



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

PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

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: West Virginia

Agency Status:

Date of Visit: 04/08/2011 - 04/08/2011

Agency Representative: Dave Hippchen, P.E.

PHMSA Representative: Dino N. Rathod, P.E.

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

Name/Title: Mr. Michael A. Albert, Chairman

Agency: Public Service Commission of West Virginia

Address: 201 Brooks St

City/State/Zip: Charleston, WV 25323

Rating:

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

INSTRUCTIONS:

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 2010 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual certification/agreement attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART F):

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

Scoring Summary

PARTS

Possible Points Points Scored

A	General Program Qualifications	26	26
B	Inspections and Compliance - Procedures/Records/Performance	25	24
C	Interstate Agent States	6	5
D	Incident Investigations	2.5	2.5
E	Damage Prevention Initiatives	9	8
F	Field Inspection	12	12
G	PHMSA Initiatives - Strategic Plan	9.5	7
H	Miscellaneous	3	3
I	Program Initiatives	9	9

TOTALS

102 96.5

State Rating

94.6

PART A - General Program Qualifications

Points(MAX) Score

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

SLR Notes:

PSC was advised to review & revise Attachment 5. PSC will request Zach for need to make minor changes to number of probable violations found during 2010. 10 found and 2 corrected during 2010

- | | | | |
|----------|---|---|---|
| 2 | 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
Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

- | | | | |
|----------|---|---|---|
| 3 | 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
Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

T&Q Pipeline Safety Seminar was held in Feb 2010. PSC was placed on a waiting list previous year.

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

SLR Notes:

Yes, files (hard copies and electronic) are kept in an accessible location and secure bldg. PSC has initiated an effort to enhance database capabilities with help of IT group. PSC agreed to provide outline and pertinent details- Identifiable milestones in IT upgrade effort and share with SLR-State Programs

- | | | | |
|----------|---|---|---|
| 5 | 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

Program Manager Dave Hippchen has valuable pipeline safety regulatory experience and had completed T&Q courses. He works closely with ER and PHMSA. He actively participated in NAPSRS activities.

- | | | | |
|----------|---|---|---|
| 6 | 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 |
|----------|---|---|---|

SLR Notes:

PSC Chairman letter dated Sept 23, 2010

- | | | | |
|----------|--|---|---|
| 7 | 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 |
|----------|--|---|---|

SLR Notes:

PSC has initiated discussion with in-house IT group for development of appropriate capability for computerized data management system for Pipeline Safety Programs needs. PSC was requested to provide us an updated status with pertinent milestones to track progress on this initiative.

Personnel and Qualifications

- 8** 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 3 3
- Yes = 3 No = 0

SLR Notes:

PSc hired PAul Schaefer in Jun 2010. Paul has attended one course in 2010 and scheduled to attend additional training courses in FY 2011. Dave Hippchen completed pending requirement for IMP course in Jan 2011.

- 9** Brief Description of Non-TQ training Activities: Info Only Info Only
- Info Only = No Points
- For State Personnel:
- For Operators:
- For Non-Operator Entities/Parties, Information Dissemination, Public Meetings:

SLR Notes:

- 10** Did the lead inspectors complete all required T&Q OQ courses and Computer Based Training (CBT) before conducting OQ Inspections? (Chapter 4.4.1) Previous Question A.12 1 1
- Yes = 1 No = 0

SLR Notes:

- 11** 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 1 1
- Yes = 1 No = 0

SLR Notes:

Dave Hippchen completed pending requirement for IMP course in Jan 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 5
- Yes = 5 No = 0
- A. Total Inspection Person Days (Attachment 2):
428.00
- B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 4.15 = 912.27
- Ratio: A / B
428.00 / 912.27 = 0.47
- If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
- Points = 5

SLR Notes:

Ratio is > 0.38 Ok

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

SLR Notes:

14 Part-A General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

PSC plan to add another inspector in 2011 to fill vacant position

Total points scored for this section: 26

Total possible points for this section: 26



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

Points(MAX) Score

Inspection Procedures

- 1** Does the State have a written inspection plan to complete the following? (all types of operators including LNG) 6.5 6.5
(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 ☒ | No ☐ | Needs Improvement ☐ |
| b | IMP Inspections (Including DIMP) (Max points = .5) | Yes ☐ | No ☐ | Needs Improvement ☒ |
| c | OQ Inspections (Max points = .5) | Yes ☐ | No ☐ | Needs Improvement ☒ |
| d | Damage Prevention (Max points = .5) | Yes ☒ | No ☐ | Needs Improvement ☐ |
| e | On-Site Operator Training (Max points = .5) | Yes ☒ | No ☐ | Needs Improvement ☐ |
| f | Construction Inspections (Max points = .5) | Yes ☐ | No ☐ | Needs Improvement ☒ |
| g | Incident/Accident Investigations (Max points = 1) | Yes ☒ | No ☐ | Needs Improvement ☐ |
| h | Compliance Follow-up (Max points = 1) | Yes ☒ | No ☐ | Needs Improvement ☐ |

