



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2012 Natural Gas State Program Evaluation

for

## PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

### Document Legend

#### PART:

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



2012 Natural Gas State Program Evaluation -- CY 2012  
Natural Gas

**State Agency:** West Virginia

**Agency Status:**

**Date of Visit:** 09/16/2013 - 09/20/2013

**Agency Representative:** David Hippchen, Manager, Gas Pipeline Safety  
Girija Bajpayee, Engineer  
Julia Caton, Office Assistant 2

**PHMSA Representative:** Glynn Blanton, DOT PHMSA State Programs

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

**Name/Title:** Michael A. Albert, Chairman  
**Agency:** Public Service Commission of West Virginia  
**Address:** 201 Brooks Street, PO Box 812  
**City/State/Zip:** Charleston, West Virginia 25323

**Rating:**

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

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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 2012 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

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**Field Inspection (PART G):**

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

**Scoring Summary**

**PARTS**

A	Progress Report and Program Documentation Review
B	Program Inspection Procedures
C	Program Performance
D	Compliance Activities
E	Incident Investigations
F	Damage Prevention
G	Field Inspections
H	Interstate Agent State (If Applicable)
I	60106 Agreement State (If Applicable)

**Possible Points    Points Scored**

10	8
15	11
46	33.5
15	13
8	7
8	4
12	12
6	6
0	0
<b>120</b>	<b>94.5</b>

**TOTALS**

**State Rating** ..... **78.8**

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## PART A - Progress Report and Program Documentation Review

Points(MAX) Score

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

Evaluator Notes:

A review of progress report Attachment 1 found the information was correctly entered with the jurisdictional authority over natural gas facilities. Public Service of West Virginia has an Interstate Agent agreement with PHMSA.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | Review of Inspection Days for accuracy - Progress Report Attachment 2 (A1b)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

A review of Attachment 2 found the information to be correct. The number of inspection days is determined on the time sheets submitted by the Engineer. The time is posted with an Inspection Days Code for each inspection by month. The final inspection days is determined by adding all inspection days from each Engineer for the year requested.

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

Evaluator Notes:

A review of Attachment 3 found the information to be correct. No issues.

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

Evaluator Notes:

A review of Attachment 4 found the information to be correct. No issues.

- |          |  |   |   |
|----------|--|---|---|
| <b>5</b> | Accuracy verification of Compliance Activities - Progress Report Attachment 5 (A1e)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

A review of Attachment 5 found the information to be correct. No issues.

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

Evaluator Notes:

A review of Attachment 6 found the information to be correct. However, unable to retrieve all information requested in a reasonable time on the number of inspections performed, individual conducting the inspection, date of inspections, violations found or corrected. Information on the inspections was not in an official central location. In this regard, part of the information on inspections conducted in CY 2012 was being entered in a new data base that was delivered in February 2013. This item was mentioned in the last two state program evaluation reviews. A loss of two points occurred due to failure to correct this item.

- |          |  |   |   |
|----------|--|---|---|
| <b>7</b> | Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 (A1g)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Yes, a detailed review of employees listed on attachment 7 was conducted using a spreadsheet to post the date each individual completed the TQ courses. This information was compared to the SABE training document. Each inspector category and number of months was listed correctly. However, not all employees have completed the required Gas IMP courses. These courses need to be completed before conducting an IMP inspection. They are PL3291 SCADA, PL3292 Inline Inspection, PL31C Int Corrosion WBT, & PL3306 ECDA.

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8	Verification of Part 192,193,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h)	1	1
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

PSC of West Virginia has automatic adoption of regulations. No issues.

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9	List of Planned Performance - Did state describe accomplishments on Progress Report in detail - Progress Report Attachment 10 (H1-3)	1	1
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No issues.

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

Evaluator Notes:

Loss points occurred in Question A.6.

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Total points scored for this section: 8  
Total possible points for this section: 10



## PART B - Program Inspection Procedures

Points(MAX)    Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Standard Inspections (B1a)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

**Evaluator Notes:**

This information is listed in the West Virginia Public Service Commission Gas Pipeline Safety Section, Inspection and Enforcement Procedures, section 11.6.2, Standard.

