



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

1200 New Jersey Avenue SE
Washington DC 20590

2011 Hazardous Liquid State Program Evaluation

for

NEW YORK PUBLIC SERVICE COMMISSION

Document Legend

PART:

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



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

State Agency: New York
Agency Status:
Date of Visit: 08/06/2012 - 08/24/2012
Agency Representative: Kevin Speicher
PHMSA Representative: Dinubhai (Dino) N. Rathod
Commission Chairman to whom follow up letter is to be sent:
Name/Title: Mr. Garry A. Brown, Chairman
Agency: New York Public Service Commission
Address: Three Empire State Plaza
City/State/Zip: Albany, New York 12223-1350

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 2011 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART G):

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

Scoring Summary

PARTS	Possible Points	Points Scored
A Progress Report and Program Documentation Review	10	10
B Program Inspection Procedures	15	12.5
C Program Performance	43	39
D Compliance Activities	14	14
E Accident Investigations	9	9
F Damage Prevention	8	8
G Field Inspections	11	11
H Interstate Agent State (if applicable)	7	7
I 60106 Agreement State (if applicable)	0	0
TOTALS	117	110.5
State Rating		94.4



PART A - Progress Report and Program Documentation Review

Points(MAX) Score

1	Accuracy of Jurisdictional Authority and Operator/Inspection Units Data - Progress Report Attachment 1 (A1a) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Public Service Law- Section 5

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

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

4	Were all federally reportable incident reports listed and information correct? - Progress Report Attachment 4 (A1d) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Two Reportable Accidents in CY 2011 Buckeye Partners

5	Accuracy verification of Compliance Activities - Progress Report Attachment 5 (A1e) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
For CY 2011 DPS reported 15 Probable violations, 5 corrected; Total 13 need to be processed (including 3 carry over from previous year due to error in Reporting).

6	Were pipeline program files well-organized and accessible? - Progress Report Attachment 6 (A1f, A4) Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:
NY DPS Regional Offices have capability to access inspection records on their server. DPS maintains a combination of electronic database and hard copy files.

7	Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 (A1g) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Reviewed DPS inspector training records, courses completed, Courses- Wait Listed.

8	Verification of Part 195,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Various Rules & Amendments were adopted in a timely manner.



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

Evaluator Notes:

DPS continues to implement One Call elements and work closely with operators, One Call Centers. NY DPS staff participated in training and outreach programs.

10 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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



PART B - Program Inspection Procedures

Points(MAX) Score

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

Evaluator Notes:
 Discussed with DPS need for revising State Guideline manual (SGM) Standard Inspection procedures to reflect PHMSA Guideline Manual for Staates- Glossary and Chapter 5, Para 5.1(3). SGM revision has been underway for a long time. DPS agreed to keep me informed of progress.

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

Evaluator Notes:
 Section 4.7.3

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

Evaluator Notes:
 Section 4.7.2

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

Evaluator Notes:
 SGM Section VIII

5 On-Site Operator Training (B1e) 1 0.5
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
 Discussed with DPS to review and revise OnSite training per PHMSA State Guideline Annual Glossary and Chapter 5, para 5.1(3). It is specifically for "Requested and Announced Presentation" at an operator training/ safety Mtg. Seminar etc.

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

Evaluator Notes:
 Section VI

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

Evaluator Notes:
 SGM Section IX.
 I discussed with DPS the need to streamline internal review process/ administrative procedure. It is essential that necessary Accident Failure Reports be finalized in a timely manner.

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

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



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

Yes No Needs Improvement

f. Are inspection units broken down appropriately?

Yes No Needs Improvement

Evaluator Notes:

9 General Comments:
Info Only = No Points

Info Only

Evaluator Notes:

Total points scored for this section: 12.5
Total possible points for this section: 15



PART C - Program Performance

Points(MAX) Score

- 1** Was ratio of Total Inspection person-days to total person days acceptable? 5 5
 Yes = 5 No = 0
 A. Total Inspection Person Days (Attachment 2):
 344.00
 B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
 220 X 2.13 = 469.33
 Ratio: A / B
 344.00 / 469.33 = 0.73
 If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
 Points = 5

Evaluator Notes:
 Checked ratio of Total Inspection person-days to total person days;
 Ratio >0.38, 5 points

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

Evaluator Notes:
 Checked DPS inspectors T Q Training Requirements.

