



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2011 Natural Gas State Program Evaluation

for

ARKANSAS OIL AND GAS 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)



2011 Natural Gas State Program Evaluation -- CY 2011  
Natural Gas

**State Agency:** Arkansas

**Agency Status:**

**Date of Visit:** 04/30/2012 - 05/04/2012

**Agency Representative:** Gary Looney, Assistant Director

**PHMSA Representative:** Patrick Gaume, State Liaison Representative

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

**Name/Title:** Chad White, Chairman

**Agency:** Arkansas Oil and Gas Commission

**Address:** PO Box 634

**City/State/Zip:** Magnolia, Arkansas 71754

**Rating:**

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

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**INSTRUCTIONS:**

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 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.

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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.

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**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**

9	8
13	13
32	27
14	14
2	2
8	8
12	12
0	0
0	0

**TOTALS**

**90                      84**

**State Rating .....**

**93.3**

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## 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)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|---|---|---|

Evaluator Notes:

A1. Yes. Attachment 1 is consistent with program records, Attachment 3 and Attachment 8.

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

Evaluator Notes:

A2. Yes. We verified the 14 AFO days with program records.

- |   |  |   |   |
|---|--|---|---|
| 3 | 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:

A3. Yes. All 6 operators identified. Discussed that 3 opid were missing.

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

Evaluator Notes:

A4. NA. There have been no federally reportable incidents since AOGC became a Federal partner in 2008.

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

Evaluator Notes:

A5. NO, The 9 actions carried forward from 2010 were missed. 13 new actions, 22 actions corrected, 0 actions carried into 2012. 1 civil penalty.

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

Evaluator Notes:

A6. Yes. The paper records are still the official records and they are kept in the El Dorado Office. Almost all of the records are also available electronically.

- |   |  |   |   |
|---|--|---|---|
| 7 | 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:

A7. Yes. Attachment 7 appears to be a direct import of TQ data.

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

Evaluator Notes:

A8. Yes.

- 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:

A9. Yes.

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10 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

This evaluation addresses 2011, which was the fourth year of the program partnership. TQ Training meets all Gas Standard inspection requirements for both Mike & Gary. The Program Manual is finished.

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Total points scored for this section: 8  
Total possible points for this section: 9



## PART B - Program Inspection Procedures

Points(MAX) Score

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

2 2

Evaluator Notes:

B1. yes

- 2** IMP Inspections (including DIMP) (B1b)  
Yes = 1 No = 0 Needs Improvement = .5

1 NA

Evaluator Notes:

B2. NA,

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

1 NA

Evaluator Notes:

B3. NA,

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

1 1

Evaluator Notes:

B4. Yes, is part of the Standard Inspection

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

1 1

Evaluator Notes:

B5. Yes, is part of every inspection

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

1 1

Evaluator Notes:

B6. Yes.

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

2 2

Evaluator Notes:

B7. Yes.

- 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)  
Yes = 6 No = 0 Needs Improvement = 1-5

6 6

- |  |                                      |                          |   |
|--|--------------------------------------|--------------------------|---|
| 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 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:  
B8. Yes.

9 General Comments:  
Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:  
Michael Gray joined the OGC from AR PSC in Sept, 2011.

Total points scored for this section: 13  
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 (A12) 5 0  
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):  
14.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 0.50 = 110.00

Ratio: A / B  
14.00 / 110.00 = 0.13

If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0  
Points = 0

### Evaluator Notes:

C1. NO. 0 pts. 14 inspector days/(0.5 man year\*220 days/man year)=.127. .127<.38. We discussed that several On-Site Operator Training days and Damage Prevention days had not been documented and were therefore not reported. We discussed ways to document those inspector days. 5 of the 6 operators were inspected.

- 2 Has each inspector and program manager 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 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:

C2. Yes. Both Gary and Mike are fully qualified as NG Standard Inspectors.