- |          |   |   |   |
|----------|---|---|---|
| <b>2</b> | IMP Inspections (including DIMP) (B1b)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

**Evaluator Notes:**

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6.8 Integrity Management Program addresses this item. No issue.

- |          |   |   |   |
|----------|---|---|---|
| <b>3</b> | OQ Inspections (B1c)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

**Evaluator Notes:**

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6.9 Operator Qualification Program addresses this item. No issue.

- |          |  |   |   |
|----------|--|---|---|
| <b>4</b> | Damage Prevention Inspections (B1d)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

**Evaluator Notes:**

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6.12 Damage Prevention addresses this item. No issue.

- |          |  |   |   |
|----------|--|---|---|
| <b>5</b> | On-Site Operator Training (B1e)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0 |
|----------|--|---|---|

**Evaluator Notes:**

A review of West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures found no procedures pertaining to on-site operator training. A loss of one point occurred.

- |          |   |   |   |
|----------|---|---|---|
| <b>6</b> | Construction Inspections (B1f)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

**Evaluator Notes:**

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6.7 Design, Testing and Construction addresses this item. No issue.

- |          |  |   |   |
|----------|--|---|---|
| <b>7</b> | Incident/Accident Investigations (B1g)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

**Evaluator Notes:**

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6.6 Incidents addresses this item. No issue.

- |          |   |   |   |
|----------|---|---|---|
| <b>8</b> | Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? (B2a-d, G1,2,4)<br>Yes = 6 No = 0 Needs Improvement = 1-5 | 6 | 3 |
|----------|---|---|---|

- |    |  |                                      |                                     |   |
|----|--|--------------------------------------|-------------------------------------|---|
| a. | Length of time since last inspection   | Yes <input checked="" type="radio"/> | No <input type="radio"/>            | Needs Improvement <input type="radio"/> |
| b. | Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)    | Yes <input type="radio"/>            | No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Type of activity being undertaken by operators (i.e. construction)   | Yes <input type="radio"/>            | No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Locations of operators inspection units being inspected - (HCA's, Geographic areas, Population Density, etc) | Yes <input checked="" type="radio"/> | No <input type="radio"/>            | Needs Improvement <input type="radio"/> |

e. Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors)

Yes ☐ No ☒ Needs Improvement ☐

f. Are inspection units broken down appropriately?

Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures, section 11.6 Inspection of the Operator only describes the types of inspections and does not rank risk by operating history, type of activities being undertaken and a process to identify high-risk inspection units by threats. Therefore, a loss of three points occurred.

9 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

Loss of points occurred in Questions B5 & B8 of this section.

Total points scored for this section: 11  
Total possible points for this section: 15



## PART C - Program Performance

Points(MAX) Score

- 1 Was ratio of Total Inspection person-days to total person days acceptable? (Director of State Programs may modify with just cause) Chapter 4.3 (A12) 5 5  
Yes = 5 No = 0
- A. Total Inspection Person Days (Attachment 2):  
467.00
- B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 3.98 = 875.78
- Ratio: A / B  
467.00 / 875.78 = 0.53
- If Ratio  $\geq$  0.38 Then Points = 5, If Ratio  $<$  0.38 Then Points = 0  
Points = 5

### Evaluator Notes:

- A. Total Inspection Person Days (Attachment 2) = 467
- B. Total Inspection Person Days Charged to the program (220 \* Number of Inspection person years (Attachment 7)) = 875.78326
- Formula: - Ratio = A/B = 467/875.78326 = 0.53
- Rule: - (If Ratio  $\geq$  .38 then points = 5 else Points = 0.)
- Thus Points = 5

- 2 Has each inspector and program manager fulfilled the T Q Training Requirements? (See Guidelines for requirements) Chapter 4.4 (A8-A11, G19) 5 4  
Yes = 5 No = 0 Needs Improvement = 1-4
- a. Completion of Required OQ Training before conducting inspection as lead? Yes ☒ No ☐ Needs Improvement ☐
- b. Completion of Required DIMP\*/IMP Training before conducting inspection as lead? \*Effective Evaluation CY2013 Yes ☐ No ☐ Needs Improvement ☒
- c. Root Cause Training by at least one inspector/program manager Yes ☒ No ☐ Needs Improvement ☐
- d. Note any outside training completed Yes ☒ No ☐ Needs Improvement ☐

