



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

1200 New Jersey Avenue SE
Washington DC 20590

2011 Hazardous Liquid State Program Evaluation

for

Oklahoma Corporation Commission

Document Legend

PART:

- O -- Representative Date and Title Information
- A -- Progress Report and Program Documentation Review
- B -- Program Inspection Procedures
- C -- Program Performance
- D -- Compliance Activities
- E -- Accident Investigations
- F -- Damage Prevention
- G -- Field Inspections
- H -- Interstate Agent State (if applicable)
- I -- 60106 Agreement State (if applicable)



2011 Hazardous Liquid State Program Evaluation -- CY 2011
Hazardous Liquid

State Agency: Oklahoma
Agency Status:
Date of Visit: 03/12/2012 - 09/21/2012
Agency Representative: Dennis Fothergill, Pipeline Safety Manager
PHMSA Representative: Patrick Gaume, State Liaison
Commission Chairman to whom follow up letter is to be sent:
Name/Title: Ms. Patrice Douglas, Chairman
Agency: Oklahoma Corporation Commission
Address: 2101 N. Lincoln Blvd.
City/State/Zip: Oklahoma City, Oklahoma 73105

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 2011 (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 progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART G):

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 G, the PHMSA representative should include a written summary which thoroughly documents the inspection.

Scoring Summary

PARTS	Possible Points	Points Scored
A Progress Report and Program Documentation Review	10	10
B Program Inspection Procedures	15	15
C Program Performance	43	43
D Compliance Activities	14	14
E Accident Investigations	9	9
F Damage Prevention	8	8
G Field Inspections	12	12
H Interstate Agent State (if applicable)	0	0
I 60106 Agreement State (if applicable)	0	0
TOTALS	111	111
State Rating		100.0



PART A - Progress Report and Program Documentation Review

Points(MAX) Score

-
- | | | | |
|----------|---|---|---|
| 1 | Accuracy of Jurisdictional Authority and Operator/Inspection Units Data - Progress Report Attachment 1 (A1a)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

A1. Yes. Attachment 1 and Attachment 3 are in agreement and match State Records.

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|----------|--|---|---|
| 2 | Review of Inspection Days for accuracy - Progress Report Attachment 2 (A1b)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

A2. Yes. Attachment 2 is in agreement with OCC State records.

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|----------|--|---|---|
| 3 | Accuracy verification of Operators and Operators Inspection Units in State - Progress Report Attachment 3 (A1c)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

A3. Yes. Attachment 3 is correct; discrepancies with the operator lists out of PDM were explained, i.e. Wynnewood is owner of 2.1miles and Sunoco is possibly also reporting those 2.1 miles as the operator; Plains is starting to report pipe according to various subsidiary company OPID. In other cases it was operators making submission of non-jurisdictional pipe. 2 OPID numbers did not transfer into the Attachment; Coronado opid 32507, & SUNOCO opid 18718.

- | | | | |
|----------|--|---|---|
| 4 | Were all federally reportable incident reports listed and information correct? - Progress Report Attachment 4 (A1d)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

A4. Yes. 1 federally reportable incident, 1 report.

- | | | | |
|----------|--|---|---|
| 5 | Accuracy verification of Compliance Activities - Progress Report Attachment 5 (A1e)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

A5. Yes. Attachment 5 is internally consistent and in agreement with State records.

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|----------|---|---|---|
| 6 | Were pipeline program files well-organized and accessible? - Progress Report Attachment 6 (A1f, A4)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

A6. Yes, the paper files are in the Pipeline Section Office area and are well organized.

- | | | | |
|----------|--|---|---|
| 7 | Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 (A1g)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

A7. Yes. This information is auto loaded from the TQ database. Managers and individual inspectors double check their records.

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|----------|---|---|---|
| 8 | Verification of Part 195,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

A8. Yes. The Oklahoma laws are properly cross referenced to Attachment 8.

