



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

1200 New Jersey Avenue SE
Washington DC 20590

2015 Gas State Program Evaluation

for

MISSISSIPPI 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 -- Incident Investigations
- F -- Damage Prevention
- G -- Field Inspections
- H -- Interstate Agent State (If Applicable)
- I -- 60106 Agreement State (If Applicable)



2015 Gas State Program Evaluation -- CY 2015

Gas

State Agency: Mississippi

Agency Status:

Date of Visit: 08/01/2016 - 08/05/2016

Agency Representative: Rickey Cotton, Director Pipeline Safety

Ilicia Boaler, Secretary Administrative

John Thompson, Investigator I

PHMSA Representative: Glynn Blanton, PHMSA State Programs

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

Name/Title: Brandon Presley, Chairman

Agency: Mississippi Public Service Commission

Address: 501 N West Street, Suite 201-A

City/State/Zip: Jackson, MS 39215-1174

Rating:

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

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 2015 (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

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	9.5
13	10
49	44
15	14
6	5
8	8
12	12
0	0
0	0
113	102.5

TOTALS

State Rating **90.7**

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
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0.5 |
|----------|---|---|-----|

Evaluator Notes:

A review of Attachment 1, again found errors on Transmission Interstate and LNG Intrastate status code and authority. The correct code for Transmission Interstate should be "F". The LNG Intrastate code should be "A" and jurisdiction authority slot was left blank. Please contact Carrie Winslow, State Programs, and have these changes corrected in FedSTAR. Improvement is needed in completing this information correctly and therefore a loss of half point occurred.

- | | | | |
|----------|--|---|---|
| 2 | Review of Inspection Days for accuracy - Progress Report Attachment 2
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

A review of Attachment 2 found the information on the number of inspection days for each category matched the MS PSC data base spreadsheet provided during this audit review. No areas of concern.

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

Evaluator Notes:

A review of Attachment 3 along with program files confirm information was correct. No areas of concern.

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

A review of PHMSA Pipeline Data Mart found no reportable incidents occurred in CY2015. Attachment 4 was completed correctly showing no incidents.

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|----------|--|---|---|
| 5 | Accuracy verification of Compliance Activities - Progress Report Attachment 5
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Attachment 5 along with a review of MS Data base spreadsheet show the violation numbers listed were correct. It was noted the number of violations to be corrected at the end of CY2015 was less than in previous year. Seventy one compliance actions were taken in CY2015 but no civil penalties were assessed or collected on an operator.

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

Evaluator Notes:

Yes, program files and database was found accessible and well organized. No issues of concern.

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

Evaluator Notes:

A review of Saba Transcripts and attachment 7 confirm all employees listed and training dates were correctly entered. No areas concern.

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

Evaluator Notes:

Reviewed MS PSC rules and regulations located in SharePoint and confirmed Attachment 8 is correct. However, the State of Mississippi civil penalty levels for pipeline safety violations does not meet the minimum federal level of \$100,000 per day up to \$1,000,000. Therefore, a loss of points occurred in the 2016 MPSC Progress Report review. This item was discussed with the Program Manager and Executive Director during the program evaluation exit interview.

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

Evaluator Notes:

A review of Attachment 10 confirm planned performance goals and accomplishments have been completed for the year in review. Information on the 9 elements of an effective damage prevention program were listed. No areas of concern.

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

Evaluator Notes:

Loss of points occurred at the following question.

A.1 A review of Attachment 1, again found errors on Transmission Interstate and LNG Intrastate status code and authority. The correct code for Transmission Interstate should be "F". The LNG Intrastate code should be "A" and jurisdiction authority slot was left blank. Please contact Carrie Winslow, State Programs, and have these changes corrected in FedSTAR. Improvement is needed in completing this information correctly and therefore a loss of half point occurred.

Total points scored for this section: 9.5
Total possible points for this section: 10



PART B - Program Inspection Procedures

Points(MAX) Score

- | | | | |
|---|--|---|---|
| 1 | Standard Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 2 | 1 |
|---|--|---|---|

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

A review of Mississippi Public Service Commission, Pipeline Safety Division Operation and Enforcement Procedures found this item listed and located on page 15, under "Inspections Schedule and Procedures". All inspections are performed at least every five years using Federal Form 2. However, items pertaining to pre-inspection and post-inspection activities are weak and need to be enhanced. Please see examples provided in States Participating in the Pipeline Safety Guidelines, Section 5, pages 31-35.