### Evaluator Notes:

- A. All staff members have completed the OQ training course PL3OQ.
- B. The following courses have not been completed By David Hippchen: PL31C- Int Corrosion, PL3291- SCADA, PL3292- In Line Inspection and PL3306- ECDA. These courses are required before conducting GAS IMP inspections as the lead.
- C. David Hippchen has completed the Root Cause Training on 9/17/2010.
- D. Several WV PSC Staff members are scheduled for TQ training courses in CY2013 provided State funding and approval is provided.
- A loss of one point occurred due to not completing required DIMP/IMP courses.

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

### Evaluator Notes:

Yes, David Hippchen has been with the Public Service Commission of West Virginia for 32 years serving in several different roles in Engineering Utilities. The last 16 years of experience has been in the Pipeline Safety Program. No issues.

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

### Evaluator Notes:

Yes, Chairman Albert response letter to Zach Barrett was received on September 10, 2012. No issues.

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

Evaluator Notes:

Yes, the TQ Seminar was held in Charleston, West Virginia on February 17-18, 2010. The number of participants was 100 operators. No issues.

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6	Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1 (B3)	5	3
	Yes = 5 No = 0 Needs Improvement = 1-4		

Evaluator Notes:

No. A review of inspection files found all inspection units and operators were not inspected in accordance to West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedure Inspection Intervals time schedule. In this regard, all distribution operators were not inspected within the 18 month period and master meter operators within the 2 1/2 year period. This item was cited in the previous state program evaluations and improvement is needed. We understand part of the failure to meet this requirement was due to unexpected staff retirement. Therefore, a loss of two points occurred instead of four points.

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

Evaluator Notes:

Public Service of West Virginia uses the federal forms for their inspection program. However, they only use a section of the federal form when conducting an inspection. The federal form section is completed but an entire review of the operator using the federal form was not found in the inspection files. Improvement is needed in having each section of the entire federal form completed over the scheduled inspection period established for each operator. Therefore, a loss of one point occurred.

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8	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) Chapter 5.1 (B7)	1	1
	Yes = 1 No = 0		

Evaluator Notes:

West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedure do not listed this item in their review. However, the only operator who has cast iron is Blue Field Gas in the State of West Virginia. A review of Blue Field Gas Company inspections performed in CY2011 found this item was reviewed on March 23, 2011. No issues.

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9	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) Chapter 5.1 (B8)	1	1
	Yes = 1 No = 0		

Evaluator Notes:

Yes, this was performed on Blue Field Gas Company in CY2011. No issues.

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10	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) Chapter 5.1 (B9)	1	0
	Yes = 1 No = 0		

Evaluator Notes:

No. A review of files and other information confirm this requirement was not covered during inspections performed in CY2012. A loss of one point occurred.



- 11 Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 192.617? Chapter 5.1 (B10,E5) 1 0  
Yes = 1 No = 0

Evaluator Notes:

No, this item is only reviewed with the operator who has an incident or failure during the year. Improvement is needed in checking this item during a standard inspection review of all operators. A loss of one point occurred.

- 12 Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? Data Initiative (G6-9,G16) 2 2  
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, a review of CY2012 Annual Report Data spreadsheet demonstrated the annual reports were reviewed and a trend analysis was developed on each distribution system. No issues.

- 13 Did state input all applicable OQ, IMP inspection results into federal database in a timely manner? This includes replies to Operator notifications into IMDB database. Chapter 5.1 (G10-12) 2 0  
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

No. Three OQ Inspections were performed in CY2012 but inspection results were not uploaded into the federal database as of September 17, 2013. The following inspections need to be uploaded into the data base: Mountaineer Gas Logon on 02-23-2012, Mountaineer Gas Hugheston on 03-09-2012 and Mountaineer Gas Charleston on 05-2-2012. Loss of two points occurred for failure to enter the results in a timely manner.