9 List of Planned Performance - Did state describe accomplishments on Progress Report in detail - Progress Report Attachment 10 (H1-3) 1 1

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A9. Yes. Staff status-historically authorized for 13 FTE, reduced to 12 FTE in 2008; 1/1/11 authorized for 12 FTE w/ 12 employees; 7/1/11-changed authorization to 14 FTE; 12/31/11-14 FTE w/ 12 employees; 4/23/12-14 FTE & 14 employees. In 2011 there was 1 retirement & 1 hire. In transition toward electronic files, Continuing efforts to implement all 9 elements of Damage prevention.

10 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

A10. OCC Pipeline Dept anticipates approval for 15 FTE on 1/1/13 with an effective date of 7/1/13. The FTE will be a technical resource for IMP, OQ, PAPEI, CRM, and other specialized inspections. The Commission is working with the underground facility owners, excavators, property owners, local, county and state governmental entities and the board of directors for the One Call to bring the State's underground damage preventions statutes into compliance with 9 elements of the damage prevention part of the pipeline safety act of 2006. To date they have had three meetings and subgroups have been established to address all 9 elements.

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



PART B - Program Inspection Procedures

Points(MAX) Score

1 Standard Inspections (B1a) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

B1. Yes, have procedures in SOP pages 1-10. The SOP shows that Units are inspected every 2-3 years, but certain Systems in large Units may be on a 4-5 year rotation. Std insp 1-5 years per risk ranking.

2 IMP Inspections (B1b) 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

B2. Yes. IMP plan review is on an 8 yr cycle. It is presently not risk ranked. Changes in HCAs are addressed during Std Inspections using their Oklahoma Addendum.

3 OQ Inspections (B1c) 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

B3. Yes. OQ plan review is on a 10 yr cycle.

4 Damage Prevention Inspections (B1d) 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

B4. Yes, Damage Prevention is part of the Std Insp; see SOP pg 7 of 10.

5 On-Site Operator Training (B1e) 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

B5. Yes, see SOP pg 8 of 10.

6 Construction Inspections (B1f) 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

B6. Yes. These inspections will be conducted as needed and as per the SOP pg 4 of 10.

7 Incident/Accident Investigations (B1g) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

B7. Yes. These inspections will be conducted as needed and as per the SOP pg 7 of 10.

8 Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? (B2a-d, G1,2,4) 6 6
 Yes = 6 No = 0 Needs Improvement = 1-5

- | | | | | |
|----|---|--------------------------------------|--------------------------|---|
| a. | Length of time since last inspection | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Operating history of operator/unit and/or location (includes leakage, incident and compliance activities) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Type of activity being undertaken by operators (i.e. construction) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Locations of operators inspection units being inspected - (HCA's, Geographic area, Population Density, etc) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e. | Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |

f. Are inspection units broken down appropriately?

Yes No Needs Improvement

Evaluator Notes:

B8. YES, the various risk factors have been identified and written into the SOP pages 3-7 of 10. The database has been developed, is being used, and is being reviewed and refined for its value. Right now the value of the database is minimal to moderate. Discussion with other state program managers is on-going.

9 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

B9. The OCC is increasing staff to address IMP, OQ, CRM, PAPEI, etc, while continuing with Standard, construction, and incident/accident inspections. John Harper was promoted in July, 2012 to schedule and coordinate these newer inspections and to be a source of management support. It is everyone's goal to shrink re-inspection intervals to 7 years or less for every type of inspection.

Total points scored for this section: 15
Total possible points for this section: 15



PART C - Program Performance

Points(MAX) Score

- 1** Was ratio of Total Inspection person-days to total person days acceptable? 5 5
 Yes = 5 No = 0
 A. Total Inspection Person Days (Attachment 2):
 165.50
 B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
 220 X 1.64 = 360.80
 Ratio: A / B
 165.50 / 360.80 = 0.46
 If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
 Points = 5

Evaluator Notes:

C1. Yes. A=165.5 person days. B=1.64 man years * 220 = 360.8person days. A/B= .4587. .4587>.38, okay.