- 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:

C3. Yes

- 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:

C4. Yes, the January 30, 2012 response to the Dec 7, 2011 Chairman letter was within 60 days. All items of concern from last year had been addressed

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

### Evaluator Notes:

C5. Yes, the seminar was co-sponsored with AR PSC and was held August 10-11, 2010 in North Little Rock, AR. TQ personnel were there and made presentations. AOGC is scheduled to co-host the TQ Seminar in New Orleans in July, 2012

- 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:

C6. Yes. Standard inspections are generally performed every year. No Operator in 2011 had an established need to implement IM or OQ. One Operator will need to implement OQ during 2013

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

Evaluator Notes:

C7. Yes, use the Fed Forms

- |   |  |   |    |
|---|--|---|----|
| 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)<br>Yes = 1 No = 0 | 1 | NA |
|---|--|---|----|

Evaluator Notes:

C8. NA, no cast iron pipe

- |   |   |   |    |
|---|---|---|----|
| 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)<br>Yes = 1 No = 0 | 1 | NA |
|---|---|---|----|

Evaluator Notes:

C9. NA, no cast iron pipe

- |    |  |   |    |
|----|--|---|----|
| 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)<br>Yes = 1 No = 0 | 1 | NA |
|----|--|---|----|

Evaluator Notes:

C10. NA, no jurisdictional leaks in 2008-year to date 2012. No jurisdictional distribution pipe.

- |    |   |   |    |
|----|---|---|----|
| 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)<br>Yes = 1 No = 0 | 1 | NA |
|----|---|---|----|

Evaluator Notes:

C11. NA, none, this is a new program, started in 2008. There were no reportable incidents in 2008-5/2012. None of the 6 Operators have had any line hits due to excavation for their jurisdictional pipe. This question has been added onto the Std Insp addendum sheet effective 7/13/10.

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

Evaluator Notes:

C12. Yes, five operators have more than a mile of regulated pipe and those annual reports are received and reviewed. It is addressed in the SOP and the regulations. The annual reports are reviewed for completeness and possible errors. There is no value at this time for making trending efforts as the total regulated mileage is very small. When all gas gathering lines become regulated then the need for trending will be revisited. There have been no incident reports from 2008 to present. This is a small and new program, there is little if any data available to evaluate

- |    |  |   |    |
|----|--|---|----|
| 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 | NA |
|----|--|---|----|



Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

C13. NA, none, OQ & IMP have not been required of any Operators to date. One OQ program is scheduled to be required in 2013

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

Evaluator Notes:

C14. NA, not yet, E&P Operators have not been confirmed to have Transmission Lines in AR. This question will be NA until transmission lines are identified or gathering line data starts being required

- 
- |   |  |   |   |
|---|--|---|---|
| 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 |
| <small>Yes = 2 No = 0 Needs Improvement = 1</small> |  |   |   |

Evaluator Notes:

C15. Yes. AOGC added this question to their Standard Inspection addendum sheet effective 7/13/10

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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 (I4-7) | 2 | NA |
| <small>Yes = 2 No = 0 Needs Improvement = 1</small> |  |   |    |

Evaluator Notes:

C 16. NA, not part of type B gathering or of type A gathering in Class 2. Will include when Type A in a Class 3 or 4 location and/or Transmission lines are confirmed. One OQ program is scheduled to be required in 2013

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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 (I8-12) | 2 | NA |
| <small>Yes = 2 No = 0 Needs Improvement = 1</small> |  |   |    |

Evaluator Notes:

C17. NA, not part of type A or B gathering. Will include when Transmission lines are confirmed

- 
- |                                      |  |           |           |
|--------------------------------------|--|-----------|-----------|
| 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 | Info Only | Info Only |
| <small>Info Only = No Points</small> |  |           |           |

Evaluator Notes:

C18. NA, AOGC is not jurisdictional to any distribution system, and is highly unlikely to become jurisdictional to any distribution system

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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) | 2 | 2 |
| <small>Yes = 2 No = 0 Needs Improvement = 1</small> |   |   |   |

Evaluator Notes:

C19. Yes, all six operators have Public Awareness Plans that were developed per API 1162. Most operators have been required to make some amendments. All seven Public Awareness Plans were reviewed in 2008 or 2009. The plans were reviewed relative to API 1162 during Standard inspections; and also during some Operational Records and Field inspections. PAPE Inspections were started in 2012. In 2008 and 2009 most of the operators were developing their Damage Prevention Programs for the first time. They were inspected per API 1162 and were directed to come into compliance with API 1162. They are well aware of the requirement for continuous review and revision

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- |           |   |   |   |
|-----------|---|---|---|
| <b>20</b> | 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)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|
- 

Evaluator Notes:

C20. Yes, In 2010 AOGC participated in the AR and LA Pipeline Safety Seminars; and continued to push Damage Prevention and One-call in almost every contact with E&P operators. AOGC issued and wore approved work shirts that have One-Call info and the 811 logo. All Hearings are public information and on the web site. Notices are public information too, but they have to be requested

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

Evaluator Notes:

