



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2010 Natural Gas State Program Evaluation

for

Puerto Rico Public Service Commission

## 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 -- Incident Investigations
- E -- Damage Prevention Initiatives
- F -- Field Inspection
- G -- PHMSA Initiatives - Strategic Plan
- H -- Miscellaneous
- I -- Program Initiatives



2010 Natural Gas State Program Evaluation -- CY 2010  
Natural Gas

**State Agency:** Puerto Rico

**Agency Status:**

**Date of Visit:** 05/16/2011 - 05/20/2011

**Agency Representative:** Andres Torres, Director of Pipeline Safety, Puerto Rico Public Service Commission

**PHMSA Representative:** Don Martin

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

**Name/Title:** Jose' H. Banuchi-Hernandez Esq., El Presidente

**Agency:** Puerto Rico Public Service Commission

**Address:** Avenida Munoz Rivera #50

**City/State/Zip:** Hato Rey, Puerto Rico 00926

**Rating:**

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

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**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.

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**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**

**PARTS**

**Possible Points    Points Scored**

A	General Program Qualifications	24	15
B	Inspections and Compliance - Procedures/Records/Performance	23.5	22.5
C	Interstate Agent States	0	0
D	Incident Investigations	2.5	2.5
E	Damage Prevention Initiatives	9	9
F	Field Inspection	11	11
G	PHMSA Initiatives - Strategic Plan	7	4.5
H	Miscellaneous	3	3
I	Program Initiatives	6	6

**TOTALS**

**86                      73.5**

**State Rating .....**

**85.5**

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## 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<br>Yes = 8 No = 0 Needs Minor Improvement = 3-7 Needs Major Improvement = 2 | 8                        | 7 |
| <hr/>    |  |                          |   |
| a.       | State Jurisdiction and agent status over gas facilities (1)  | <input type="checkbox"/> |   |
| b.       | Total state inspection activity (2)  | <input type="checkbox"/> |   |
| c.       | Gas facilities subject to state safety jurisdiction (3)  | <input type="checkbox"/> |   |
| d.       | Gas pipeline incidents (4)   | <input type="checkbox"/> |   |
| e.       | State compliance actions (5)   | <input type="checkbox"/> |   |
| f.       | State record maintenance and reporting (6)   | <input type="checkbox"/> |   |
| g.       | State employees directly involved in the gas pipeline safety program (7)   | <input type="checkbox"/> |   |
| h.       | State compliance with Federal requirements (8)   | <input type="checkbox"/> |   |

### SLR Notes:

The PR PSC failed to complete the information contained in Attachment 5 of the 2011 Certification accurately. The PR PSC entered 758 Probable Violations found during 2010 with 566 Probable Violations to corrected at the end of 2010. This would indicate that 192 Probable Violations were corrected during 2010. The entry for the number of Probable Violations corrected during 2010 was Zero. One point will not be given as a result of this inaccuracy.

The PR PSC should review the Inspector Categories assigned on Attachment 7 with Category Qualifications described in Table 4-1 (Page 14) of the Guidelines for States Participating in the Pipeline Safety Program. Based upon this State Programs Evaluator's understanding of the PR PSC staff's experience, education and training course completions, it does not appear that any of the staff can be assigned a Category at the I or II level. A point reduction will not be given during this evaluation since points were deducted for this issue during the Certification Review. The PR PSC must address this issue to prevent point reductions in the future.

The PR PSC indicated on Attachment 8 that it had not adopted civil penalties and several amendments to Part 192 and 199 had not been adopted. Points were deducted for these issues in the Certification Review. The PR PSC contends and has provided documents showing that the PR PSC does have civil penalty amounts and authority and that it has automatic adoption of federal pipeline safety regulation amendments. This should be reflected on Attachment 8 for the 2012 Certification to prevent future point reductions.

- |          |   |   |   |
|----------|---|---|---|
| <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 (fatality, injury requiring hospitalization, property damage exceeding \$50,000 - Mechanism should include receiving "after hours" reports)? (Chapter 6) Previous Question A.2<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

### SLR Notes:

Yes, all operators are required to call 911 when an incident occurs and report the incident. All calls to 911 are received by the Puerto Rico One Call Center which notifies pipeline safety. All operators are required to file a written notification with the agency after the telephone notice is completed. No reportable incidents occurred in 2010.

- |          |   |   |   |
|----------|---|---|---|
| <b>3</b> | Has the state held a pipeline safety TQ 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.4<br>Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

### SLR Notes:

The last safety seminar was held in April, 2008. Andres Torres, Director Pipeline Safety will be making an application for a T&Q seminar to be scheduled in 2011. The seminar will be an update on the pipeline safety regulations.

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

### SLR Notes:

Yes. Hard copy documents of inspections performed by staff members on the operators facilities were located outside the Director's office in locked file cabinets. A review of the documents found file folders to be neat and well organized by system name and date.

- |          |   |   |   |
|----------|---|---|---|
| <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.6<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

### SLR Notes:

Mr. Andres Torres was appointed Director Pipeline Safety on March 10, 2010. His work in pipeline safety began in 2006 when he was transferred into the division as a gas pipeline inspector. Andres has improved his communication skills in English quite well. There were a few exceptions on the 2011

<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.8 Yes = 1 No = 0	1	1
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**SLR Notes:**

An extension of the deadline was granted. The PRPSC responded within the extension period granted.

