections

**4** Does state use data to analyze effectiveness of damage prevention efforts in the state? (DIRT or other data, etc) .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.4. Yes. DIRT is being used and NM Virtual DIRT has been launched. HB 500 which authorizes the mandatory immediate notification of excavation damage to One Call has passed the legislature 3/11.

**5** Has state reviewed data on Operator Annual reports for accuracy? .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.5. Yes. Fee and Grant monies are dependent on these reports, and they are therefore reviewed closely.

**6** Has state analyzed annual report data for trends and operator issues? .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.6. Yes, they are reviewed for completeness, miles of pipe, and leak history. The reports are compared with prior year reports.

**7** Has state reviewed data on Incident/Accident reports for accuracy? .5 NA  
Yes = .5 No = 0

### SLR Notes:

G.7. NA. There were no accidents in 2010. Procedures are in place.

**8** Does state do evaluation of effectiveness of program based on data? (i.e. performance measures,trends,etc.) .5 0.5  
Yes = .5 No = 0

### SLR Notes:

G.8. Yes, this is a work in progress that is well started. PSB is gathering DIRT, annual reports, inspection results, and other One-Call data. The disaggregating and trending of the data has been started.

**9** Did the State input all operator qualification inspection results into web based database provided by PHMSA in a timely manner upon completion of OQ inspections? .5 0.5  
 Yes = .5 No = 0

**SLR Notes:**

G.9. Yes, most of the OQ inspections were done in 2005 and they have been uploaded. In 2007, 18 of 18 OQ inspections have been uploaded, 3 of 3 protocol 9 inspections were uploaded in 2009, and 2 of 2 protocol inspections were uploaded in 2010.

**10** Did the State submit their replies into the Integrity Management Database (IMDB) in response to the Operators notifications for their integrity management program? .5 NA  
 Yes = .5 No = 0

**SLR Notes:**

G.10. NA, NM has not received any letters from the Operators as no violation notices were sent out.

**11** Have the IMP Federal Protocol forms been uploaded to the IMDB? Previous Question B.17 .5 NA  
 Yes = .5 No = 0

**SLR Notes:**

G.11. NA. There were no wholly intrastate LIMP inspections in 2010. There were no uploading requirements.

**12** Did the State use the Federal Protocols to conduct IMP Inspections? (If the State used an alternative inspection form(s) please provide information regarding alternative form(s)) Previous Question C(2).6 .5 NA  
 Yes = .5 No = 0

**SLR Notes:**

G.12. NA there were no LIMP inspections, neither Fed nor State, in 2010.

**13** Has state confirmed transmission operators have submitted information into National Pipeline Mapping System (NPMS) database along with any changes made after original submission? .5 0.5  
 Yes = .5 No = 0

**SLR Notes:**

G.13. Yes, this question has been added to the addendum sheet for standard inspections.

## Accident/Incident Investigation Learning and Sharing Lessons Learned

**14** Has state shared lessons learned from incidents/accidents? (i.e. NAPSRS meetings and communications) .5 0.5  
 Yes = .5 No = 0

**SLR Notes:**

G.14. Yes, NMPRC makes a report during the SW Region NAPSRS Meeting, and responds as appropriate to email correspondence. One or two of the 2010 year incidents will be discussed at SW Region NAPSRS for things discovered and lessons learned.

**15** Does the State support data gathering efforts concerning accidents? (Frequency/Consequence/etc) .5 0.5  
 Yes = .5 No = 0

**SLR Notes:**

G.15. Yes, reports are received, followup is made, paperwork is checked, lessons learned are derived, Accident causes and regulatory compliance are determined, and site visits are usually made. Inspector duties are outlined in SOP section 2.

**16** Does state have incident/accident criteria for conducting root cause analysis? Info Only Info Only  
 Info Only = No Points

**SLR Notes:**

G.16. NMPRC does not have a criteria for a formal Root Cause Analysis at this time. Several inspectors have taken the Root Cause class. They do search for immediate cause and contributing causes to the detail of the Federal inspection form.

**17** Does state conduct root cause analysis on incidents/accidents in state? Info Only Info Only  
 Info Only = No Points

**SLR Notes:**

G.17. NMPRC usually determines a probable cause to an incident, but does not do formal Root Cause Analysis at this time.

**18** Has state participated on root cause analysis training? (can also be on wait list) .5 0.5

No = 0 Yes = .5

SLR Notes:

G.18. Yes, 3 inspectors have attended Root Cause Analysis Class. Other inspectors are scheduled or on a wait list.

## Transparency - Communication with Stakeholders

<b>19</b>	Other than pipeline safety seminar does State communicate with stakeholders? (Communicate program data, pub awareness, etc.)	.5	0.5
	Yes = .5 No = 0		

SLR Notes:

G.19. Yes, through the NM Regional Common Ground Alliance, also by conducting seminars, making presentations at Trade Meetings, at Construction Industry Board Meetings, & at special meetings for Construction Industry Boards & their staffs. Recently (early 2011)the NMPRC made a presentation at the National CGA. The PSB also attends and supports NUCA meetings and programs, and NMRCGA Meetings and programs.