SLR Notes:

- 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 2 1.5
Yes = 2 No = 0 Needs Improvement = 50% Deduction
- | | | | | |
|---|--|--------------------------------------|--------------------------|--|
| a | Length of time since last inspection | Yes ☐ | No ☐ | Needs Improvement ☒ |
| b | History of Operator/unit and/or location (including leakage , incident and compliance history) | Yes ☒ | No ☐ | Needs Improvement ☐ |
| c | Type of activity being undertaken by operator (construction etc) | Yes ☒ | No ☐ | Needs Improvement ☐ |
| d | For large operators, rotation of locations inspected | Yes ☒ | No ☐ | Needs Improvement ☐ |

SLR Notes:

Discussed with PSC need for clearly spelled out "time intervals" for various inspection types per Chapter 5.1 Guideline manual. PSc agreed to review and revise to incorporate these suggested changes

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 2 2
Yes = 2 No = 0

SLR Notes:

PSc agreed to review and revise to incorporate suggested changes.

- 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 1 1
Yes = 1 No = 0

SLR Notes:

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

SLR Notes:

- 6** Did the state initiate appropriate follow-up actions to Safety Related Condition Reports? (Chapter 6.3) Previous Question B.6 .5 .5
Yes = .5 No = 0

SLR Notes:

7	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	.5	.5
	Yes = .5 No = 0		

SLR Notes:

8	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	.5	.5
	Yes = .5 No = 0		

SLR Notes:

PSC to review GPTC Appendix G-18 for guidance, as necessary.

9	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	.5	.5
	Yes = .5 No = 0		

SLR Notes:

10	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	1	1
	Yes = 1 No = 0		

SLR Notes:

No Reportable incidents in Cy 2010. However PSC has performed review as part of scheduled records review inspections.

Compliance - 60105(a) States

11	Did the state adequately document sufficient information on probable violations? (Chapter 5.2) Previous Question B.14	1	1
	Yes = 1 No = 0 Needs Improvement = .5		

SLR Notes:

12	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	1	.5
	Yes = 1 No = 0 Needs Improvement = .5		

SLR Notes:

Discussed with PSC need for clearly spelled out needed steps and emphasis on timely resolution of probable violations per Guideline Manual Ch 5.

13	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	1	1
	Yes = 1 No = 0 Needs Improvement = .5		

SLR Notes:

14	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:

Discussed with PSC need for clearly spelled out needed steps and emphasis on timely resolution of probable violations per Guideline Manual Ch 5.
Encourage PSC to require written responses to pending resolution of probable violations in a timely manner.

15	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 Yes = 1 No = 0	1	1
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SLR Notes:

16	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 Yes = 1 No = 0 Needs Improvement = .5	1	1
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SLR Notes:

Discussed with PSC need for clearly spelled out needed steps and emphasis on timely resolution of probable violations per Guideline Manual Ch 5.

17	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 No = 0 Yes = 1	1	1
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SLR Notes:

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

19	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 Yes = .5 No = 0	.5	.5
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SLR Notes:

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

Compliance - 60106(a) States

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

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

23	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:

24	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:

25	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:

26	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:

27	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:

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

Total points scored for this section: 24
Total possible points for this section: 25



PART C - Interstate Agent States

Points(MAX) Score

1	Did the state use the current federal inspection form(s)? Previous Question D(3).1 Yes = 1 No = 0 Needs Improvement = .5	1	1
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SLR Notes:

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

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 Yes = 1 No = 0	1	0
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SLR Notes:

Based on input received from PHMSA-ER, WV did not submit all necessary documentation in 60 day timeline as spelled out on Interstate Agent Agreement.

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 Yes = 1 No = 0	1	1
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SLR Notes:

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 Yes = 1 No = 0 Needs Improvement = .5	1	NA
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SLR Notes:

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

Based on input received from PHMSA-ER, WV did not submit all necessary documentation in 60 day timeline as spelled out on Interstate Agent Agreement

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

Based on input received from PHMSA-ER, WV did not submit all necessary documentation in 60 day timeline as spelled out on Interstate Agent Agreement

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

Discussed with PSC need for better turn around for interstate inspection supporting documentation to ER.

Total points scored for this section: 5
Total possible points for this section: 6

PART D - Incident Investigations

Points(MAX) Score

- | | | | |
|----------|--|---|---|
| 1 | 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
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

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

SLR Notes:

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

SLR Notes:

PSC maintains adequate records of incoming information.