- | | | | |
|---|--|---|-----|
| 2 | IMP and DIMP Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 0.5 |
|---|--|---|-----|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A review of MS PSC, Pipeline Safety Division Operation and Enforcement Procedures found this item listed and located on page 15, under "Inspections Schedule and Procedures". However, items pertaining to pre-inspection and post-inspection activities are weak and need to be enhanced. Please see examples provided in States Participating in the Pipeline Safety Program Guidelines, Section 5, pages 31-36.

- | | | | |
|---|--|---|-----|
| 3 | OQ Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 0.5 |
|---|--|---|-----|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A review of MS PSSC, Pipeline Safety Division Operation and Enforcement Procedures found this item listed on page 15. However, items pertaining to pre-inspection and post-inspection activities are weak and need to be enhanced. Please see examples provided in States Participating in the Pipeline Safety Program Guidelines, Section 5, pages 31-36.

- | | | | |
|---|---|---|-----|
| 4 | Damage Prevention Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 0.5 |
|---|---|---|-----|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A review of Pipeline Safety Division Operation and Enforcement Procedures found this item listed and located on page 16, under "Inspections Schedule and Procedures". However, items pertaining to pre-inspection and post-inspection activities are weak and need to be enhanced. Please see examples provided in States Participating in the Pipeline Safety Program Guidelines, Section 5, pages 31-36.

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|---|--|---|---|
| 5 | Any operator training conducted should be outlined and appropriately documented as needed. | 1 | 1 |
|---|--|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A review of MS PSC, Pipeline Safety Division Operation and Enforcement Procedures found this item listed and located on page 16.

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| 6 | Construction Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 0.5 |
|---|--|---|-----|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

A review of MS PSC, Pipeline Safety Division Operation and Enforcement Procedures found this item listed and located on page 16. However, items pertaining to pre-inspection and post-inspection activities are weak and need to be enhanced. Please see examples provided in States Participating in the Pipeline Safety Guidelines, Section 5, pages 31-35.

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- | | | | |
|----------|---|--------------------------------------|--|
| 7 | Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements?
Yes = 6 No = 0 Needs Improvement = 1-5 | 6 | 6 |
| a. | Length of time since last inspection (Within five year interval) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Operating history of operator/unit and/or location (includes leakage, incident and compliance activities) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c. | Type of activity being undertaken by operators (i.e. construction) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| d. | Locations of operators inspection units being inspected - (HCA's, Geographic 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 <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| f. | Are inspection units broken down appropriately? | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

A review of MS PSC, Pipeline Safety Division Operation and Enforcement Procedures found items "a through e" listed and located on page 16. Inspection units were found to be broken down correctly. No areas of concern were found.

8 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

Loss of points occurred in Questions B.1, B.2, B.3, B.4 & B.6 due to Pre-inspection and Post-inspection activity procedures being weak.

Total points scored for this section: 10
Total possible points for this section: 13



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 5 5
Yes = 5 No = 0
- A. Total Inspection Person Days (Attachment 2):
615.00
- B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 5.75 = 1265.00
- Ratio: A / B
615.00 / 1265.00 = 0.49
- If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
Points = 5

Evaluator Notes:

- A. Total Inspection Person Days (Attachment 2)= 615
B. Total Inspection Person Days Charged to the program(220*Number of Inspection person years(Attachment 7)=1265
Formula:- Ratio = A/B = 615/1265 = 0.49
Rule:- (If Ratio >=.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 Appendix C for requirements) Chapter 4.4 5 1
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 ☐
- e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector. Yes ☐ No ☒ Needs Improvement ☐

Evaluator Notes:

A review of TQ transcripts found Lewis Davis has not completed all required courses within five years to meet the Gas Inspector Training Qualifications. This finding was noted in CY2012, CY2013 & CY2014 program evaluation.

Neill Wood has successfully completed the Root Cause course on May 1, 2015 and is the only qualified lead inspector for DIMP/IMP.

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

Evaluator Notes:

Yes, Rickey Cotton was previously a gas safety inspector, worked in the natural gas industry for 11 years and very knowledge about PHMSA program requirements and regulations.

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

Evaluator Notes:

Yes, Chairman Posey response letter was received on November 18, 2015 and within the required 60 day time period. No loss of points occurred.

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

Evaluator Notes:

Yes, the seminar was held in Pearl, MS on September 22-23, 2015. The number of attendees were 153. No areas of concern.