<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? (No response is necessary if no items are requested in letter and mark "Yes") (Chapter 8.1) Previous Question A.8/A.9 Yes = 1 No = 0	1	1
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**SLR Notes:**

The PR PSC initiated a project to follow up on all outstanding probable violations to assure corrective actions were completed by the operators. Effort has been taken to improve the recordkeeping of information required for the annual Certification submittal. The PR PSC provided legal documents that appear to provide the PR PSC with authority to automatically adopt federal pipeline safety regulation amendments and allow for the assessment of civil penalties. The completion of training requirements is still an issue that the PR PSC must resolve. The PR PSC has elevated this concern to its highest priority and is making the attempts to successfully complete the training. The PR PSC is working toward but has not completed a method to risk rank operators' gas systems and identify high risk areas to target in its inspections.

## Personnel and Qualifications

<b>8</b>	Has each inspector fulfilled the 3 year TQ training requirement? If No, has the state been granted a waiver regarding TQ courses by the Associate Administrator for Pipeline Safety? (NOTE: If the State has new inspectors who have not attended all TQ 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.10 Yes = 3 No = 0	3	0
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**SLR Notes:**

Andres Torres attended his first TnQ Course, PL 1250, on 11/02/2007. The 3 year requirement to complete all applicable courses expired 11/02/2010. The 3 year requirement was not achieved. The 5 year requirement to successfully complete all applicable courses expires 11/02/2012. All other inspectors have not reached the 3 year or 5 year deadlines. Three points could not be given for this requirement.

<b>9</b>	Brief Description of Non-TQ training Activities: Info Only = No Points  For State Personnel: and Carlos Gonzales attended Incident Response to Terroristic Bombings. Andres Torres attended NHTSA's General Hazardous Materials and North American Standards and a course on Pressure Vessels.  For Operators: None provided in 2010.  For Non-Operator Entities/Parties, Information Dissemination, Public Meetings: One call center provides damage prevention education.	Info Only	Info Only
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**SLR Notes:**

See above.

<b>10</b>	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.12 Yes = 1 No = 0	1	NA
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**SLR Notes:**

Prior to 2010, Hector Torres - Correa completed the training course for OQ inspections. Hector left the PR PSC in early 2010. The PR PSC does not have any staff that has completed the OQ training course. No OQ Plan inspections have taken place since Hector's departure. The PR PSC should have at least one staff person complete the training.

<b>11</b>	Did the lead inspectors complete all required TQ Integrity Management (IMP) Courses/Seminars and CBT before conducting IMP Inspections? (Chapter 4.4.1) Previous Question A.13 Yes = 1 No = 0	1	NA
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**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

- 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.12 5 0  
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):

122.00

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

220 X 2.20 = 484.00

Ratio: A / B

122.00 / 484.00 = 0.25

If Ratio  $\geq$  0.38 Then Points = 5, If Ratio  $<$  0.38 Then Points = 0

Points = 0

**SLR Notes:**

The PRPSC needed 184 inspection person days to meet the minimum ratio of 0.38. The PRPSC had 122 inspection person days in 2010. Five points can not be given for Question A.12.

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

**SLR Notes:**

During the first quarter of 2010, Erick Riveria was acting Director Pipeline Safety until March 10, 2010 when PR PSC Chairman Maria Fullana appointed Andres Torres to Director Pipeline Safety. The agency transferred two inspectors into the pipeline safety division as full time employees from another division. The inspectors will be full time in the program and responsible for performing all gas safety inspections on operators under their jurisdiction.

- 14** Part-A General Comments/Regional Observations Info Only Info Only  
Info Only = No Points

**SLR Notes:**

Question A.1 - The PR PSC failed to complete the information contained in Attachment 5 of the 2011 Certification accurately. The PR PSC entered 758 Probable Violations found during 2010 with 566 Probable Violations to corrected at the end of 2010. This would indicate that 192 Probable Violations were corrected during 2010. The entry for the number of Probable Violations corrected during 2010 was Zero. One point will not be given as a result of this inaccuracy.

The PR PSC should review the Inspector Categories assigned on Attachment 7 with Category Qualifications described in Table 4-1 (Page 14) of the Guidelines for States Participating in the Pipeline Safety Program. Based upon this State Programs Evaluator's understanding of the PR PSC staff's experience, education and training course completions, it does not appear that any of the staff can be assigned a Category at the I or II level. A point reduction will not be given during this evaluation since points were deducted for this issue during the Certification Review. The PR PSC must address this issue to prevent point reductions in the future.

The PR PSC indicated on Attachment 8 that it had not adopted civil penalties and several amendments to Part 192 and 199 had not been adopted. Points were deducted for these issues in the Certification Review. The PR PSC contends and has provided documents showing that the PR PSC does have civil penalty amounts and authority and that it has automatic adoption of federal pipeline safety regulation amendments. This should be reflected on Attachment 8 for the 2012 Certification to prevent future point reductions.

Question A.8 - Andres Torres attended his first TnQ Course, PL 1250, on 11/02/2007. The 3 year requirement to complete all applicable courses expired 11/02/2010. The 3 year requirement was not achieved. The 5 year requirement to successfully complete all applicable courses expires 11/02/2012. All other inspectors have not reached the 3 year or 5 year deadlines. Three points could not be given for this requirement.