- 2** Has each inspector and program fulfilled the T Q Training Requirements? (See Guidelines for requirements) Chapter 4.4 (A8-A11, G19) 5 5
 Yes = 5 No = 0 Needs Improvement = 1-4
- a. Completion of Required OQ Training before conducting inspection as lead? Yes No Needs Improvement
 - b. Completion of Required IMP Training before conducting inspection as lead? Yes No Needs Improvement
 - c. Root Cause Training by at least one inspector/prgram manager? Yes No Needs Improvement
 - d. Note any outside training completed? Yes No Needs Improvement

Evaluator Notes:

C2. Yes, all inspectors & managers with 3+ years of service have passed all TSI core courses, and the new inspectors are taking courses and are scheduled for the rest. All Leads have the necessary courses.

- 3** Did state records and discussions with state pipeline safety program manager indicate adequate knowledge of PHMSA program and regulations? Chapter 4.1,8.1 (A5) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

C3. Yes, The Program Managers show a professional knowledge of the regulations.

- 4** Did state respond to Chairman's letter on previous evaluation within 60 days and correct or address any noted deficiencies? (If necessary) Chapter 8.1 (A6-7) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

C4. Yes, The OCC Chairman responded in 34 days. All 5 items were addressed.

- 5** Did State hold PHMSA TQ Seminar in Past 3 Years? Chapter 8.5 (A3) 2 2
 Yes = 2 No = 0

Evaluator Notes:

C5. Yes. OCC uses an 18 month TQ schedule. The last Seminar was in November, 2011; the next one is scheduled for May, 2013; both in Tulsa.

- 6** Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1 (B3) 5 5
 Yes = 5 No = 0 Needs Improvement = 1-4

Evaluator Notes:

C6. Yes, Units are being inspected in accordance with the SOP. Inspections are tracked to the System level & the year and type of inspection are recorded by System.



7	Did inspection form(s) cover all applicable code requirements addressed on Federal Inspection form(s)? Did State complete all applicable portions of inspection forms? Chapter 5.1 (B4-5) Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

C7. Yes. OCC uses the current federal form supplemented with an addendum sheet.

8	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) (B7) Yes = 1 No = 0	1	1
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Evaluator Notes:

C8. Yes, it is part of the standard inspection and is reviewed on a Unit by Unit level.

9	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) (B8) Yes = 1 No = 0	1	1
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Evaluator Notes:

C9. Yes, accident and abandonment procedures are reviewed during Standard Inspections.

10	Is the state aware of environmentally sensitive areas traversed by or adjacent to hazardous liquid pipelines? (reference Part 195, review of NPMS) (B9) Yes = 1 No = 0	1	1
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Evaluator Notes:

C10. Yes, Inspectors are familiar with HCAs and USAs.

11	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)? (B10,E5) Yes = 1 No = 0	1	1
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Evaluator Notes:

C11. Yes, this is part of standard inspections and accident investigations.

12	Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? Data Initiative (G5-8,G15) Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

C12. Yes, OCC reviews the Form for completeness, miles of pipe, and trends it relative to prior years, also for data accuracy into various columns. Finally the spreadsheet has 6 years of annual report data.

13	Did state input all applicable OQ, IMP inspection results into federal database in a timely manner? This includes replies to Operator notifications into IMDB database. Chapter 5.1 (G9-12) Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

C13. Yes, all of the IMP & OQ inspections for 2011 have been uploaded, typically within 60 days of the inspection. There were no Operator notifications in 2011 that needed to be uploaded. The focus in 2011 was to continue to conduct Protocol 9 inspections in every Unit that had a standard inspection. There were some violations found during those Protocol 9 reviews.

14	Has state confirmed intrastate operators have submitted information into NPMS database along with changes made after original submission? (G13) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:

C14. Yes. It is a multiple year practice and it is now on the new Standard Inspection Form.