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

Evaluator Notes:

Yes, a review of MS Pipeline Safety Data base spreadsheet found inspections were scheduled in accordance to established time intervals listed, within five years.

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

Evaluator Notes:

Yes, MS PSC are using the federal forms to perform inspections. Improvements have been made in completing all information in the inspection forms from the previous state program evaluation. In this regard, a random selection of inspection reports found information in the forms were complete with comments and each item checked on the list.

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

Evaluator Notes:

Yes, this is reviewed and checked using the federal inspection form.

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

Evaluator Notes:

Yes, this is reviewed during the standard inspection.

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

Evaluator Notes:

Yes, this is checked and reviewed with the operator during the standard inspection.

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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 192.617? Chapter 5.1
Yes = 1 No = 0 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

Yes, this is reviewed with the operator during the standard inspection audit.

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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?
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

Yes, Program Manager reviews all annual reports as they are submitted and post the results on an Excel spreadsheet. The results of information is shared with the inspectors and used in their rank risk inspection program.

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

Evaluator Notes:

A review of PHMSA OQ/DIMP database on July 28, 2016 found operator qualification inspections that were conducted in CY2012, CY2013 & CY2014 were not uploaded until July 29, 2016. This item was mentioned in the previous state program evaluation and letter to the MS PSC Chairman on September 23, 2015. Improvement is needed in uploading the OQ/DIMP results in a timely manner. Therefore, a loss of one point occurred.

A review of the PHMSA Gas Transmission Integrity Management data base found the Ashland Gas Department inspection was uploaded into the data base on January 20, 2015 in a timely manner.

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

Yes, the inspectors are confirming intrastate transmission operators have submitted information into the NPMS during the standard inspection visit.

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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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, one drug and alcohol inspection was conducted in CY2015. A review of inspection report confirm the drug and alcohol tests were performed by the operator and verification of the positive test in accordance with 49 CFR 199.

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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 192 Part N
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, one OQ inspection was conducted in CY2015. A review of inspection report confirm MPSC is verifying the operator's OQ program is up to date.

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|-----------|--|---|---|
| 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|
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Evaluator Notes:

Yes, a review of inspection reports indicated the operator's IMP was checked and found to be up to date.

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|-----------|---|---|---|
| 18 | Is state verifying operator's gas distribution integrity management Programs (DIMP)? 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 have been complete by December 2014
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, a review of inspection reports confirm MPSC reviewed the operator's plans along with the updates. No concerns.

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|----|---|---|---|
| 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 conducted every four years per RP1162
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

Yes, MS PSC performed the PAPEI inspections during the standard inspection reviews in CY2014. A review of files confirm all PAPEI inspections were completed in the last quarter of CY2014.

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| 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).
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

Yes, MS PSC has a website they use to communicate to the general public and stakeholders about their pipeline safety program and seminar.

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

Evaluator Notes:

No safety related condition report were issued.

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|----|---|---|---|
| 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?
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

Yes, MS PSC ask operators to submit information about defects/leaks on any plastic pipe or its components to their office during standard inspections and meetings with the operators. No areas of concern.

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

Evaluator Notes:

Yes, they provided responses and input to NAPSRS/NARUC surveys.

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|----|--|---|---|
| 24 | If the State has issued any waivers/special permits for any operator, has the state verified conditions of those waivers/special permits are being met? This should include having the operator amend procedures where appropriate.
No = 0 Needs Improvement = .5 Yes = 1 | 1 | 1 |
|----|--|---|---|

Evaluator Notes:

No state waivers/special permits have been issued.

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|----|---|---|---|
| 25 | Did the state attend the National NAPSRS Board of Directors Meeting in CY being evaluated?
No = 0 Needs Improvement = .5 Yes = 1 | 1 | 1 |
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Evaluator Notes:

Yes, program manager attended the NAPSRS Board of Director's meeting in Tempe, AZ.

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|----|---|---|---|
| 26 | Discussion on State Program Performance Metrics found on Stakeholder Communication site - http://primis.phmsa.dot.gov/comm/states.htm
No = 0 Needs Improvement = 1 Yes = 2 | 2 | 2 |
|----|---|---|---|

- a. Discussion of Potential Accelerated Actions (AA's) based on any negative trends Yes ☒ No ☐ Needs Improvement ☐

b. NTSB P-11-20 Meaningful Metrics

Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Provided program manager a copy of the Mississippi State Program Metrics documents and discussed each chart. In the review we noted the number of Excavation damages per 1,000 tickets for natural gas distribution system increased by more than 20% from previous year. This increase may be due to construction and awareness of the new state damage prevention law. A review of other charts found a high increase in the number of leaks repaired per 1,000 miles of distribution system. Program manager agreed to review the metrics and consider using the data in rank risking inspections of distribution system in the CY2016.