Question A.12 - The PRPSC needed 184 inspection person days to meet the minimum ratio of 0.38. The PRPSC had 122 inspection person days in 2010. Five points can not be given for Question A.12.

Total points scored for this section: 15  
Total possible points for this section: 24

## PART B - Inspections and Compliance - Procedures/Records/ Performance

Points(MAX) Score

### Inspection Procedures

- 1** Does the State have a written inspection plan to complete the following? (all types of operators including LNG) (Chapter 5.1) Previous Question B.1 + Chapter 5 Changes + Incorporate LNG  
Yes = 6.5 No = 0 Needs Improvement = 50% Deduction
- |   |   |                                      |                                     |   |
|---|---|--------------------------------------|-------------------------------------|---|
| 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 type="radio"/>            | No <input checked="" 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:

The PR PSC's Pipeline Safety Program procedures state that all operators will be inspected annually. The PR PSC's procedures describe Standard Inspections which include OQ Protocol 9, Damage Prevention and Drug and Alcohol testing. During 2010 there were no natural gas transmission pipelines in Puerto Rico, therefore IMP inspections are not included. All incident, construction, training and other relative inspections are performed on an as need routine.

- 2** 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
- |   |  |                                      |                          |  |
|---|--|--------------------------------------|--------------------------|--|
| 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 type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |
| c | Type of activity being undertaken by operator (construction etc)                               | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |
| d | For large operators, rotation of locations inspected   | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |

#### SLR Notes:

The Director, Pipeline Safety Program stated they inspect all operators annually. However, a written procedure describing the selection of the operator by history of operator unit(s), type of activity being undertaken by the operator and size of their service area has not been developed. A one point reduction is being assessed due to not having a written plan pertaining to this requirement.

### Inspection Performance

- 3** 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

#### SLR Notes:

Yes, a review of the PR PSC 2010 Natural Gas Certification Attachment 1 indicated all operators under their jurisdiction were inspected during calendar year 2010.

- 4** Did the state inspection form cover all applicable code requirements addressed on the Federal Inspection forms? (Chapter 5.1 (3)) Previous Question B.4  
Yes = 1 No = 0

#### SLR Notes:

The PR PSC utilizes the federal inspection forms.

- 5** Did state complete all applicable portions of inspection forms? (Chapter 5.1 (3)) Previous Question B.5  
Yes = 1 No = 0

#### SLR Notes:

Upon a review of randomly selected inspection reports, all applicable portions of the forms were completed. Unsatisfactory findings were documented with a statement stating why an unsatisfactory finding was concluded.

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

There were no safety related condition reports filed by an operator in Puerto Rico during 2010.

<b>7</b>	Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Previous Question B.7 Yes = .5 No = 0	.5	NA
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**SLR Notes:**

All mains and services reported by operator(s) on annual report indicates that there are no cast iron pipe in Puerto Rico. This question is not applicable.

<b>8</b>	Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Previous Question B.8 Yes = .5 No = 0	.5	NA
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**SLR Notes:**

All mains and services reported by operator(s) on annual report indicates that there are no cast iron pipe in Puerto Rico. This question is not applicable.

<b>9</b>	Did the state review operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21? (NTSB) Previous Question B.9 Yes = .5 No = 0	.5	.5
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**SLR Notes:**

Yes, PR PSC staff members review all leak repairs and leakage survey reports during each inspection to insure the operator has repaired, downgraded, or scheduled the leak for repair.

<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 192.617? (NTSB) Previous Question B.10 Yes = 1 No = 0	1	1
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**SLR Notes:**

Yes, PR PSC does review leak repair documents to verify the operator has taken the appropriate steps to investigate leaks and take actions to eliminate the leaks.

## Compliance - 60105(a) States

<b>11</b>	Did the state adequately document sufficient information on probable violations? (Chapter 5.2) Previous Question B.14 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

Upon a review of randomly selected inspection reports, unsatisfactory findings were documented with a statement stating why an unsatisfactory finding was concluded.

<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 D(1).1 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

Yes, the PR PSC procedures require that a letter be sent to the operator. The written notification states the operator has sixty days to either correct the violation or respond in writing to the agency. The operator may request additional time to correct the violation if justification is provided in the letter. Additional steps, show cause hearing' will be taken by PR PSC if the operator does not take action to correct the violation.

<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 D(1).2 Yes = 1 No = 0 Needs Improvement = .5	1	1
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**SLR Notes:**

Yes, the PR PSC procedures require that a letter be sent to the operator. The written notification states the operator has sixty days to either correct the violation or respond in writing to the agency.

- |           |   |   |   |
|-----------|---|---|---|
| <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 D(1).3 | 1 | 1 |
|           | Yes = 1 No = 0 Needs Improvement = .5   |   |   |

**SLR Notes:**

Yes. As a result of the 2009 program evaluation, the PR PSC has instituted a formal process to follow up on non compliance notifications until verification of corrective actions allows for the closure of the inspection file.

- |           |  |   |   |
|-----------|--|---|---|
| <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 D(1).4 | 1 | 1 |
|           | Yes = 1 No = 0   |   |   |

**SLR Notes:**

Upon a review of randomly selected inspection reports, compliance notifications were sent for all inspections that resulted in probable violations found.

- |           |   |   |   |
|-----------|---|---|---|
| <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 D(1).5 | 1 | 1 |
|           | Yes = 1 No = 0 Needs Improvement = .5   |   |   |

**SLR Notes:**

The Director Pipeline Safety established a list to monitor the probable violations during this interim period. During 2010, follow up notifications were sent to operators with outstanding probable violations. The PR PSC verified that corrections had been executed on all outstanding probable violations.