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|-----------|--|---|---|
| 15 | Is the state verifying operators are conducting drug and alcohol tests as required by regulations? This should include verifying positive tests are responded to in accordance with program. 49 CFR 199 (I1-3)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|

Evaluator Notes:

C15. Yes. OCC uses Form 13 for each Standard Inspection Unit and Form 3.1.11 for HQ Plan Reviews.

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| 16 | Is state verifying operators OQ programs are up to date? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals determined in the operators plan. 49 CFR 195 Part G (I4-7)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

C16 Yes, the federal Form is used, and the re-inspections are within the SOP inspection interval.

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| 17 | Is state verifying operator's hazardous liquid integrity management (L IMP) Programs are up to date? This should include a previous review of LIMP plan, along with monitoring progress on operator tests and remedial actions. In addition, the review should take in to account program review and updates of operators plan(s). 49 CFR 195.452 Appendix C (C8-12)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|

Evaluator Notes:

C17. Yes, all HL Operators have been contacted. All HL Operators have either declared they have prepared a LIMP program or declared they have no HCAs. Every HL Operator with an identified HCA has received a full LIMP Inspection. The inspections have been uploaded into the fed database. All HL Operator Protocol A have been reviewed. The impact radii calculations and the HCA determinations have been verified during every LIMP review. All initial LIMP have been done and compliance with subpart F has been checked. Tests and remedial actions are being checked for compliance with their plan. All HL Transmission Operators have had their first LIMP inspection, and they will be reviewed relative to what was found during the prior inspection. This question has been added to the Form 1 addendum sheet since November, 2010.

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|-----------|---|---|---|
| 18 | Is state verifying operators Public Awareness programs are up to date and being followed. State should also verify operators have evaluated Public Awareness programs for effectiveness as described in RP1162. 49 CFR 195.440 (I13-16)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|

Evaluator Notes:

C18. Yes. have reviewed and resolved with the Operator all the Clearing House and CATS exceptions. Also through records review during Standard Inspections and providing instruction about it during the public awareness meetings that are conducted several times per year. Starting in 2011, PAPEI inspections were started in 2011. Present target for first round of PAPEI Inspections in 2014.

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|-----------|---|---|---|
| 19 | Does the state have a mechanism for communicating with stakeholders - other than state pipeline safety seminar? (This should include making enforcement cases available to public). (G19-20)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|

Evaluator Notes:

C19. Yes, is providing a Pipeline Safety Seminar every eighteen months instead of every 3rd year, Every inspector is providing 5 individual operator training sessions per year (9 inspectors * 5 sessions/inspector = 45 sessions per year), There are also 5 to 10 small operator training seminars given around the State each year. They participate in the Okie One Call (OPAL) public awareness program, also participate with several Operators in their programs, also participate with the PRC/ Pipeline Group public awareness program. They are continuing to work on the 9 elements from the 2006 PIPES ACT. All Operators have docket access and OCC is moving to establish a Pipeline Safety website where all finalized inspection reports, along with findings of violations, will be available to the public. Currently the Public has rights to request and receive paper and electronic records.

20 Did state execute appropriate follow-up actions to Safety Related Condition (SRC) 1 1
Reports? Chapter 6.3 (B6)
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

C20. Yes, Had 8 gas & 2 HL. SRCR are tracked similar to any other inspection, & updates are sent

21 Did the state participate in/respond to surveys or information requests from NAPSRS or 1 1
PHMSA? (H4)
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

C21. Yes, OCC works with NAPSRS, TQ, NTSB, PHMSA, and is on various committees. Dennis Fothergill is on the NAPSRS Committee that asks these questions!!

22 General Comments: Info Only Info Only
Info Only = No Points

Evaluator Notes:

C22. The rapid pace of the evolution and change of the Regulations is continuing, but the OCC is committed to meet those changes. Regulation demands and available manpower are regularly reviewed and applied for the most effective results and changes are reflected in the SOP. Staff has recently been increased by 2 FTE and a 3rd FTE is pending.