- 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:
 Kevin Speicher has gained extensive pipeline safety experience at NY DPS and completed required T&Q training. He works closely with ER and PHMSA HQ.

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

Evaluator Notes:
 NY PSC responded on Jan 24, 2012. DPS was unable to resolve Civil Penalties not being substantially same as Federal penalties. DPS will take up this unresolved issue and work thru legislative process for a successful passage.

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

Evaluator Notes:
 NY T&Q seminar was held in Oct 2010 in Saratoga Springs.

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

Evaluator Notes:



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

Evaluator Notes:

Discussed with DPS need for inspection forms/ checklists changes to reflect federal code requirements. DPS is in process of upgrading electronic database capabilities including various inspection forms/ checklists

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|---|---|---|---|
| 8 | Did the state review operator procedures for determining areas of active corrosion on liquid lines in sufficient detail? (NOTE: PHMSA representative to describe state criteria for determining areas of active corrosion) (B7)
Yes = 1 No = 0 | 1 | 1 |
|---|---|---|---|

Evaluator Notes:

- | | | | |
|---|--|---|---|
| 9 | Did the state adequately review for compliance operator procedures for abandoning pipeline facilities and analyzing pipeline accidents to determine their causes? (NOTE: PHMSA representative to describe state criteria for determining compliance with abandoning pipeline facilities and analyzing pipeline accidents to determine their causes) (B8)
Yes = 1 No = 0 | 1 | 1 |
|---|--|---|---|

Evaluator Notes:

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

Evaluator Notes:

DPS conducts IMP inspections and review HCAs.

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|----|---|---|---|
| 11 | Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 195.402(c)(5)? (B10,E5)
Yes = 1 No = 0 | 1 | 1 |
|----|---|---|---|

Evaluator Notes:

DPS staff reviews operator records of accidents and failures and 3rd party damages; DPS also reviews leak responses.

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

Evaluator Notes:

DPS reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends. NY also publishes 2011 State Performance Measures Report (Case 12-G-0222) dated May 31, 2012.

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

Evaluator Notes:

Verified that DPS uploaded all applicable OQ, IMP inspection results into federal database in a timely manner

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

Evaluator Notes:



DPS periodically reviewed that liquid operators have submitted information into NPMS.

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

Evaluator Notes:

2011- Progress Report Attachment-2 indicated that the DPS did not conduct any D&A inspection to verify that liquid operators are conducting drug and alcohol tests as required by regulations.

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

Evaluator Notes:

DPS verified that operators OQ programs (Plans, procedures and records) are up to date.

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

Evaluator Notes:

DPS has verified that hazardous liquid integrity management (LIMP) Programs are up to date.

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

Evaluator Notes:

DPS performed PA Program review and inspection.

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

Evaluator Notes:

NY PSC has a Public website:

<http://www.dps.ny.gov>

It allows public to "Search" for Commission Agenda Summary". This typically would provide pertinent details of various commission actions.

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

Evaluator Notes:

DPS staff works closely with PHMSA ER and provides pertinent updates for SRCs (gas & liquid).

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

Evaluator Notes:

DPS works with NAPS and PHMSA for information requests and surveys.

22 General Comments:

Info Only = No Points

Info Only

Evaluator Notes:

Total points scored for this section: 39
Total possible points for this section: 43



PART D - Compliance Activities

Points(MAX) Score

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

Evaluator Notes:
 1. Information verified in DPS audit reports an supporting documents.
 2 Progress status letters sent, as needed.

- 2** Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1 (B11,B18,B19) 4 4
 Yes = 4 No = 0 Needs Improvement = 1-3
- a. Were compliance actions sent to company officer or manager/board director if municipal/government system? Yes No Needs Improvement

Evaluator Notes:
 DPS follows Compliance Actions per SGM

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

Evaluator Notes:
 DPS tracks compliance action via spreadsheet

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

Evaluator Notes:
 PSC compliance actions give "due process" including "show cause hearing" to all parties.