C21. NA, none from 2008 to the present

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- |           |   |   |   |
|-----------|---|---|---|
| <b>22</b> | Did the State ask Operators to identify any plastic pipe and components that has shown a record of defects/leaks and what those operators are doing to mitigate the safety concerns? (G13)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|
- 

Evaluator Notes:

C22. Yes. Operators are asked about plastic pipe during visits to determine the existence of regulated pipe and during Inspections. If any plastic pipe is identified then they are asked about the quality, condition, and manufacture of it

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

Evaluator Notes:

C23. Yes, AOGC has responded to all known requests

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- |           |  |                    |  |
|-----------|--|--------------------|--|
| <b>24</b> | General Comments:<br>Info Only = No Points | Info OnlyInfo Only |  |
|-----------|--|--------------------|--|
- 

Evaluator Notes:

2011 was the 4th year of the AOGC/PHMSA partnership. This partnership is unique in that this partnership focuses on E&P operators with regulated gathering lines

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Total points scored for this section: 27  
Total possible points for this section: 32

## 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:

D1. Yes. AOGC has statutes, rules and procedures. They send notices to the regulated entity's representative as reported on the AOGC Form 1 Organization Report and also to Corporate Officers per PHMSA Guidelines. AOGC has internal procedures and Commission rules. See AOGC Rule A-5, & also A-2 & A-3. File review shows that AOGC has followed its own procedures and Commission rules

- 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 member if municipal/government system? Yes ☒ No ☐ Needs Improvement ☐

### Evaluator Notes:

D2. Yes, all inspections, documentations, letters, etc are in the Operator file for the Chesapeake Center Hill, Chesapeake LCCP @ Oak Forest Road, Chesapeake Wayne Dawson PLC, and the Stephens Production Mitchell Gathering Line Systems. In 2011 there were 13 PV that were mailed to the Operators; they were resolved by Operator response within the required time frames. The Inspection record, Operator notification, and Operator response are all in the files. AOGC sends notices to the regulated entity's representative as reported on the AOGC Form 1 Organization Report and also to Corporate Officers per PHMSA Guidelines

- 3 Did the state issue compliance actions for all probable violations discovered? (B15) 2 2

Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

D3. Yes, the inspection results and the notification letters are in agreement. All inspection Unsatisfactory findings are included in the notification letters

- 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:

D4. Yes, Any penalty requires a Hearing. AOGC has not needed to demand a show cause hearing with an Operator relative to a jurisdictional pipeline. The procedures and program are in place. See AOGC Rules A-5, A-2, & A-3

- 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 Needs Improvement = 1

### Evaluator Notes:

D5. Yes. AOGC has a well-established procedure for issuing fines, and issued a \$10,000 fine in 2011

- 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:

D6. Yes, The AOGC has issued fines of \$6000 and \$10,000 for violations of Part 192. See AOGC Rules A-5, A-2, & A-3

7 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

The AOGC has authority to issue advisory notices, notices of probable violations, corrective action orders, consent agreement orders, and to issue fines. See AOGC Rules A-5, A-2, & A-3

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



## PART E - Incident Investigations

Points(MAX) Score

- |          |   |                                      |  |
|----------|---|--------------------------------------|--|
| <b>1</b> | 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                                    | 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:

E1. Yes. The incident regulations are created and the internal program is in place. There have been no reportable incidents since AOGC became a State Partner (2008-5/2012). Operators are told often of their responsibility to report incidents. We discussed chapter 6.1 of the State Guidelines. Appendix D (MOU between NTSB & PHMSA) has been reviewed and understood

- |          |   |   |    |
|----------|---|---|----|
| <b>2</b> | 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 | NA |
|----------|---|---|----|

### Evaluator Notes:

E2. NA, No incidents. Plan to do on-site investigations

- |          |  |                                      |  |
|----------|--|--------------------------------------|--|
| <b>3</b> | Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? (D5)<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3                                    | NA   |
| 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:

E3. NA, No incidents. They will use Fed Forms and follow Fed guidelines

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

### Evaluator Notes:

E4. NA, No incidents

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

### Evaluator Notes:

E5. NA, No incidents

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

### Evaluator Notes:

E6. NA, There have been no jurisdictional incidents. They have full plans to share lessons learned

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

Evaluator Notes:

AOGC is happy to observe that there have been no jurisdictional incidents since they have become a state partner. They are working to keep the trend continuing

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Total points scored for this section: 2  
Total possible points for this section: 2



## 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 | 2 |
|---|---|---|---|

Evaluator Notes:

F1. Yes, and it is on the Standard Inspection addendum sheet

- |   |  |   |   |
|---|--|---|---|
| 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 | 2 |
|---|--|---|---|