- |           |   |   |   |
|-----------|---|---|---|
| <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 D(1).6 | 1 | 1 |
|           | No = 0 Yes = 1  |   |   |

**SLR Notes:**

Because operators completed all corrective action required, the PR PSC did not conduct or issue a show cause hearing against an operator during calendar year 2010.

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

**SLR Notes:**

The Director Pipeline Safety established a list to monitor the probable violations during this interim period. During 2010, follow up notifications were sent to operators with outstanding probable violations. The PR PSC verified that corrections had been executed on all outstanding probable violations.

- |           |   |    |    |
|-----------|---|----|----|
| <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 D(1).8 | .5 | .5 |
|           | Yes = .5 No = 0   |    |    |

**SLR Notes:**

Upon a review of randomly selected inspection reports, all compliance notifications were addressed to a company officer.

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

**SLR Notes:**

Yes, PR PSC rules and regulations allow the operator to respond to probable violation(s) requesting additional time to correct the violation or ask for a show cause hearing before the Commission.

## Compliance - 60106(a) States

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

**SLR Notes:**

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

**SLR Notes:**



<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 D(2).3 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

<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 D(2).4 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

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

<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>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	NA
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SLR Notes:

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

Question B.2 - The Director, Pipeline Safety Program stated they inspect all operators annually. However, a written procedure describing the selection of the operator by history of operator unit(s), type of activity being undertaken by the operator and size of their service area has not been developed. A one point reduction is being assessed due to not having a written plan pertaining to this requirement.

Total points scored for this section: 22.5  
Total possible points for this section: 23.5



## PART C - Interstate Agent States

Points(MAX) Score

- |   |   |   |    |
|---|---|---|----|
| 1 | Did the state use the current federal inspection form(s)? Previous Question D(3).1<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|---|---|---|----|

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

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

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

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

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

- |   |   |   |    |
|---|---|---|----|
| 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 D(3).4<br>Yes = 1 No = 0 | 1 | NA |
|---|---|---|----|

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

- |   |  |   |    |
|---|--|---|----|
| 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 D(3).5<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|---|--|---|----|

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

- |   |  |   |    |
|---|--|---|----|
| 6 | Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question D(3).6<br>Yes = 1 No = 0 | 1 | NA |
|---|--|---|----|

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

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

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

- |   |   |           |           |
|---|---|-----------|-----------|
| 8 | Part C: General Comments/Regional Observations<br>Info Only = No Points | Info Only | Info Only |
|---|---|-----------|-----------|

### SLR Notes:

The Puerto Rico Public Service Commission is not an interstate agent.

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

## PART D - Incident Investigations

Points(MAX) Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Are state personnel following the procedures for Federal/State cooperation in case of an incident? (See Appendix in "Guidelines for States Participating in the Pipeline Safety Program") (Chapter 6.1) Previous Question E.1<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

### SLR Notes:

Yes, the Director is aware of the cooperative agreement between PHMSA and his agency on incident response and investigation. In calendar year 2010, no incidents occurred that would require cooperation between the PRPSC and PHMSA.

- |          |   |    |    |
|----------|---|----|----|
| <b>2</b> | 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 E.2<br>Yes = .5 No = 0 | .5 | .5 |
|----------|---|----|----|

### SLR Notes:

Yes, the Director is aware of this document and the cooperation language in the Memorandum of Understanding as to who would be the lead investigator in the accident investigation.

- |          |  |   |   |
|----------|--|---|---|
| <b>3</b> | Did the state keep adequate records of incident notifications received? Previous Question E.3<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

### SLR Notes:

Upon a review of the Operator Entry Data System (ODES) and the PRPSC's 2011 Certification, there were no reportable incidents during 2010.

- |          |  |   |    |
|----------|--|---|----|
| <b>4</b> | If an onsite investigation of an incident 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 E.4<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

### SLR Notes:

No incidents occurred in calendar year 2010. The PRPSC's policy is to investigate all reportable incidents that occur.

- |          |   |  |   |
|----------|---|--|---|
| <b>5</b> | Were investigations thorough and conclusions and recommendations documented in an acceptable manner? Previous Question E.5, comprehensive question worth 2 points total<br>Yes = 2 No = 0 Needs Improvement = 1 | 2  | NA                                      |
| a.       | Observations and Document Review  | Yes <input type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Contributing Factors  | Yes <input type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c.       | Recommendations to prevent recurrences where appropriate  | Yes <input type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

### SLR Notes:

No incidents occurred or were listed in ODES or the PRPSC's 2011 Certification for calendar year 2010. This question is not applicable.

- |          |   |   |    |
|----------|---|---|----|
| <b>6</b> | Did the state initiate enforcement action for violations found during any incident investigation(s)? Previous Question E.6 Variation<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

### SLR Notes:

No incidents occurred or were listed in ODES or the PRPSC's 2011 Certification for calendar year 2010. This question is not applicable.

- |          |  |    |    |
|----------|--|----|----|
| <b>7</b> | Did the state assist region office by taking appropriate follow-up actions related to the operator incident 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 E.7/E.8<br>Yes = .5 No = 0 | .5 | NA |
|----------|--|----|----|

### SLR Notes:

No incidents occurred or were listed in ODES or the PRPSC's 2011 Certification for calendar year 2010. This question is not applicable.