27 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

A loss of one point occurred at the following question.

C.13 A review of PHMSA OQ/DIMP database on July 28, 2016 found operator qualification inspections that were conducted in CY2012, CY2013 & CY2014 were not uploaded until July 29, 2016. This item was mentioned in the previous state program evaluation and letter to the MS PSC Chairman on September 23, 2015. Improvement is needed in uploading the OQ/DIMP results in a timely manner. Therefore, a loss of one point occurred.

Total points scored for this section: 44
Total possible points for this section: 49



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
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| a. | Procedures to notify an operator (company officer) when a noncompliance is identified | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Procedures to routinely review progress of compliance actions to prevent delays or breakdowns | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

- a. A review of Mississippi Public Service Commission, Pipeline Safety Division, Enforcement Procedures found written information on notification to the company officer when a noncompliance item is identified was included in the procedures. Additionally, the civil penalty amount for non-compliance was listed in the body of the letter to the operator.
- b. Written procedures in reviewing compliance actions was included in the section entitled, Enforcement Procedures.

- | | | | |
|----------|--|---|---|
| 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
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. | Document probable violations | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Resolve probable violations | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Routinely review progress of probable violations | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e. | Were applicable civil penalties outlined in correspondence with operator(s) | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

- a. Yes, a review of compliance files found areas of concern letters were sent to the company officer.
- b. Yes, probable violations were documented in the MS PSC data base.
- c. Yes, a review of files confirm violations were resolved.
- d. Yes, Administrative Assistant routinely reviews violations and post response from the operator.

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

Evaluator Notes:

Yes, seventy-one compliance actions were taken in CY2015 against operators for non-compliance.

- | | | | |
|----------|---|---|---|
| 4 | Did compliance actions give reasonable due process to all parties? Including "show cause" hearing if necessary.
Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

Yes, information on due process is described in MS PSC Pipeline Safety Procedures section entitled, "VIII , Enforcement Procedures". No areas of concern.

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

Evaluator Notes:

Yes, Program Manager is familiar with imposing civil penalties but prefers to use areas of concern letters to obtain compliance from the operator.

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

Evaluator Notes:

No. MS PSC was unable to demonstrate they have used their enforcement fining authority for pipeline safety violations in the last six years. This item and loss of points was mentioned in the CY2013 & CY2014 State Program Evaluation letter to the Chairman. A loss of one point occurred.

7 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

A loss of points occurred at the following question.

D.6 MS PSC was unable to demonstrate they have used their enforcement fining authority for pipeline safety violations in the last six years. This item and loss of points was mentioned in the CY2013 & CY2014 State Program Evaluation letter to the Chairman. A loss of one point occurred.

Total points scored for this section: 14
Total possible points for this section: 15



PART E - Incident Investigations

Points(MAX) Score

- 1 Does the state have written procedures to address state actions in the event of an incident/accident? 2 2

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, this item is addressed in Section IV. INCIDENT REPORTING of the MS PSC Operations and Enforcement Procedures.

- 2 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 2 1

Yes = 2 No = 0 Needs Improvement = 1

- a. Acknowledgement of MOU between NTSB and PHMSA (Appendix D) Yes ☐ No ☐ Needs Improvement ☒
- b. Acknowledgement of Federal/State Cooperation in case of incident/accident (Appendix E) Yes ☐ No ☐ Needs Improvement ☒

Evaluator Notes:

a & b. Yes, Program Manager is familiar with the MOU's but has not included or updated these items into the MS PSC Operations & Enforcement Procedures. The documents need to be included in MS PSC procedures manual or reference their location. A review of MS PSC procedures found notification process for inspectors to follow or operator to call the inspector when an incident occurred in after hours was weak and needs to be enhanced.

- 3 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 1 1

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes.

- 4 Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? 3 NA

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

- a. Observations and document review Yes ☐ No ☒ Needs Improvement ☐
- b. Contributing Factors Yes ☐ No ☒ Needs Improvement ☐
- c. Recommendations to prevent recurrences when appropriate Yes ☐ No ☒ Needs Improvement ☐

Evaluator Notes:

No accidents occurred in CY2015.

