



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

1200 New Jersey Avenue SE  
Washington DC 20590

## 2012 Hazardous Liquid State Program Evaluation

for

VIRGINIA STATE CORPORATION COMMISSION

### Document Legend

#### PART:

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



2012 Hazardous Liquid State Program Evaluation -- CY 2012  
Hazardous Liquid

**State Agency:** Virginia

**Agency Status:**

**Date of Visit:** 05/28/2013 - 05/31/2013

**Agency Representative:** Massoud Tahamtani, Director, Utility and Railroad Safety  
Jim Hotinger, Assistant Director

**PHMSA Representative:** Glynn Blanton, USDOT/PHMSA State Programs

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

**Name/Title:** James C. Dimitri, Chairman  
**Agency:** Virginia State Corporation Commission  
**Address:** Tyler Building, P.O. Box 1197  
**City/State/Zip:** Richmond, Virginia 232218

**Rating:**

**60105(a):** Yes **60106(a):** Yes **Interstate Agent:** Yes

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**INSTRUCTIONS:**

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

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**Field Inspection (PART G):**

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

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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 Accident Investigations  
F Damage Prevention  
G Field Inspections  
H Interstate Agent State (if applicable)  
I 60106 Agreement State (if applicable)

**Possible Points Points Scored**

9 9  
15 15  
40 40  
15 15  
5 5  
8 8  
12 12  
6 6  
0 0

**TOTALS**

**110 110**

**State Rating** .....

**100.0**

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## PART A - Progress Report and Program Documentation Review

Points(MAX) Score

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

**Evaluator Notes:**

All information entered into Attachment 1 was correct. A review of their records indicated all inspection units matched the records described in the progress report attachments. Information on Attachment 3 is consistent with the operator unit totals on Attachment 1. No areas of concerns were found or noted.

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

**Evaluator Notes:**

Reviewed inspection days for accuracy on Attachment 2 and compared it to their office records and found the information was correct.

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

**Evaluator Notes:**

Verification of the five operators and addresses entered on Attachment 3 was found correct and accurate.

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

**Evaluator Notes:**

No incidents or accidents occurred in CY2012.

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

**Evaluator Notes:**

A review of Attachment 5 found one violation was cited and a civil penalty in the amount of \$2,000 collected from a Intrastate Hazardous Liquid operator. Additionally, three violations were cited and forwarded to PHMSA Eastern Region for action against two Interstate Hazardous Liquid operators.

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

**Evaluator Notes:**

Yes, a review of files found inspection reports were kept in PIPES and a hard copy of the reports were printed and in a file folder.

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

**Evaluator Notes:**

Yes, a review of of employees listed on attachment 7 was conducted using a spreadsheet to post the date each individual completed the T&Q course. TQ transcript found two inspectors have completed the training requirements and were listed correctly on Attachment 7.

- |          |   |   |   |
|----------|---|---|---|
| <b>8</b> | Verification of Part 195,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

VA SCC has automatic adoption language for adopting all federal regulations in their rules. They have adopted all federal regulations. No issues.

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

Evaluator Notes:

A review of the Attachment 10, found the planned and past performance descriptions were accurate and helpful in understand the hazardous liquid program.

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

Evaluator Notes:

No issues.

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



## PART B - Program Inspection Procedures

Points(MAX)    Score

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

Evaluator Notes:

Yes, this is listed in VA SCC Pipeline Safety Program Procedures on page 8. All Intrastate operators (2) are inspected each year. The three Interstate operators are inspected based on the approved plan submitted to PHMSA Eastern Region office by VA SCC.

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

Evaluator Notes:

Yes, this is listed in VA SCC Pipeline Safety Program Procedures on page 8. IMP inspections are performed once every year and field audits (pig digs, pig runs, etc.) as necessary.

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

Evaluator Notes:

Yes, this is listed in VA SCC Pipeline Safety Program Procedures on pages 8 & 9. OQ inspections are performed during the standard inspection and recorded on Form 15. For Interstate operators, the results of the review is recorded on the Federal IA Form.

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

Evaluator Notes:

Yes, this is listed in VA SCC Pipeline Safety Program Procedures on page 11.

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

Evaluator Notes:

Yes, on-site training is provided to the hazardous liquid operators at the TQ Pipeline Safety Seminar.

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

Evaluator Notes:

Yes, this is listed in VA SCC Pipeline Safety Program Procedures page 10. The review of the Interstate Hazardous Liquid operators are based on PHMSA Eastern Region approved work plan that is submitted annually.