- 14 Has state confirmed intrastate transmission operators have submitted information into NPMS database along with changes made after original submission? (G14) 1 0  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No. A review of files and discussion with state program manager confirm this item was not discussed or listed on the intrastate transmission operator inspection review documents. Therefore, a loss of one point occurred.

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

Evaluator Notes:

Yes, this was reviewed and checked on the drug and alcohol inspection performed on Blue Field Gas in CY2012. No issues.

- 16 Is state verifying operators OQ programs are up to date? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals determined in the operators plan. 49 CFR 192 Part N (I4-7) 2 1  
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

A review of inspection reports found partial completions of inspections were performed in CY2012. Therefore, a loss of one point occurred.

- 17 Is state verifying operator's gas transmission integrity management programs (IMP) are up to date? This should include a previous review of IMP plan, along with monitoring progress on operator tests and remedial actions. In addition, the review should take in to account program review and updates of operators plan(s). 49 CFR 192 Subpart 0 (I8-12) 2 2  
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, this was completed on Cabot Gas Company, Union Carbide, Union Gas Company and Hampshire Gas Company.

- 18 Is state verifying operator's gas distribution integrity management Programs (DIMP)? 2 2  
This should include a review of DIMP plans, along with monitoring progress. In addition, the review should take in to account program review and updates of operators plan(s). 49 CFR 192 Subpart P  
DIMP ? First round of program inspections should be complete by December 2014

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, DIMP reviews were conducted in CY2012 for Mountaineer Gas and Dominion Hope Gas Company. Additionally operators will be reviewed in CY2013 & CY2014.

- 19 Is state verifying operators Public Awareness programs are up to date and being followed. State should also verify operators have evaluated Public Awareness programs for effectiveness as described in RP1162. 49 CFR 192.616 (I13-16)  
PAPEI Effectiveness Inspections should be complete by December 2013 2 0

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

No Public Awareness inspections were performed in CY2012. The inspections are scheduled to be performed and completed by December 2013. A loss of two points occurred.

- 20 Does the state have a mechanism for communicating with stakeholders - other than state pipeline safety seminar? (This should include making enforcement cases available to public). (G20-21) 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, Public Service Commission of West Virginia has a web site that provides information about the pipeline safety program. Steps have been taken to add enforcement action cases to the site within the next six months. No areas of concern.

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

Evaluator Notes:

Yes, a review of DataMart found two Safety Related Condition Reports. Hampshire Gas Company on May 18, 2012 and Columbia Gas Transmission Company on September 24, 2012. No issues.

- 22 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? (G13) 1 0.5  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

This question was listed on the inspection form used for Appalachian Natural Gas Distribution Company. However, this information was not listed on the inspection form or communicated to the other operators under the state agency's jurisdiction during CY2012. Therefore, improvement is need and a loss of half a point occurred.

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

Evaluator Notes:

Yes, they participated in all surveys and information requested from NAPSR or PHMSA. No issues.

- 24 General Comments: Info Only Info Only  
Info Only = No Points

Evaluator Notes:

Loss of points occurred in Questions C.2, C.6, C.7, C.10, C.11, C.13, C.14, C.16, C.19 & C.22.

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Total points scored for this section: 33.5  
Total possible points for this section: 46



## PART D - Compliance Activities

Points(MAX) Score

- |          |   |  |  |
|----------|---|--|--|
| <b>1</b> | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1 (B12-14, B16, B1h)<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4  | 2  |
| a.       | Procedures to notify an operator (company officer) when a noncompliance is identified   | Yes <input type="radio"/> No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |
| b.       | Procedures to routinely review progress of compliance actions to prevent delays or breakdowns   | Yes <input type="radio"/> No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |

### Evaluator Notes:

A review of West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures Section 11.8 Written Formal Notice of Violations found notification to company officer was not listed. Additionally, procedures to routinely review progress of compliance action were not listed. Improvement is needed in adding these requirements to the procedures. A loss of two points occurred.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1 (B11,B18,B19)<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Were compliance actions sent to company officer or manager/board member if municipal/government system?  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Were probable violations documented?   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c.       | Were probable violations resolved?   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d.       | Was the progress of probable violations routinely reviewed?  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

### Evaluator Notes:

Yes, a review of Mountaineer Gas Company compliance letter dated July 20, 2012 indicated the information was sent to the company officer. The probable violation was well documented and resolved by the operator. Action was taken by staff members to review the probable violation routinely until the violation was corrected.