- 5 Did the state initiate compliance action for violations found during any incident/accident investigation? 1 NA

Yes = 1 No = 0

Evaluator Notes:

No accidents occurred in CY2015.

- 6 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 1 NA

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No incidents occurred in CY2015.

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

Yes = 1 No = 0

Evaluator Notes:

Yes, information was shared at 2016 NAPSR Southern Region Meeting.

8 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

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

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



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

Evaluator Notes:

Yes, this item is reviewed with the operator during a standard or field inspection.

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

Evaluator Notes:

Yes, this is checked and reviewed during the construction field inspection.

- | | | | |
|---|--|---|---|
| 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.)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

Yes, they promote CGA Best Practices with operators at meetings, inspection visits and training seminars. No areas of concern.

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

Evaluator Notes:

Program Manager collects and reviews trends in the number of pipeline damages per 1,000 locate requests via annual reports filed by the operator each year. This information is used in risk ranking the operators to be inspected. They continue to encourage operators to upload all damages into the DIRT program.

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

Evaluator Notes:

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

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:

City of Vicksburg

Name of State Inspector(s) Observed:

John Thompson, Investigator I

Location of Inspection:

Vicksburg, MS

Date of Inspection:

August 5, 2016

Name of PHMSA Representative:

Glynn Blanton, PHMSA State Programs

Evaluator Notes:

This was a standard inspection conducted at the office of the City of Vicksburg Gas Department. Mr. Dane Lovell, Water Superintendent was the operator's representative present during the inspection of the system.

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

Evaluator Notes:

Yes, John Thompson, MS PSC Investigator notified Dane Lowell, Water Superintendent on July 25, 2016 pertaining to the inspection audit.

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

Evaluator Notes:

Yes, it was observed John Thompson, Investigator was using the federal standard inspection form that was installed on his computer to perform the inspection.

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

Evaluator Notes:

Yes, John Thompson thoroughly reviewed the City of Vicksburg's operation and maintenance manual and recorded the results of his audit on the federal inspection form. He conducted the audit in a very professional matter. No areas of concern with this item.

- 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.) 1 1
Yes = 1 No = 0

Evaluator Notes:

Yes, the operator's representative Dane Lovell provided the City of Vicksburg operation manual and service records.

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

a. Procedures ☒

b. Records ☒

c. Field Activities ☐

d. Other (please comment) ☐

Evaluator Notes:

Yes, John Thompson reviewed service records and written procedures. Due to extreme heat, the outside field inspection was delayed until a later date.

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

Evaluator Notes:

Yes, John Thompson has adequate knowledge, completed the PL1250 and PL3256 courses and been employed with the MS PSC for more than one year.

- | | | | |
|---|---|---|---|
| 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)
Yes = 1 No = 0 | 1 | 1 |
|---|---|---|---|

Evaluator Notes:

Yes, John Thompson performed an exit interview with the operator and mentioned areas of concern or potential violations. Those items were O&M Procedures, 192.605; pipeline markers 192.707 (a); pressure limiting and regulator stations 192.739; welding procedures need to be updated to current API 20th Edition; corrosion control 192.461 and pressure testing service lines 192.517.

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

Evaluator Notes:

Yes.

- | | | | |
|----|---|-----------|-----------|
| 10 | General Comments: 1) What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) 2) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) 3) Other.
Info Only = No Points | Info Only | Info Only |
|----|---|-----------|-----------|

- | | | |
|----|-------------------------------|--------------------------|
| a. | Abandonment | <input type="checkbox"/> |
| b. | Abnormal Operations | <input 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 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 type="checkbox"/> |

Evaluator Notes:

John Thompson performed an excellent inspection and was very professional in the audit and exit interview with the operator. Due to extreme heat, an outside field inspection was delayed to a later date.

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



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

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

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

Evaluator Notes:

NA

- | | | | |
|----------|--|-----------|-----------|
| 8 | General Comments:
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

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

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

Evaluator Notes:
NA

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

Evaluator Notes:
NA

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

Evaluator Notes:
NA

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

Evaluator Notes:
NA

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

Evaluator Notes:
NA

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

Evaluator Notes:
NA

- | | | | |
|----------|--|-----------|-----------|
| 7 | General Comments:
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