<b>20</b>	Does state share enforcement data with public? (Website, newsletters, etc.)	.5	0.5
	Yes = .5 No = 0		

SLR Notes:

G.20. Yes, the public has access to PSB records of inspections, violations, and etc. There are plans to place some records on the web.

<b>21</b>	Part G: General Comments/Regional Observations	Info Only	Info Only
	Info Only = No Points		

SLR Notes:

G.21. NM PRC's multiple year support and development of Damage Prevention is noted. In particular the implementation of NM Virtual DIIRT, The program for issuing tickets for excavation violations is proving successful, and Effective 1st Qtr, 2010 the one-call center went 24-7-365 to address emergency tickets.

Total points scored for this section: 6.5  
 Total possible points for this section: 8



**PART H - Miscellaneous**

**Points(MAX) Score**

**1** What were the major accomplishments for the year being evaluated? (Describe the accomplishments, NAPS  
Activities and Participation, etc.) Previous Question A.15 .5 0.5  
Yes = .5 No = 0

**SLR Notes:**

H.1. Yes. The PSB has started assessing civil penalties for all 3rd party damages. Typical fines are \$500 for 1st offenses. The PSB and the Pipeline Industry have established a much stronger partnership for pipeline safety developed somewhat by NM PRC collecting a \$371,000 fine for a violation that endangered a large commuting population in Albuquerque. This is the largest fine in NM PRC history.  
The PSB has converted to an electronic database for all correspondence, inspections, documents, etc.  
The PSB has improved its Operator docket which is the instrument used to track inspections, violations, and progress toward compliance.  
The development of NM virtual DIRT and its first practical use started in 2010.  
PSB personnel participated on the NAPS DIMP and GAP committees.  
PSB personnel participated on the NAPS Public Awareness Program committee. The active participation includes providing the prototype evaluation form for Public Awareness inspections.  
The PSB participated in the Regional and National NAPS Meetings, and Mr. Montoya is serving as SW Region NAPS Chairman.  
PSB personnel participated on the NAPS liaison committee.  
The program for issuing tickets for excavation violations is proving successful. It is expected that additional personnel will become necessary when the immediate mandatory reporting of line hits becomes effective.  
All gas units are being inspected within the 3 year inspection cycle and at-risk units are being inspected more often.  
Restrictions on out of state inspections have been lifted which enabled the Drug and Alcohol Inspections of 18 Corporations and for 3 Operator Qualification Inspections of Corporations.  
In 2010 the Master Meter Outreach Program was re-presented at three locations around the State, and feedback indicates that it was needful and very successful.  
Two vacancies and one promotion were accomplished in 2010. One vacancy is still pending.  
Efforts to find additional regulated gathering lines continued throughout 2010.  
Additional PSB personnel have been developed and qualified such that ON-Call Duty has been expanded from two personnel to four personnel.

**2** What legislative or program initiatives are taking place/planned in the state, past, present, and future? (Describe  
initiatives (i.e. damage prevention, jurisdiction/authority, compliance/administrative, etc.) A.16 .5 0.5  
Yes = .5 No = 0

**SLR Notes:**

H.2. Yes. HB 500 to mandate immediate notification of excavation damage by excavators, has been passed by the Legislature.

**3** Any Risk Reduction Accomplishments/Projects? (i.e. Replacement projects,bare steel,third-party damage  
reductions, HCA's/USA mapping, internal corrosion, etc.) .5 0.5  
Yes = .5 No = 0

**SLR Notes:**

H.3. Yes. Continuing a program (docket 03-00144-PL, & 03-00073PL) that was started in 2003 to replace bare main, PVC, and ABS pipelines. Project shows 142.02 miles replaced through 2008, 4.47 miles replaced in 2009, 4.56 miles replaced in 2010 and 103.74 miles remaining to be replaced.

**4** Did the state participate in/respond to surveys or information requests from NAPS or PHMSA? 1 1  
Yes = 1 No = 0

**SLR Notes:**

H.4. Yes. All e-mails and surveys are responded to. Also PSB personnel are actively participating on four NAPS Committees.

**5** Sharing Best Practices with Other States - (General Program) .5 0.5  
Yes = .5 No = 0

**SLR Notes:**

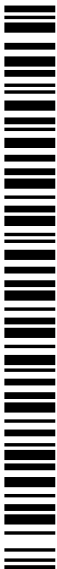
H.5. Yes. Made presentations at NMCGA and National CGA conferences, concerning NM Virtual DIRT, participation on the monthly National NAPS Board Conference Call.

**6** Part H: General Comments/Regional Observations Info Only Info Only  
Info Only = No Points

**SLR Notes:**

H.6. Yes. NM PRC's efforts to improve Public Awareness is noted, particularly your staff's participation on the PAP Committee, the use of New Mexico's Public Awareness Form as the prototype for the Federal Form, and your partnership with Operators concerning Public Awareness through your participation in CGA, NUCA, and NMGA.