- |          |   |           |           |
|----------|---|-----------|-----------|
| <b>8</b> | Part D: General Comments/Regional Observations<br>Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

### SLR Notes:

The PRPSC has generally complied with the requirements covered in Part D of this evaluation.

---

Total points scored for this section: 2.5  
Total possible points for this section: 2.5



## 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.11<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

### SLR Notes:

Yes, PR PSC staff members during the standard inspection check the operator's procedures to determine if directional drilling/boring procedures are provided in the document to protect their facilities.

- |          |  |   |   |
|----------|--|---|---|
| <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:

The PR PSC is different from most state commissions in enforcement of damage prevention. In this regard, the One Call Center is located within the commission and information about damage prevention and reporting is available to their staff members daily. The One Call Center has several inspectors who randomly check construction sites to verify the facilities have been marked correctly and cite contractors for not complying with their regulations. The inspectors can issue a fine up to \$3,000 for any violation found pertaining to the state damage prevention law.

- |          |   |   |   |
|----------|---|---|---|
| <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.7<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

### SLR Notes:

Yes, the PR PSC has provided information to all their operators about the Common Ground Alliance Best Practices document. The One Call Center promotes the best practices through newsletters and other documents to help reduce damages from occurring to all facilities. Data is being collected on the number of damages occurring on underground facilities by the One Call Center with anticipation of releasing a report of these findings via their web site address.

- |          |   |   |   |
|----------|---|---|---|
| <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:

Yes, PR PSC One Call Center collects damage prevention data from operators and develops a report of their findings. This information is published and available on their website. All damage prevention data is shared with the Director Pipeline Safety and his staff members.

- |          |  |   |   |
|----------|--|---|---|
| <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 192.617?<br>Yes = 2 No = 0 | 2 | 2 |
|----------|--|---|---|

### SLR Notes:

Yes, PR PSC uses the federal form for their standard inspections each year. The form covers this requirement for the operators' investigation of incidents.

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

### SLR Notes:

The PRPSC has generally complied with the requirements covered in Part E of this evaluation.

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:

Santa Juanita Gas, Inc.

Name of State Inspector(s) Observed:

Andres Torres

Location of Inspection:

Bayamon, Puerto Rico

Date of Inspection:

May 19, 2011

Name of PHMSA Representative:

Don Martin

### SLR Notes:

The PR PSC had completed an inspection of a Santa Juanita Gas, Inc. (SJG) system located at the shopping mall in Bayamon, PR. Andres Torres conducted an inspection on this date to verify that corrective action was completed on items of non-compliance found during the previous inspection. Mr. Torres reviewed revisions to SJG's Operation and Maintenance Procedures Manual and observed above ground markers, warning signs and other aboveground equipment. SJG was represented by Jose Rivera, owner and Operations Supervisor. Corrective action for the atmospheric corrosion found on the aboveground propane tank was scheduled for Friday, May 20th. All other corrective actions were verified and corrected.

- 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:

Yes, SJG was contacted by the PR PSC prior to the inspection and was given proper advance notice. SJG was represented by Jose Rivera, owner and Operations Supervisor, during the inspection visit.

- 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 F.2 2 2  
Yes = 2 No = 0

### SLR Notes:

Yes. Mr. Torres used the federal form for Standard Inspections of a Gas Distribution Operator. The form was the latest revision version.

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

### SLR Notes:

Yes. Mr. Torres kept written notes on the inspection form and checked the appropriate boxes on the form.

- 5** Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, pyrometer, soap spray, CGI, etc.) New 2008 1 NA  
Yes = 1 No = 0

### SLR Notes:

Test equipment was not required for this type of inspection.

- 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:

Follow up inspection to verify corrective actions taken resulting from a previous standard 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:**

Mr. Torres reviewed revisions to SJM's Operation and Maintenance Procedures Manual and observed above ground markers, warning signs and other aboveground equipment. Corrective action for the atmospheric corrosion found on the aboveground propane tank was scheduled for Friday, May 20th. All other corrective actions were verified and corrected.

- 8** Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Liaison will document reasons if unacceptable) Previous Question F.8 2 2  
Yes = 2 No = 0

**SLR Notes:**

No issues identified.

- 9** 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 F.10 1 1  
Yes = 1 No = 0

**SLR Notes:**

Yes. Mr. Torres informed SJG of the results and the plans for Friday to meet with the engineering firm that would test and recertify the tank.

- 10** During the exit interview, did the inspector identify probable violations found during the inspections? Previous Question F.11 1 1  
Yes = 1 No = 0

**SLR Notes:**

There were no probable violations found during the inspection. Mr. Torres explained that the corrective actions were satisfactory except for the tank atmospheric corrosion which would be verified on Friday.

- 11** What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Info Only Info Only  
Info Only = No Points

**SLR Notes:**

Andres Torres conducted an inspection on this date to verify that corrective action was completed on items of non-compliance found during the previous inspection. Mr. Torres reviewed revisions to SJG's Operation and Maintenance Procedures Manual and observed above ground markers, warning signs and other aboveground equipment. Corrective action for the atmospheric corrosion found on the aboveground propane tank was scheduled for Friday, May 20th. All other corrective actions were verified and corrected.

- 12** Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) Info Only Info Only  
Info Only = No Points

**SLR Notes:**

None were identified to share.