- |          |  |   |   |
|----------|--|---|---|
| <b>3</b> | Did the state issue compliance actions for all probable violations discovered? (B15)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

### Evaluator Notes:

Yes, a review of files found this action was taken. No issues.

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

### Evaluator Notes:

Yes, this is listed in West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement Procedures section 11.9 - Options Open to the Operator. No issues.

- |          |   |   |   |
|----------|---|---|---|
| <b>5</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) (B27)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

### Evaluator Notes:

Yes, in CY2012 a civil penalty in the amount of \$2,000 was assessed against Mountaineer Gas Company.

- |          |   |   |   |
|----------|---|---|---|
| <b>6</b> | Can the State demonstrate it is using their enforcement fining authority for pipeline safety violations?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

### Evaluator Notes:

Yes, the civil penalty assessed against Mountaineer Gas Company in CY2012.

7 General Comments:

Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

Loss of points occurred in Question D.1 of this section.

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Total points scored for this section: 13  
Total possible points for this section: 15



## PART E - Incident Investigations

Points(MAX) Score

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

### Evaluator Notes:

A review West Virginia Public Service Commission Gas Pipeline Safety Section Inspection and Enforcement procedures found no written description on receiving and responding to Incident/Accidents. The agency needs to include in its procedures information on receiving notifications, during normal and after hours from the operator. The last notification send to the operators was dated May1, 2009. Improvement is needed. The procedures have a description of Inspection Incidents but they do not contain procedures that describe the process for receiving and responding to Incident/Accidents. Additionally, no process was in place for receiving reports after- hours. The program manager is familiar with the MOU between NTSB and PHMSA. However, staff members may not be aware of the MOU's and these needs to be included in the written procedure document. Improvement is needed. Therefore, a loss of one point occurred.

- |   |   |   |   |
|---|---|---|---|
| 2 | If onsite investigation was not made, did state obtain sufficient information from the operator and/or by other means to determine the facts to support the decision to not go on-site? Chapter 6 (D4)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|---|---|---|

### Evaluator Notes:

Yes, a review of files for Columbia Gas Transmission on Adaline, Marshall County and Coplet Road, Lewis County were reviewed. No issues of concern. The Columbia Gas Transmission incident in Sissonville is currently being investigated by NTSB.

- |    |  |                                      |  |
|----|--|--------------------------------------|--|
| 3  | Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? (D5)<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3                                    | 3  |
| a. | Observations and document review   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Contributing Factors   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c. | Recommendations to prevent recurrences when appropriate  | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

### Evaluator Notes:

Yes, a review of incident reports indicates a thorough documentation was performed. No issues.

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

### Evaluator Notes:

NA. No violations were found during any of the incidents or accident investigations.

- |   |  |   |   |
|---|--|---|---|
| 5 | 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 report data from operators concerning incidents/accidents and investigate discrepancies) Chapter 6 (D7)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|--|---|---|

### Evaluator Notes:

Yes, state agency has assisted NTSB and PHMSA Eastern Region in the investigation of Columbia Gas Transmission incident on December 11, 2012. Investigation is continuing by NTSB. No issues.

- |   |   |   |   |
|---|---|---|---|
| 6 | Does state share lessons learned from incidents/accidents? (sharing information, such as: at NAPS Region meetings, state seminars, etc) (G15) | 1 | 1 |
|---|---|---|---|

Yes = 1 No = 0

Evaluator Notes:

Yes, information was shared at the NAPS Eastern and National Meeting on the incident that occurred on Columbia Gas Transmission line incident. No areas of concern.

---

7 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

Loss of points occurred in Question E.1.