- 5** Is the program manager familiar with state process for imposing civil penalties? Were civil penalties considered for repeat violations (with severity consideration) or violations resulting in incidents/accidents? (describe any actions taken) (B27) 2 2
 Yes = 2 No = 0

Evaluator Notes:
 DPS Program Manager is very familiar with enforcement process for imposing civil penalties. DPS does consider imposing civil penalties for repeat violators based on current NY State requirements.

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

Evaluator Notes:
 DPS has imposed civil penalties for past pipeline safety violations.

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

Evaluator Notes:

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

PART E - Accident Investigations

Points(MAX) Score

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

Evaluator Notes:
SGM- Chapter 9, Para. 9.3 Investigation & Documentation

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

Evaluator Notes:
SGM- Chapter 9, Pra 9.3 Investigations & Documentation

- | | | | |
|----|--|--------------------------------------|--|
| 3 | Were all accidents investigated, thoroughly documented, and with conclusions and recommendations? (D5)
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 where appropriate | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:
DPS reported 2 Accidents with Buckeye Pipeline(2011 Progress Report- Attachment 4).

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:
DPS shares pertinent details at NAPS ER meeting and NY State T&Q seminar

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

Evaluator Notes:



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



PART F - Damage Prevention

Points(MAX) Score

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

Evaluator Notes:
DPS has performed review of directional drilling procedures

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

Evaluator Notes:
DPS reviewed damage prevention procedures as part of planned inspections.

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

Evaluator Notes:
DPS actively participated in promoting damage prevention 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? (This can include DIRT and other data shared and reviewed by the pipeline safety program) (E4,G5)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:
DPS collects & analyzes data and evaluated for trends

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

Evaluator Notes:

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



PART G - Field Inspections

Points(MAX) Score

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

Name of Operator Inspected:
 Superior Plus Energy Services (Griffith)
 Name of State Inspector(s) Observed:
 Kristan Harsh
 Location of Inspection:
 Big Flats
 Date of Inspection:
 08/07/2012
 Name of PHMSA Representative:
 Dinubhai (Dino) N. Rathod

Evaluator Notes:
 1) coating damage repair
 2) ROW maintenance- Line marker
 3) Critical valve maintenance

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:
 Superior Plus Reps were present during field eval activities at Big Flats.

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:
 DPS inspector Kris Harsh used PHMSA inspection forms(Liquid Operator Evaluation; OQ #9 Field Eval.

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

Evaluator Notes:
 DPS inspector documented inspection results.

5 Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, valve keys, half cells, etc) (F5) 1 1
 Yes = 1 No = 0

Evaluator Notes:
 DPS inspector checked to see if the haz. liquid operator had necessary equipment during inspection to conduct tasks.

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

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

Evaluator Notes:
 Valve and ROW maintenance; coating damage repairs.

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

No probable violations were discovered during this field evaluation.

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

- a. Abandonment
- 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

Evaluator Notes:

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



PART H - Interstate Agent State (if applicable)

Points(MAX) Score

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

Evaluator Notes:

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

Evaluator Notes:

DPS staff works closely with ER Team leaders in performing interstate pipeline operator inspections

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

Evaluator Notes:

DPS staff works closely with ER Team leaders in performing interstate pipeline operator inspections and necessary supporting documentation.

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

Evaluator Notes:

DPS staff works closely with ER Team leaders for possible violations by interstate pipeline operator inspections.

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

Evaluator Notes:

DPS staff works closely with ER Team leaders informing any immediate safety concerns with interstate pipeline operator inspections.

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

DPS staff works closely with ER Team leaders in performing interstate pipeline operator inspections.

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



PART I - 60106 Agreement State (if applicable)

Points(MAX) Score

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

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

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

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

3 Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) (B23) 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

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

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

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

Evaluator Notes:

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

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

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

Evaluator Notes:
NY PSC is not an Agreement Pipeline Safety Program(60106).

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