- 13** Field Observation Areas Observed (check all that apply) Info Only Info Only  
Info Only = No Points
- 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	<input type="checkbox"/>
p.	MOP	<input type="checkbox"/>
q.	MAOP	<input type="checkbox"/>
r.	Moving Pipe	<input type="checkbox"/>
s.	New Construction	<input type="checkbox"/>
t.	Navigable Waterway Crossings	<input type="checkbox"/>
u.	Odorization	<input checked="" type="checkbox"/>
v.	Overpressure Safety Devices	<input checked="" type="checkbox"/>
w.	Plastic Pipe Installation	<input type="checkbox"/>
x.	Public Education	<input type="checkbox"/>
y.	Purging	<input type="checkbox"/>
z.	Prevention of Accidental Ignition	<input type="checkbox"/>
A.	Repairs	<input type="checkbox"/>
B.	Signs	<input checked="" type="checkbox"/>
C.	Tapping	<input type="checkbox"/>
D.	Valve Maintenance	<input type="checkbox"/>
E.	Vault Maintenance	<input type="checkbox"/>
F.	Welding	<input type="checkbox"/>
G.	OQ - Operator Qualification	<input type="checkbox"/>
H.	Compliance Follow-up	<input type="checkbox"/>
I.	Atmospheric Corrosion	<input checked="" type="checkbox"/>
J.	Other	<input type="checkbox"/>

SLR Notes:

See items checked above.

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

Info Only Info Only

Info Only = No Points

SLR Notes:

The PR PSC has generally complied with the requirements in Part F of this evaluation.

Total points scored for this section: 11  
Total possible points for this section: 11





## 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:

No. This issue was described in the last three state evaluations. No action has been taken to develop the required risk analysis. 1.5 points were not given for this requirement. It is recommended this process be developed to prevent additional point loss in the future.

2 Are inspection units broken down appropriately? (see definitions in Guidelines) .5 0.5

Yes = .5 No = 0

#### SLR Notes:

It appears the inspection units are correctly established. The information on Attachment 3 of the 2011 Certification was entered correctly for the operators and units. However, there has been a misunderstanding how the units are entered into the formula for establishing staffing levels. This issue was explained during the evaluation. A revised staffing level will need to be calculated by entering the units into the correct categories of the staffing formula.

3 Consideration of operators DIMP Plan? (if available and pending rulemaking) Info Only Info Only

Info Only = No Points

#### SLR Notes:

DIMP Plans have not been available at this time since the requirement begins in August, 2011.

4 Does state inspection process target high risk areas? .5 0

Yes = .5 No = 0

#### SLR Notes:

No. The PR PSC has not developed a process to target high risk areas in their inspection program. A method to assess risk of each operator's systems needs to be developed. 0.5 points could not be given for this requirement.

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

5 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:

Yes. The Puerto Rico One Call Center provides the number of damages occurring in their state by utility companies in a report to the President of the Commission posted on the Commission's website. Efforts are ongoing by the Commission and One Call Center to measure the effectiveness of their damage prevention programs and campaigns by collection of data.

6 Has state reviewed data on Operator Annual reports for accuracy? .5 0.5

Yes = .5 No = 0

#### SLR Notes:

Yes. The PR PSC has only one operator that is required to submit an annual report. The annual report is reviewed by staff members each year to determine if data has been entered correctly. If errors have occurred, the operator is notified to make correction. The PR PSC should review other operator's customer information to determine if additional operators should file annual reports.

7 Has state analyzed annual report data for trends and operator issues? .5 0.5

Yes = .5 No = 0

#### SLR Notes:

Yes, information submitted by San Juan Gas was reviewed and analyzed by staff members to determine if additional action may need to be taken to prevent leaks from occurring and unaccounted for gas loss.

8 Has state reviewed data on Incident/Accident reports for accuracy? .5 NA

Yes = .5 No = 0

**SLR Notes:**

No reportable incidents indicated on certification document nor occurred during calendar year 2010.

<b>9</b>	Does state do evaluation of effectiveness of program based on data? (i.e. performance measures, trends, etc.)	.5	0
	Yes = .5 No = 0		

**SLR Notes:**

No, the PR PSC has not implemented a process to measure the effectiveness of the pipeline safety program but is reviewing a method to implement an evaluation process.

<b>10</b>	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? Previous Question B.15	.5	0.5
	Yes = .5 No = 0		

**SLR Notes:**

Yes, this information has been uploaded in the past. The new Director Pipeline Safety needs to obtain a user ID and password for uploading future OQ inspection results.

<b>11</b>	Did the State submit their replies into the Integrity Management Database (IMDB) in response to the Operators notifications for their integrity management program? Previous Question B.16	.5	NA
	Yes = .5 No = 0		

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

<b>12</b>	Have the IMP Federal Protocol forms been uploaded to the IMDB? Previous Question B.17	.5	NA
	Yes = .5 No = 0		

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

<b>13</b>	Did the State ask Operators to identify any plastic pipe and components that has shown a record of defects/leaks and what those operators are doing to mitigate the safety concerns? Previous Question B.18	.5	0.5
	Yes = .5 No = 0		

**SLR Notes:**

Yes. This item is discussed with operators during standard inspections. The PR PSC staff members indicated they have not observed or found from the review of operator records any issues pertaining to plastic pipe or components.