---

Total points scored for this section: 7  
Total possible points for this section: 8



## PART F - Damage Prevention

Points(MAX) Score

- |   |   |   |   |
|---|---|---|---|
| 1 | Has the state reviewed directional drilling/boring procedures of each pipeline operator or its contractor to determine if they include actions to protect their facilities from the dangers posed by drilling and other trench less technologies? NTSB (E1)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 0 |
|---|---|---|---|

Evaluator Notes:

A review of files and discussion with state program manager resulted in no documentation to confirm this requirement was covered during inspections performed in CY2012. Therefore, a loss of two points occurred.

- |   |  |   |   |
|---|--|---|---|
| 2 | Did the state inspector check to assure the pipeline operator is following its written procedures pertaining to notification of excavation, marking, positive response and the availability and use of the one call system? (E2)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 0 |
|---|--|---|---|

Evaluator Notes:

State Program Manager was unable to show where they asked this question or review this item on their inspection form in CY2012. Therefore, a loss of two points occurred.

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

Evaluator Notes:

Yes, the State Program Manager and other staff member promote the CGA Best Practices at seminars and excavator meetings. The West Virginia Public Utility Commission is also an associate member of the West Virginia One Call organization.

- |   |  |   |   |
|---|--|---|---|
| 4 | Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests? (This can include DIRT and other data shared and reviewed by the pipeline safety program) (E4,G5)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

Yes, the Public Service Commission of West Virginia request and receives from the natural gas operators damages per 1,000 locate request. They review and track the data and trend information on a spreadsheet. The results are reviewed annually. No issues.

- |   |  |           |           |
|---|--|-----------|-----------|
| 5 | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|---|--|-----------|-----------|

Evaluator Notes:

Loss of points occurred in Questions F.1 & F.2.

Total points scored for this section: 4  
Total possible points for this section: 8



## PART G - Field Inspections

Points(MAX) Score

- 1 Operator, Inspector, Location, Date and PHMSA Representative Info Only Info Only  
Info Only = No Points

Name of Operator Inspected:  
Eureka Hunter Pipeline, LLC

Name of State Inspector(s) Observed:  
Girija Bajpayee, Engineer

Location of Inspection:  
Marietta, Ohio

Date of Inspection:  
September 18, 2013

Name of PHMSA Representative:  
Glynn Blanton, DOT/PHMSA State Programs

### Evaluator Notes:

This was a Public Awareness Program Effectiveness Inspection conducted at the offices of Eureka Hunter Pipeline in Marietta, Ohio. The following individuals were present: Paul Sandy, Compliance Coordinator and Liam Daggett, Technology Coordinator. Jason Julian, Vice President of Operations with Utility Technologies International Corporation.

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

### Evaluator Notes:

Yes, the following individuals were present: Paul Sandy Compliance Coordinator & Liam Daggett, Technology Coordinator with Eureka Hunter Pipeline and Jason Julian, Vice President of Operations with Utility Technologies International Corporation.

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

### Evaluator Notes:

Yes, PHMSA Form 21 Public Awareness Program Effectiveness Inspection form was used.

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

### Evaluator Notes:

Yes, the WV PSC Engineer documented each response from the operator representatives. No issues.

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

### Evaluator Notes:

Yes, the operator had copies of their Public Awareness Program written plan. No areas of concern.

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

- |                           |                                     |
|---------------------------|-------------------------------------|
| a. Procedures             | <input checked="" type="checkbox"/> |
| b. Records                | <input checked="" type="checkbox"/> |
| c. Field Activities       | <input type="checkbox"/>            |
| d. Other (please comment) | <input type="checkbox"/>            |

### Evaluator Notes:

No items of concern.

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

Yes. The WV PSC Engineer has over twenty-two years of experience in pipeline safety enforcement. No issues.

8	Did the inspector conduct an exit interview? (If inspection is not totally complete the interview should be based on areas covered during time of field evaluation) (F9) Yes = 1 No = 0	1	1
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Evaluator Notes:

Yes, Eureka Hunter Pipeline representatives were contacted several weeks before the inspection visit.

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

Evaluator Notes:

Yes, a brief exit interview was conducted but the entire inspection was not completed. The inspection was scheduled to continue on the following day.