Total points scored for this section: 43
Total possible points for this section: 43



PART D - Compliance Activities

Points(MAX) Score

- 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 (B12-14, B16, B1h) 4 4
Yes = 4 No = 0 Needs Improvement = 1-3
- a. Procedures to notify an operator (company officer) when a noncompliance is identified Yes No Needs Improvement
- b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns Yes No Needs Improvement

Evaluator Notes:

D1. Yes, in the Department Guidelines (SOP) pg 8 &9 of 10, & the Commission Rules & Practice, Chapter 13, Part 3 Procedure.

- 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 (B11,B18,B19) 4 4
Yes = 4 No = 0 Needs Improvement = 1-3
- a. Were compliance actions sent to company officer or manager/board director if municipal/government system? Yes No Needs Improvement

Evaluator Notes:

D2. Yes, the inspection reports, the NOPV, & Operator response are placed in the Operator file, & if the operator response is sufficient, the case is closed by the Pipeline Section. The PV are recorded as violations, but no closure letter is generally sent to the Operator. If the Operator has contested the NOPV and gone to commissioner's court, then upon conclusion of the court, a court determination is placed in the public record, and the legal staff sends a letter of final resolution to the operator. A spot check of 8 inspections (PLS-NG-11-600, PLS-NG-11-669, PLS-NG-11-088, PLS-NG-11-552, PLS-NG-11-205, PLS-HL-11-051, PLS-HL-11-044, PLS-HL-11-004) shows the records to be in compliance with the procedures. Yes, it was done & the mechanism is in the SOP , pg 9 of 10.

- 3** Did the state issue compliance actions for all probable violations discovered? (B15) 2 2
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

D3. Yes, there were 5 Haz Liquid compliance actions in 2011, 2 in 2010 & 2 in 2009. all were issued within 60 days of the inspection completion.

- 4** Did compliance actions give reasonable due process to all parties? Including "show cause" hearing if necessary. (B17, B20) 2 2
Yes = 2 No = 0

Evaluator Notes:

D4. Yes, the mechanism is in the SOP, sec 165:20-13-15. Due process procedures are followed for all parties. In 2011 two contempt cases were processed; the Contempt ? Town of Freedom was processed to a Final Order and closed. The Contempt ? Enogex was processed to a Final Order and closed in 1st Qtr, 2012. Town of Freedom received a compliance order, and Enogex received a \$1000 fine. There were no actions in 2008, 2009, or 2010, & one action in 2007, to shut in a small town.

- 5** 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) (B27) 2 2
Yes = 2 No = 0

Evaluator Notes:

D5. Yes, Dennis knows the process for civil penalties, and the areas where he doesn't have civil penalty authority. Consideration for repeat violations is limited but for egregious and some repeat violations escalation of civil penalties are considered. Examples include both current Contempt (Show Cause) Hearings.

- 6** Can the State demonstrate it is using their enforcement fining authority for pipeline safety violations? (new question) Info Only Info Only
Info Only = No Points

Evaluator Notes:

D6. Yes. OCC has a history of issuing occasional fines. They will start re-inserting a clause for subjecting the operator to civil penalties if they fail to comply with the original compliance action.

7 General Comments:
Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

D7. OCC is well able to enforce the regulations. OCC recognizes that increased use of civil penalties will likely be needed.