Total points scored for this section: 3  
Total possible points for this section: 3



# PART I - Program Initiatives

Points(MAX) Score

## Drug and Alcohol Testing (49 CFR Part 199)

**1** Has the state verified that operators have drug and alcohol testing programs? 1 1  
Yes = 1 No = 0

SLR Notes:

I.1. Yes, Operators and their contractors have been inspected.

**2** Is the state verifying that operators are conducting the drug and alcohol tests required by the operators program (random, post-incident, etc.) .5 0.5  
Yes = .5 No = 0

SLR Notes:

I.2. Yes, Operators are being evaluated against federal guidelines and their own program.

**3** Is the state verifying that any positive tests are responded to in accordance with the operator's program? .5 0.5  
Yes = .5 No = 0

SLR Notes:

I.3. Yes, all documentation was fully reviewed.

## Qualification of Pipeline Personnel (49 CFR Part 195 Subpart G)

**4** Has the state verified that operators have a written qualification program? 1 1  
Yes = 1 No = 0

SLR Notes:

I.4. Yes, Operators have developed their OQ Plans.

**5** Has the state reviewed operator qualification programs for compliance with PHMSA rules and protocols? .5 0.5  
Yes = .5 No = 0

SLR Notes:

I.5. Yes, in 2005 & 2006. Also catching new Operators as they are created or move into the State. PSB has decided to enter a requirement into its SOP that full OQ inspections of each operator are required every 6 years. Protocol 9 inspections are required of each Unit every 3 years and are usually done as part of a standard inspection.

**6** Is the state verifying that persons who perform covered tasks for the operator are qualified in accordance with the operator's program? .5 0.5  
Yes = .5 No = 0

SLR Notes:

I.6. Yes, through the standard OQ inspection and the Field OQ inspection.

**7** Is the state verifying that persons who perform covered task for the operator are requalified at the intervals specified in the operator's program? .5 0.5  
Yes = .5 No = 0

SLR Notes:

I.7. Yes, through follow up OQ inspections.

## Hazardous Liquid Pipeline Integrity Management (49 CFR Part 195.452)

**8** Has the state verified that all operators with hazardous liquid pipelines have adopted an integrity management program (IMP)? 1 0  
Yes = 1 No = 0

SLR Notes:

I.8. NO. 0 points. 4 operators have been identified that are not in the LIMP database. The omission suggests that Protocol A was NOT done for these Operators.

**9** Has the state verified that in determining whether a plan is required, the operator properly applied the definition of a high consequence area? .5 0  
Yes = .5 No = 0

SLR Notes:



I.9. NO. 0 points. 4 operators have been identified that are not in the LIMP database, it cannot be defended that HCA determinations have been reviewed.

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<b>10</b>	Has the state reviewed operator IMPs for compliance with 195.452? Yes = .5 No = 0	.5	0.5
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SLR Notes:

I.10. Yes. 195.452, Subpart F and the Federal Protocols are followed.

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<b>11</b>	Is the state monitoring operator progress on the inspections, tests and remedial actions required by the operator's IMP, which includes the manner and schedule called for in its IMP? Yes = .5 No = 0	.5	0.5
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SLR Notes:

I.11. Yes, It is part of the violation process.

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<b>12</b>	Is the state verifying operators are periodically examining their hazardous liquid pipelines for the appearance of new HCAs? Yes = .5 No = 0	.5	0
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SLR Notes:

I.12. NO. 0 points. 4 operators have been identified that are not in the LIMP database, it cannot be defended that hazardous liquid pipeline routes are being checked for new HCAs.

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### Public Awareness (49 CFR Section 195.440)

<b>13</b>	Has the state verified that each operator has developed a continuing public awareness program (due date was 6/20/06 for most operators, 6/20/07 for certain very small operators)? Yes = .5 No = 0	.5	0.5
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SLR Notes:

I.13. Yes. Performed the initial inspections, monitored the clearing house results, and performed the Clearing House follow ups. Also doing it during Standard Inspections or as Stand alone Inspections.

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<b>14</b>	Has the state reviewed the content of these programs for compliance with 195.440 (by participating in the Clearinghouse or by other means)? Yes = .5 No = 0	.5	0.5
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SLR Notes:

I.14. Yes. It is part of the inspection process.

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<b>15</b>	Is the state verifying that operators are conducting the public awareness activities called for in its program? Yes = .5 No = 0	.5	0.5
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SLR Notes:

I.15. Yes. It is part of the inspection process.

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<b>16</b>	Is the state verifying that operators have evaluated their public awareness programs for effectiveness as described in RP1162? Info Only = No Points	Info Only	Info Only
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SLR Notes:

I.16. Yes, Public Awareness has been an area of focus, and performance of those inspections has been a priority. PSB is already reviewing Operator efforts to review its program effectiveness.

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<b>17</b>	Part I: General Comments/Regional Observations Info Only = No Points	Info Only	Info Only
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SLR Notes:

I.17 Public Awareness inspections are usually part of Standard Inspections. Operator compliance with NMPS requirements will be given increased emphasis. OQ re-inspected started in 2011. Drug and Alcohol inspections are being conducted as stand-alone operator inspections.

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Total points scored for this section: 7  
Total possible points for this section: 9