10	General Comments: What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) Other. Info Only = No Points	Info Only	Info Only
----	--	-----------	-----------

- |    |                                   |                                     |
|----|-----------------------------------|-------------------------------------|
| a. | Abandonment                       | <input type="checkbox"/>            |
| b. | Abnormal Operations               | <input checked="" type="checkbox"/> |
| c. | Break-Out Tanks                   | <input type="checkbox"/>            |
| d. | Compressor or Pump Stations       | <input type="checkbox"/>            |
| e. | Change in Class Location          | <input type="checkbox"/>            |
| f. | Casings                           | <input type="checkbox"/>            |
| g. | Cathodic Protection               | <input type="checkbox"/>            |
| h. | Cast-iron Replacement             | <input type="checkbox"/>            |
| i. | Damage Prevention                 | <input type="checkbox"/>            |
| j. | Deactivation                      | <input type="checkbox"/>            |
| k. | Emergency Procedures              | <input type="checkbox"/>            |
| l. | Inspection of Right-of-Way        | <input type="checkbox"/>            |
| m. | Line Markers                      | <input type="checkbox"/>            |
| n. | Liaison with Public Officials     | <input type="checkbox"/>            |
| 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 type="checkbox"/>            |
| v. | Overpressure Safety Devices       | <input type="checkbox"/>            |
| w. | Plastic Pipe Installation         | <input type="checkbox"/>            |
| x. | Public Education                  | <input checked="" type="checkbox"/> |
| y. | Purging                           | <input type="checkbox"/>            |
| z. | Prevention of Accidental Ignition | <input type="checkbox"/>            |
| A. | Repairs                           | <input type="checkbox"/>            |
| B. | Signs                             | <input 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 type="checkbox"/>            |
| J. | Other                       | <input checked="" type="checkbox"/> |

Evaluator Notes:

This was a Public Awareness Inspection of the operator's written procedures and plan.

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Total points scored for this section: 12

Total possible points for this section: 12



**PART H - Interstate Agent State (If Applicable)****Points(MAX)    Score**

- |          |   |   |   |
|----------|---|---|---|
| <b>1</b> | Did the state use the current federal inspection form(s)? (C1)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

Yes, PHMSA inspection forms &amp; Inspection Assistant program were used. No issues.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | Are results documented demonstrating inspection units were reviewed in accordance with "PHMSA directed inspection plan"? (C2)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Yes, a review of documentation on the type of inspection to be performed indicated they followed the plan. No issues.

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

Evaluator Notes:

Yes, a review of the seven inspection documentations found they were submitted within the 60 days' time schedule. No issues.

- |          |  |   |   |
|----------|--|---|---|
| <b>4</b> | Were probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) (C4)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Yes, probable violation was found on Dominion Transmission Company standard inspection number 137212 and was referred to PHMSA for action.

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

Evaluator Notes:

NA. No conditions in CY2012.

- |          |   |   |   |
|----------|---|---|---|
| <b>6</b> | Did the state give written notice to PHMSA within 60 days of all probable violations found? (C6)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

Yes, the Dominion Transmission Standard Inspection number 137212 report found probable violations. Written notification was provided to PHMSA Eastern Region. No issues.

- |          |  |   |   |
|----------|--|---|---|
| <b>7</b> | Did the state initially submit documentation to support compliance action by PHMSA on probable violations? (C7)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Yes, they submitted the documentation to support compliance action for the Dominion Transmission. No issues.

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

Evaluator Notes:

No loss of points occurred in this section of the review.

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

**PART I - 60106 Agreement State (If Applicable)****Points(MAX)    Score**

- |          |  |   |    |
|----------|--|---|----|
| <b>1</b> | Did the state use the current federal inspection form(s)? (B21)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

NA

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

Evaluator Notes:

NA

- |          |   |   |    |
|----------|---|---|----|
| <b>3</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.) (B23)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

- |          |  |           |           |
|----------|--|-----------|-----------|
| <b>7</b> | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|----------|--|-----------|-----------|

Evaluator Notes:

NA

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