Total points scored for this section: 14
Total possible points for this section: 14



PART E - Accident Investigations

Points(MAX) Score

- 1** Does state have adequate mechanism to receive and respond to operator reports of accidents, including after-hours reports? And did state keep adequate records of Incident/Accident notifications received? Chapter 6 (A2,D1-3) 2 2
Yes = 2 No = 0 Needs Improvement = 1
- a. Acknowledgement of MOU between NTSB and PHMSA (Appendix D) Yes No Needs Improvement
- b. Acknowledgement of Federal/State Cooperation in case of incident/accident (Appendix E) Yes No Needs Improvement

Evaluator Notes:

E1. Yes, Appendix E specifies 1. Determine if safety violations occurred. 2. Determine root causes of the accident if asked by NTSB. 3. Cooperate with NTSB. Yes, the MOU between NTSB and OPS is understood, and OCC fully cooperates with NTSB. Yes, HL accidents are investigated and placed in the files. In addition, the incidents meeting State reporting criteria are in the files.

- 2** 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 (D4) 1 1
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

E2. Yes, In 2011, all 5 Federally reportable incidents were investigated on-site. In addition most state reportable incidents were investigated on-site. However the SOP provides for telephonic reporting and after-the-fact follow up.

- 3** Were all accidents investigated, thoroughly documented, and with conclusions and recommendations? (D5) 3 3
Yes = 3 No = 0 Needs Improvement = 1-2
- a. Observations and document review Yes No Needs Improvement
- b. Contributing Factors Yes No Needs Improvement
- c. Recommendations to prevent recurrences where appropriate Yes No Needs Improvement

Evaluator Notes:

E3. Yes, yes, yes, OCC uses the federal Form 11 for incident investigations. The events are documented and Appendix E is followed.

- 4** Did the state initiate compliance action for violations found during any incident/accident investigation? (D6) 1 1
Yes = 1 No = 0

Evaluator Notes:

E4. Yes, the SOP dictates action similar to any other violation.

- 5** Did the state assist region office by taking appropriate follow-up actions related to the operator accident reports to ensure accuracy and final report has been received by PHMSA? (validate report data from operators concerning incidents/accidents and investigate discrepancies) Chapter 6 (D7) 1 1
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

E5. yes, OCC is a full partner with PHMSA and has assisted PHMSA in the past on interstate incidents/accidents to ensure that incident reports are accurate & updated, and the reports are reviewed for completeness & to ensure that a final report is submitted.

- 6** Does state share lessons learned from incidents/accidents? (sharing information, such as: at NAPS Region meetings, state seminars, etc) (G15) 1 1
Yes = 1 No = 0

Evaluator Notes:

E6. Yes, OCC makes a report during the SW Region NAPS Region Meeting, and responds as appropriate to email correspondence. In addition, lessons learned are shared at Safety Seminars, trade association meetings, and other training events.

7 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

E7. In 2011, 4 of the 6 incidents/accident were due to tornado damage. The other two events were due to excavation damage as a result of mis-marking a pipeline and undiscovered internal corrosion that progressed to a leak.

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



PART F - Damage Prevention

Points(MAX) Score

- | | | | |
|----------|--|---|---|
| 1 | 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? (E1)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

F1. Yes, it is addressed in standard inspections during review of line locate and one-call procedures. OCC has created an addendum sheet to address this question.

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|----------|--|---|---|
| 2 | 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? (E2)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

F2. Yes, it is part of the Standard Inspection Forms for Form 1, Form 2, & Form 3.

- | | | | |
|----------|---|---|---|
| 3 | Did the state encourage and promote practices for reducing damages to all underground facilities to its regulated companies? (i.e. such as promoting/adopting the CGA Best Practices encouraging adoption of the 9 Elements, etc.) (E3)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

F3. Yes, OCC gives a One-Call & RP 1162 Seminar every 18 months and it includes T&Q Seminars. They also give a One-Call & RP 1162 Seminar in the annual Small Operator/Municipal presentations. OK requires that one call notifications be made, or Certified Projects be followed, or that pre-engineered & certified projects be followed as their means of enforcing Damage Prevention.