Evaluator Notes:

F2. Yes, it is in the Std Insp Form, under Damage Prevention. PAPEI are being started in 2012

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

F3. Yes, AOGC has a One-Call link on its web site. Damage Prevention is addressed in the every 3rd year T&Q Seminars and AOGC will co-sponsor the seminars with APSC. It is reviewed during every Standard Inspection. In '08 AOGC has supported efforts to establish an Arkansas CGA Regional Partnership. Specifically AOGC has supported One-Call efforts by encouraging all E&P operators to become One-Call members. AOGC has made One-Call membership required for operators of any natural gas line (including flow-lines, gathering lines, and other) that is within any city limits. They also recognize that enforcement has not been effectively addressed

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

F4 Yes, ARKUPS, the pipe locating service of AR One-Call, tracks the number of locates per damage. There is no perceived applicability to use DIRT at this time. If there is ever a line hit this question will be re-addressed

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

Evaluator Notes:

AOGC is committed to safe pipe and damage prevention. AOGC participates within Arkansas Regulatory Partnership Program (ARPP) by participating in meetings and other public outreach efforts. All 6 AOGC Part 192 regulated operators are members of ARPP in addition to several other E&P operators throughout the State

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:

XTO Energy, opid 31178

Name of State Inspector(s) Observed:

Michael Gray & Gary Looney

Location of Inspection:

AOGC Office @ 3309 Phoenix AV, Ft. Smith, AR 72903

Date of Inspection:

05/03/2012

Name of PHMSA Representative:

Patrick Gaume

Evaluator Notes:

G1. XTO Energy, opid 31178, Michael Gray & Gary Looney; AOGC Office @ 3309 Phoenix AV, Ft. Smith, AR 72903; 5/3/12; PAPEI; Patrick Gaume

- 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:

G2. Yes. 5 XTO personnel attended the inspection

- 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:

G3. Yes. Used the Federal PAPEI Form & the PAP inspection guidance

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

Evaluator Notes:

G4. Yes. The form was completely filled out

- 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:

G5. Yes. The Operator had all necessary paperwork, computer files, & computer

- 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:

G6. Yes. The PAPEI is an Office inspection. They had their procedures and records. There is no field portion to this type of inspection



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

Evaluator Notes:

G7. Yes. Mike Gray & Gary Looney are quite knowledgeable

- |   |  |   |   |
|---|--|---|---|
| 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)<br>Yes = 1 No = 0 | 1 | 1 |
|---|--|---|---|

Evaluator Notes:

G8. Yes. XTO was advised to better document some of the Public Awareness activities they are clearly doing. They were specifically charged to start trending certain Public Awareness metrics. (4.01, 4.02, 4.04 & 4.06)

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

Evaluator Notes:

G9. Yes. XTO was advised to better document some of the Public Awareness activities they are clearly doing. They were specifically charged to start trending certain Public Awareness metrics. (4.01, 4.02, 4.04, & 4.05)

- |    |  |           |           |
|----|--|-----------|-----------|
| 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.<br>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:

G10. Mike Gray & Gary Looney conducted themselves in courteous, competent, and professional ways as they conducted a PAPE Inspection of XTO Energy. During the inspection it was discussed that an appendage organization of Arkansas One Call are making Public Awareness Presentations that qualify for 2 C.E.U.

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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 | NA |
|----------|---|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

- |          |  |   |    |
|----------|--|---|----|
| <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 | NA |
|----------|--|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

- |          |   |   |    |
|----------|---|---|----|
| <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 | NA |
|----------|---|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

- |          |  |   |    |
|----------|--|---|----|
| <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 | NA |
|----------|--|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

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

H.1-8. NA, AOGC is not an Interstate Agent Program

- |          |   |   |    |
|----------|---|---|----|
| <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 | NA |
|----------|---|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

- |          |  |   |    |
|----------|--|---|----|
| <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 | NA |
|----------|--|---|----|

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

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

Evaluator Notes:

H.1-8. NA, AOGC is not an Interstate Agent Program

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

**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:

I.1-7. NA, AOGC is not a 60106 Program.

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

I.1-7. NA, AOGC is not a 60106 Program.

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

I.1-7. NA, AOGC is not a 60106 Program.

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

I.1-7. NA, AOGC is not a 60106 Program.

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

I.1-7. NA, AOGC is not a 60106 Program.

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

I.1-7. NA, AOGC is not a 60106 Program.

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

Evaluator Notes:

I.1-7. NA, AOGC is not a 60106 Program.

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