- | | | | |
|----------|--|---|----|
| 4 | 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
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

No reportable Incident in CY 2010. However PSC reviews incoming notification informations and make appropriate determination. PSC may obtain additional information to help make a decision.

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

SLR Notes:

No reportable Incident in CY 2010.

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

SLR Notes:

No reportable Incident in CY 2010

- | | | | |
|----------|--|----|----|
| 7 | 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
Yes = .5 No = 0 | .5 | NA |
|----------|--|----|----|

SLR Notes:

No reportable Incident in CY 2010

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

SLR Notes:

No reportable Incident in CY 2010

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



PART E - Damage Prevention Initiatives

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? Previous Question B.11
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

- | | | | |
|----------|--|---|---|
| 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? New 2008
Yes = 2 No = 0 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

PSC inspectors check LDCs written procedures.

- | | | | |
|----------|---|---|---|
| 3 | 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

WV PSC encourages and promotes the adoption of the Common Ground Alliance Best Practices.

- | | | | |
|----------|---|---|---|
| 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? New 2008
Yes = 1 No = 0 | 1 | 0 |
|----------|---|---|---|

SLR Notes:

WV PSC does not collect adequate level of data. At this point, PSC has very limited data collected in 2010.

- | | | | |
|----------|--|---|---|
| 5 | 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?
Yes = 2 No = 0 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

No reportable incident in CY 2010. However PSC performed records review as part of routine inspection activities.

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

SLR Notes:

Total points scored for this section: 8
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:

Mountaineer Gas

Name of State Inspector(s) Observed:

G Bajapayee

Location of Inspection:

Huntinton and St Albans, WV

Date of Inspection:

04/06/2011

Name of PHMSA Representative:

Dino N.Rathod, P.E.

SLR Notes:

Construction- pipe replacement with 4-inch plastic pipe

- 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:

Mountaineer Rep was present. However, it appears that field activities were not effectively communicated and coordinated with LDC resulting in unnecessary and less productive use of available time. Most of pipe installation activities were already completed prior to arrival of assigned inspector. I emphasized strong need for better communication and proper coordination with all parties concerned to maximize effectiveness of inspection process and resources. PSC was advised to get the List of Proposed Construction Activities/ Projects from LDC to Inspection staff in a timely manner, few days ahead of planned activities. This should help each inspector to perform inspection activities more efficiently and manage time effective manner

PSC agreed to help resolve this critical issue and provide me an update. Many of ER states do perform this suggested task without having any issues from LDCs they regulate.

- 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:

PSc inspector used inspection check list/ form

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

SLR Notes:

See Comments in Quesiton F-11

- 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 1
Yes = 1 No = 0

SLR Notes:

- 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:

Construction- pipe replacement with 4-inch med density plastic pipe

- 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:

-
- | | | | |
|----------|---|---|---|
| 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:

-
- | | | | |
|----------|--|---|---|
| 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:

-
- | | | | |
|-----------|--|---|---|
| 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:

No probable violations found during this field work

-
- | | | | |
|-----------|--|-----------|-----------|
| 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:

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- | | | | |
|-----------|---|-----------|-----------|
| 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:

-
- | | | | |
|-----------|---|-------------------------------------|-----------|
| 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 | ☐ | |

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

SLR Notes:

14 Part F: General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

See Comments in question F-11

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



PART G - PHMSA Initiatives - Strategic Plan

Points(MAX) Score

Risk base Inspections - Targeting High Risk Areas

- 1** Does state have process to identify high risk inspection units? 1.5 1.5
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:

PSC has process to identify high risk inspection units. Inspection Procedures, 11.5

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

SLR Notes:

WVPSC inspection units have been broken down appropriately

- 3** Consideration of operators DIMP Plan? (if available and pending rulemaking) Info Only Info Only
Info Only = No Points

SLR Notes:

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

SLR Notes:

WV PSC inspection process targets high risk areas

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
Yes = .5 No = 0

SLR Notes:

State does not collect any significant amount of data and has not performed any damage prevention data analysis for effectiveness.

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

SLR Notes:

PSC has reviewed data on Operator Annual reports for accuracy.

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

SLR Notes:

PSC has not analyzed annual report data for trends and operator issues. I discussed and encouraged collection and analysis of data.

- 8** Has state reviewed data on Incident/Accident reports for accuracy? .5 0.5
Yes = .5 No = 0

SLR Notes:

PSC has reviewed data on Incident/Accident reports for accuracy

9	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:

PSC does not perform any evaluation of effectiveness of program based on data

10	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
	Yes = .5 No = 0		

SLR Notes:

Review of OQDB indicated that no OQ inspections were performed since April 2008. Discussed with PSC need for emphasis on conducting necessary OQ Plan reviews and filed verification inspections and upload completed OQ protocols data/ in a timely manner.