- | | | | |
|----------|--|---|---|
| 4 | 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? (This can include DIRT and other data shared and reviewed by the pipeline safety program) (E4,G5)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

F4. Yes. OCC has required and received line locates, line hits, and line leaks from the One Call Center and all regulated operators. OCC is using spreadsheet analysis to learn that master meters have almost no risk of line hits. The study of line hits per thousand locates is interesting because the rate varies widely across the various classes of operators. The data includes regulated and non-regulated underground resources.

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

Evaluator Notes:

F5. OCC has been able to create a credible database and study by requiring the line locate, hit, and leak data. OCC continues to work toward achieving all 9 elements of Damage Prevention including effective civil penalties of excavators who violate the Damage Prevention regulations.

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



PART G - Field Inspections

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, opid 32011
 Name of State Inspector(s) Observed:
 OCC inspectors Vince Eitzen, Ron Smith, Kelly Phelps
 Location of Inspection:
 Tulsa, OK
 Date of Inspection:
 3/13-15/2012
 Name of PHMSA Representative:
 Patrick Gaume, State Liaison

Evaluator Notes:
 Holly Energy Partners, opid 32011, Tulsa, OK, 3/13-15/12; OCC inspectors Vince Eitzen, Ron Smith, Kelly Phelps; Standard Inspection, OQ Field insp, & new pipeline Const review.

2 Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? (F2) 1 1
 Yes = 1 No = 0

Evaluator Notes:
 Yes. Insp was scheduled for the Doubletree Hotel in Tulsa, OK. 6 Holly personnel participated. Records were shipped in from Holly Operations HdQtrs in Artesia, NM.

3 Did the inspector use an appropriate inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) (F3) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:
 Yes. Used Fed Form 3, Rev 7/15/11 + OCC addendum sheet + Fed Form 15, Rev 4, 3/21/11.

4 Did the inspector thoroughly document results of the inspection? (F4) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:
 Yes. The forms were completed for the portion of the inspection that was observed.

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) (F5) 1 1
 Yes = 1 No = 0

Evaluator Notes:
 Yes. Half-cell, multi meter, communication equip (cell phone), PPE for all, Safety Mtg, Safety Procedures with paperwork, OQ certified personnel.

6 Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) (F7) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

- a. Procedures
- b. Records
- c. Field Activities
- d. Other (please comment)

Evaluator Notes:
 Yes, it included procedures, Records, Field activities, OQ of rectifier and test leads, and included review of construction records. (new lines ? in service less than 1 year).



7 Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Evaluator will document reasons if unacceptable) (F8) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes. All three individuals are competent. Ron is new & is well along getting his CBT and TQ courses done.

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) (F9) 1 1
 Yes = 1 No = 0

Evaluator Notes:

Yes. No violations found, records, procedures, and field were thoroughly reviewed.

9 During the exit interview, did the inspector identify probable violations found during the inspections? (if applicable) (F10) 1 1
 Yes = 1 No = 0

Evaluator Notes:

A exit/closing meeting was performed with Holly on March 15, 2012. In attendance for the OCC was Vince Eitzen and Ron Smith, Holly Energy had Lori Coupland, Warren Pettit and Mac Fitzgerald also in attendance via conference call was Steve Williamson, Eugene Moffitt, George Sanchez and Mark Cunningham. OCC Inspectors opened with several areas noted for improvement or recommendations:

1. Discussed the the method of patrolling, as it stands now that method is by foot patrol with Holly entertaining the use of aerial patrol. It was a recommendation that if they choose this method additional ROW clearing may be needed, as much of the initial pipe was installed using boring technology thus not starting with a cleared ROW.
2. Supports utilizing fully enclosed encirclement sleeves with the support welded to the sleeve were used at the East Refinery, our review of this support and the fact that ASME B31.4-2009, 404.9.1-404.9.4 as well as 402.3.7 allow this and therefore is a none issue. Our recommendation was that much of the above ground piping as well as some of these supports were fully insulated on Line 400, with this pipe and product known to cause pipe sweat it was recommended that CP personal may want to set up a evaluation at a pre-determined date(3 year/5 year)for closer inspection of piping and supports under this insulation. Also there were a couple of bolt-on style supports with no separation between pipe and metal clamp. Our recommendation was for a non metallic material between support and pipe to aid in preventing corrosion pitting.
3. Construction files had a few non-relevant i's dotted and t's crossed issues which Holly has addressed.