<b>14</b>	Has state confirmed transmission operators have submitted information into National Pipeline Mapping System (NPMS) database along with any changes made after original submission?	.5	NA
	Yes = .5 No = 0		

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

## Accident/Incident Investigation Learning and Sharing Lessons Learned

<b>15</b>	Has state shared lessons learned from incidents/accidents? (i.e. NAPS meetings and communications)	.5	NA
	Yes = .5 No = 0		

**SLR Notes:**

There have not been any reportable incidents in recent years to share information with other states about causes and findings.

<b>16</b>	Does the State support data gathering efforts concerning accidents? (Frequency/Consequence/etc)	.5	NA
	Yes = .5 No = 0		

**SLR Notes:**

The agency has not been contacted by an outside party or parties pertaining to data on incidents.

<b>17</b>	Does state have incident/accident criteria for conducting root cause analysis?	Info Only	Info Only
	Info Only = No Points		

**SLR Notes:**

No. The PR PSC staff members have not attended root cause training.

**18** Does state conduct root cause analysis on incidents/accidents in state?

Info Only Info Only

Info Only = No Points

**SLR Notes:**

The PR PSC needs to complete the root cause analysis training course to provide the necessary techniques.

**19** Has state participated on root cause analysis training? (can also be on wait list)

.5

0.5

Yes = .5 No = 0

**SLR Notes:**

The PR PSC has made a request for the training but has not obtained a seat for the training.

## Transparency - Communication with Stakeholders

**20** 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:**

The PR PSC and One Call Center maintain a website providing information to all stakeholders about pipeline safety and damage prevention matters.

**21** Does state share enforcement data with public? (Website, newsletters, docket access, etc.)

.5

0.5

Yes = .5 No = 0

**SLR Notes:**

The PR PSC posts its Attachment 5 information on its Commission's web site.

**22** Part G: General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

**SLR Notes:**

Question G.1 - This issue was described in the last three state evaluations. No action has been taken to develop the required risk analysis. 1.5 points were not given for this requirement. It is recommended this process be developed to prevent additional point loss in the future.

Question G.4 - The PR PSC has not developed a process to target high risk areas in their inspection program. A method to assess risk of each operator's systems needs to be developed. 0.5 points could not be given for this requirement.

Question G.9 - The PR PSC has not implemented a process to measure the effectiveness of the pipeline safety program but is reviewing a method to implement an evaluation process.

Total points scored for this section: 4.5  
Total possible points for this section: 7

## PART H - Miscellaneous

Points(MAX) Score

- |          |   |    |     |
|----------|---|----|-----|
| <b>1</b> | What were the major accomplishments for the year being evaluated? (Describe the accomplishments, NAPSR Activities and Participation, etc.)<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

### SLR Notes:

The PRPSC's statement in its 2011 Certification Attachment 10 provided the following:  
"During 2010 we were much more rigorous in the implementation of regulation marking in order to detect correct inaduertent/hidden violations and vigorously purgue the commitment of all operators to improve their hidden pipe maintenance plans our goal is for our jurisdictional systems to operate at 100% and that they comply with existing regulations and also adopt and implement all new regulation applicable to Puerto Rico."

- |          |  |    |     |
|----------|--|----|-----|
| <b>2</b> | 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.)<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

### SLR Notes:

The PR PSC did not seek legislative action during 2010. The PR PSC is taking program initiatives to continue its effort to identify LPG systems that should be under its jurisdiction. The PR PSC is taking steps to develop a method to evaluate the risks of each gas system and target high risk areas in its inspections.

- |          |  |    |     |
|----------|--|----|-----|
| <b>3</b> | Any Risk Reduction Accomplishments/Projects? (i.e. Cast iron replacement projects, bare steel, third-party damage reductions, etc.)<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

### SLR Notes:

The Puerto Rico staff members continue to review facilities that may be jurisdictional to their agency during normal inspection visits. No additional units were added in 2009 to their inspection program.

- |          |  |   |   |
|----------|--|---|---|
| <b>4</b> | Did the state participate in/respond to surveys or information requests from NAPSR or PHMSA?<br>Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

### SLR Notes:

Yes, NAPSR did not provide a negative comment on the Puerto Rico Commission's response to surveys.

- |          |   |    |     |
|----------|---|----|-----|
| <b>5</b> | Sharing Best Practices with Other States - (General Program)<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

### SLR Notes:

Alice Velazquez, Legal Counsel represented the Puerto Rico Commission at the NAPSR Southern Region meeting. Her presentation to all state program managers on the activities of the pipeline safety program and damage prevention efforts by the One Call Center was informative.

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

### SLR Notes:

The PRPSC has generally complied with the requirements covered in Part H of this evaluation.

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)

- |          |   |   |   |
|----------|---|---|---|
| <b>1</b> | Has the state verified that operators have drug and alcohol testing programs?<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

**SLR Notes:**

Yes, the PR PSC staff members review operators' drug and alcohol programs when they perform a standard inspection. During the standard inspections staff members verify the operator has made revisions to their plans to comply with Part 199.

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

**SLR Notes:**

Yes, they verify and check documentation located in the operator's files to determine if the required number of employees have been drug tested and comply with Part 199 during the standard inspection each year.

- |          |   |    |     |
|----------|---|----|-----|
| <b>3</b> | Is the state verifying that any positive tests are responded to in accordance with the operator's program?<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

**SLR Notes:**

Yes, during the standard inspection they check the operators' files to determine if a positive test was reported and the individual has been removed from the covered task. Additionally, they compare action taken by the operator to their drug and alcohol plan requirements.