11	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:

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

SLR Notes:

Review of federal IMDB indicated that no Gas IMP inspections were performed since Oct 2007. Discussed with PSC need for emphasis on conducting necessary IMP Plan reviews and filed verification inspections and upload completed IMP protocols data/ in a timely manner.

13	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:

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

SLR Notes:

Accident/Incident Investigation Learning and Sharing Lessons Learned

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

SLR Notes:

PSC has discussed and shared lessons at various mtgs.

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

SLR Notes:

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

SLR Notes:

18	Does state conduct root cause analysis on incidents/accidents in state?	Info Only	Info Only
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SLR Notes:

-
- | | | | |
|-----------|--|----|-----|
| 19 | Has state participated on root cause analysis training? (can also be on wait list) | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

Dave Hippchen completed in Sept 2010

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:

West Virginia Web page:
<http://www.psc.state.wv.us/press/default.htm>

- | | | | |
|-----------|--|----|-----|
| 21 | Does state share enforcement data with public? (Website, newsletters, docket access, etc.) | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

WV PSC Web pages for Press Releases and Web Dockets

<http://www.psc.state.wv.us/press/default.htm>

<http://www.psc.state.wv.us/WebDocket/default.htm>

- | | | | |
|-----------|--|-----------|-----------|
| 22 | Part G: General Comments/Regional Observations | Info Only | Info Only |
| | Info Only = No Points | | |

SLR Notes:

Total points scored for this section: 7
 Total possible points for this section: 9.5



PART H - Miscellaneous

Points(MAX) Score

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

SLR Notes:

1 Program Manager Dave Hippchen was selected as Vice Chair of ER -NAPSR for 2010. He is scheduled to take over as Regional Chair upon completion of June 26, 2011 ER meeting in Maryland.
2. PSC was able to fill vacancies caused by retirement of Bob Hippchen and death of Bill Valentine. PSC hired Paul Schaffer in Summer 2010. PSC anticipated hiring one additional inspector later in 2011.

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

SLR Notes:

PSC worked actively with selection of Miss Utility Contractor. RESS was selected to perform Miss Utility System activities.

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

SLR Notes:

PSC pays closer attention to on-going pipe replacement by LDCs.

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

SLR Notes:

PSC has participated in NAPSR survey requests and PHMSA e-mail requests regarding Staffing Level verification.

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

SLR Notes:

PSC shares pipeline safety related issues at NAPSR mtg.

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

SLR Notes:

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

PART I - Program Initiatives

Points(MAX) Score

Drug and Alcohol Testing (49 CFR Part 199)

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

SLR Notes:

In 2010 PSC performed 3 D&A Plan, Procedures & selected records review inspections

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

SLR Notes:

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

SLR Notes:

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

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

SLR Notes:

PSC has performed OQ Plan and Field reviews 2004-2008.

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

SLR Notes:

PSC has performed OQ Plan and Field reviews 2004-2008

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

SLR Notes:

PSC has performed OQ Plan and Field reviews 2004-2008

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

SLR Notes:

PSC has performed OQ Plan and Field reviews 2004-2008

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

- | | | | |
|----------|--|---|---|
| 8 | 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?
Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

PSC has performed IMP Plan reviews 2006-2007 (Interstate & intrastate gas pipelines)

- | | | | |
|----------|--|----|-----|
| 9 | 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?
Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

PSC has performed IMP Plan reviews 2006-2007 (Interstate & intrastate gas pipelines). PSC used federal IMP Protocols to document inspection activities.

10	Has the state reviewed operator IMPs for compliance with Subpart O? (In accordance with State Inspection plan) Yes = .5 No = 0	.5	0.5
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SLR Notes:

PSC has performed IMP Plan reviews 2006-2007 (Interstate & intrastate gas pipelines)

11	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? Yes = .5 No = 0	.5	0.5
-----------	--	----	-----

SLR Notes:

PSC has performed IMP Plan reviews 2006-2007 (Interstate & intrastate gas pipelines)

12	Is the state verifying that operators are periodically examining their transmission line routes for the appearance of new HCAs? Yes = .5 No = 0	.5	0.5
-----------	--	----	-----

SLR Notes:

PSC has performed IMP Plan reviews 2006-2007 (Interstate & intrastate gas pipelines)

Public Awareness (49 CFR Section 192.616)

13	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) Yes = .5 No = 0	.5	0.5
-----------	--	----	-----

SLR Notes:

14	Has the state reviewed the content of these programs for compliance with 192.616 (by participating in the Clearinghouse or by other means)? Yes = .5 No = 0	.5	0.5
-----------	--	----	-----

SLR Notes:

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

16	Is the state verifying that operators have evaluated their Public Awareness programs for effectiveness as described in RP1162? Info Only = No Points	Info Only	Info Only
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SLR Notes:

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

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