Areas of praise for Holly

1. Additional barriers around piping manifold area.
 2. Redundant OPD's
 3. Pull down fire alarms inside stations buildings that trigger alarms at SCADA center.
- Closed and provided Lori C. with PHMSA advisory bulletin.

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 Info Only Info Only
 Info Only = No Points

- | | |
|----------------------------------|-------------------------------------|
| a. Abandonment | <input type="checkbox"/> |
| b. Abnormal Operations | <input type="checkbox"/> |
| c. Break-Out Tanks | <input type="checkbox"/> |
| d. Compressor or Pump Stations | <input checked="" type="checkbox"/> |
| e. Change in Class Location | <input type="checkbox"/> |
| f. Casings | <input checked="" type="checkbox"/> |
| g. Cathodic Protection | <input checked="" type="checkbox"/> |
| h. Cast-iron Replacement | <input type="checkbox"/> |
| i. Damage Prevention | <input checked="" type="checkbox"/> |
| j. Deactivation | <input type="checkbox"/> |
| k. Emergency Procedures | <input checked="" type="checkbox"/> |
| l. Inspection of Right-of-Way | <input checked="" type="checkbox"/> |
| m. Line Markers | <input checked="" type="checkbox"/> |
| n. Liaison with Public Officials | <input type="checkbox"/> |

- 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

Evaluator Notes:

YES. OQ Field insp. of Rectifiers and Test Leads; MOP, normal OP, flange ratings, site security fencing, locks, ingress and egress procedures & practices, Safety Orientation, PPE, Safety signs, PSH, PSHH, ESD, Rectifier check, CP, Csg CP. CP isolation, Pig traps, Pig trap safety devices, (vents, chains, bolts, etc), pipe supports, atmosphere corrosion, flange nuts and threads, SCADA sensing devices & displays, fire extinguishers, Site cleanliness, Determination of origin and end of the pipeline, outside force threats (car barriers), pressure displays and readings, pressure sensors, valve ID tags, Pipeline markers, evidence of line locates. Best Practice- SCADA sensing and PSH had triple redundancy and were well displayed. The pipeline that was pulled through the bore was pre-hydro tested, pulled, and then immediately re-hydro tested while the boring company was still on location. When the pipeline was finished there was a third hydro test to establish the MOP.

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



PART H - Interstate Agent State (if applicable)

Points(MAX) Score

1 Did the state use the current federal inspection form(s)? (C1) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

2 Are results documented demonstrating inspection units were reviewed in accordance with "PHMSA directed inspection plan"? (C2) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

3 Did the state submit documentation of the inspections within 60 days as stated in its latest Interstate Agent Agreement form? (C3) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

4 Were 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.) (C4) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

5 Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (C5) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

6 Did the state give written notice to PHMSA within 60 days of all probable violations found? (C6) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

7 Did the state initially submit documentation to support compliance action by PHMSA on probable violations? (C7) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

8 General Comments: Info OnlyInfo Only
Info Only = No Points

Evaluator Notes:
H1-8. NA not an interstate Agent Program.

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



PART I - 60106 Agreement State (if applicable)

Points(MAX) Score

1 Did the state use the current federal inspection form(s)? (B21) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

2 Are results documented demonstrating inspection units were reviewed in accordance with state inspection plan? (B22) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

3 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.) (B23) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

4 Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (B24) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

5 Did the state give written notice to PHMSA within 60 days of all probable violations found? (B25) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

6 Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? (B26) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

7 General Comments: Info Only Info Only
Info Only = No Points

Evaluator Notes:
I.1-7. NA. not a 60106 Agreement Program

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