### Qualification of Pipeline Personnel (49 CFR Part 192 Subpart N)

- |          |   |   |   |
|----------|---|---|---|
| <b>4</b> | Has the state verified that operators have a written qualification program?<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

**SLR Notes:**

Yes, a review of the OQ Inspection database indicated the Puerto Rico Commission has conducted OQ inspection of all operators programs for compliance with PHMSA rule except for Santa Juanita Gas. Santa Juanita Gas was added to the PR PSC's jurisdiction in recent years. OQ Plan inspection results for Santa Juanita should be uploaded to the database.

- |          |  |    |     |
|----------|--|----|-----|
| <b>5</b> | Has the state reviewed operator qualification programs for compliance with PHMSA rules and protocols?<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

**SLR Notes:**

Yes, a review of the OQ Inspection database indicated the Puerto Rico Commission has conducted OQ inspection of all operators programs for compliance with PHMSA rule and verified using the protocols. The protocol results have been uploaded to the OQ database.

- |          |  |    |     |
|----------|--|----|-----|
| <b>6</b> | Is the state verifying that persons who perform covered tasks for the operator are qualified in accordance with the operator's program?<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

**SLR Notes:**

Information has been uploaded into the OQ database verifying that the PR PSC has reviewed the persons who perform covered tasks to the qualification requirements.

- |          |  |    |     |
|----------|--|----|-----|
| <b>7</b> | Is the state verifying that persons who perform covered task for the operator are requalified at the intervals specified in the operator's program?<br>Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

**SLR Notes:**

Yes, during the field inspection they review the company records to ensure the individual's in the covered task has been re-qualified at the intervals described in the operator's program.

### Gas Transmission Pipeline Integrity Management (49 CFR Part 192 Subpart O)

- |          |  |   |    |
|----------|--|---|----|
| <b>8</b> | Has the state verified that all operators with transmission pipelines have either adopted an integrity management program (IMP), or have properly determined that one is not required?<br>Yes = 1 No = 0 | 1 | NA |
|----------|--|---|----|

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

- |          |   |    |    |
|----------|---|----|----|
| <b>9</b> | Has the state verified that in determining whether a plan is required, the operator correctly calculated the potential impact radii and properly applied the definition of a high consequence area? | .5 | NA |
|----------|---|----|----|

Yes = .5 No = 0

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

- |           |  |    |    |
|-----------|--|----|----|
| <b>10</b> | Has the state reviewed operator IMPs for compliance with Subpart O? (In accordance with State Inspection plan) | .5 | NA |
|-----------|--|----|----|

Yes = .5 No = 0

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

- |           |   |    |    |
|-----------|---|----|----|
| <b>11</b> | Is the state monitoring operator progress on the inspections, tests and remedial actions required by the operator's IMP, including that they are being done in the manner and schedule called for in its IMP? | .5 | NA |
|-----------|---|----|----|

Yes = .5 No = 0

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

- |           |   |    |    |
|-----------|---|----|----|
| <b>12</b> | Is the state verifying that operators are periodically examining their transmission line routes for the appearance of new HCAs? | .5 | NA |
|-----------|---|----|----|

Yes = .5 No = 0

**SLR Notes:**

During 2010 there were no gas transmission pipelines in Puerto Rico. This question is not applicable. A transmission pipeline was placed into service during 2011.

## Public Awareness (49 CFR Section 192.616)

- |           |   |    |     |
|-----------|---|----|-----|
| <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, 6/13/08 for master meters) | .5 | 0.5 |
|-----------|---|----|-----|

Yes = .5 No = 0

**SLR Notes:**

Yes. The PR PSC staff members verified all operators have a public awareness plan to comply with 192.616. The agency did not use the Clearinghouse to conduct the reviews.

- |           |   |    |     |
|-----------|---|----|-----|
| <b>14</b> | Has the state reviewed the content of these programs for compliance with 192.616 (by participating in the Clearinghouse or by other means)? | .5 | 0.5 |
|-----------|---|----|-----|

Yes = .5 No = 0

**SLR Notes:**

Yes, the PR PSC verified the operators' compliance to section 192.616 and API 1104 by on site inspections. The PR PSC did not use the Clearinghouse review process.

- |           |   |    |     |
|-----------|---|----|-----|
| <b>15</b> | Is the state verifying that operators are conducting the public awareness activities called for in its program? | .5 | 0.5 |
|-----------|---|----|-----|

Yes = .5 No = 0

**SLR Notes:**

Yes, the PR PSC verify the operator is conducting public awareness activities during standard inspections.

- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>16</b> | Is the state verifying that operators have evaluated their Public Awareness programs for effectiveness as described in RP1162? | Info Only | Info Only |
|-----------|--|-----------|-----------|

Info Only = No Points

**SLR Notes:**

The PR PSC has not initiated this review to this date. The PR PSC plans to schedule these reviews upon receiving the federal inspection forms developed for effectiveness review.

- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>17</b> | Part I: General Comments/Regional Observations | Info Only | Info Only |
|-----------|--|-----------|-----------|

Info Only = No Points

**SLR Notes:**

The PRPSC has generally complied with the requirements covered in Part I of this evaluation.

Total points scored for this section: 6  
Total possible points for this section: 6