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

Evaluator Notes:

Yes, Appendix 6 of the Pipeline Safety Procedures address this item.

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

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

Yes ☒ No ☐ Needs Improvement ☐

f. Are inspection units broken down appropriately?

Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Yes. VA SCC has two jurisdictional intrastate hazardous liquid pipelines operating less than 11 miles of pipeline they inspect. All operator records are reviewed annually. If a construction activity has been scheduled, VA SCC will review all construction projects. The interstate pipeline inspection plan is negotiated between VA SCC and PHMSA Eastern Region each year before the inspections are conducted.

9 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

No issues.

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



## PART C - Program Performance

Points(MAX) Score

- 1 Was ratio of Total Inspection person-days to total person days acceptable? 5 5  
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):  
109.19

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person  
Years) (Attachment 7):  
 $220 \times 0.71 = 156.20$

Ratio: A / B  
 $109.19 / 156.20 = 0.70$

If Ratio  $\geq 0.38$  Then Points = 5, If Ratio  $< 0.38$  Then Points = 0  
Points = 5

### Evaluator Notes:

A.Total Inspection Person Days (Attachment 2)= 109.19

B.Total Inspection Person Days Charged to the program( $220 \times$ Number of Inspection person years(Attachment 7)=156.2

Formula: Ratio = A/B =  $109.19/156.2 = 0.7$

Rule: (If Ratio  $\geq .38$  then points = 5 else Points = 0.)

Thus Points = 5

- 2 Has each inspector and program fulfilled the T Q Training Requirements? (See  
Guidelines for requirements) Chapter 4.4 (A8-A11, G19) 5 5  
Yes = 5 No = 0 Needs Improvement = 1-4

- a. Completion of Required OQ Training before conducting inspection as lead? Yes ☒ No ☐ Needs Improvement ☐
- b. Completion of Required IMP Training before conducting inspection as lead? Yes ☒ No ☐ Needs Improvement ☐
- c. Root Cause Training by at least one inspector/prgram manager? Yes ☒ No ☐ Needs Improvement ☐
- d. Note any outside training completed? Yes ☒ No ☐ Needs Improvement ☐

### Evaluator Notes:

Yes. A review of TQ transcripts confirm VA SCC individuals have met the training requirements.

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

### Evaluator Notes:

Jim Hotinger, Assistant Director, has extensive knowledge of the state's safety rules and hazardous liquid 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 (A6-7) 2 NA  
Yes = 2 No = 0 Needs Improvement = 1

### Evaluator Notes:

No response was required from Chairman Christie in the letter mailed on July 31, 2012 pertaining to the 2011 State Program  
Evaluation of the pipeline safety program.

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

### Evaluator Notes:

Yes, VA SCC held a TQ pipeline safety seminar on October 23-25, 2012 in Virginia Beach, VA.

- 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:

Yes, this information was verified by reviewing the inspections reports in PIPES database. No areas of concern.

- 
- |          |   |   |   |
|----------|---|---|---|
| <b>7</b> | 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:

Yes, VA SCC uses the federal inspection forms. No issues.

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

Evaluator Notes:

Yes, a review of Colonial Pipeline Company inspection report dated December 19, 2012 show this item was reviewed. Additionally, the inspection performed on Nustar Terminal Operations Partnership December 17, 2012 show this item was checked.

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

Evaluator Notes:

Yes, a review of inspection performed on Nustar Terminal Operations Partnership on December 17, 2012 indicate this item was checked. No issues.

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

Evaluator Notes:

Yes, this is checked during the IMP inspections.

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

Evaluator Notes:

VA SCC staff monitors the operator's records for accident when they occur. In CY 2012 no accidents and failures occurred.

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

Evaluator Notes:

Yes, VA SCC reviews the two intrastate hazardous liquid pipeline operators annual reports and records the information into the PIPES database. Items of concern are noted and addressed in their risk ranking plan.

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

Evaluator Notes:



Yes, a review of IMDB database indicate VA SCC has uploaded their inspection results. No issues.

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

Evaluator Notes:

Yes, VA SCC verifies the interstate and intrastate companies have submitted information into NPMS during their inspection audits. This item is the first question on the federal inspection form 3- Hazardous Liquid Inspection Form. No issues.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>15</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|
- 

Evaluator Notes:

Yes, this item is checked during the inspection audit and listed on the federal form.

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

Yes, this item is verified by the inspector during the inspection audit using the federal inspection form. No issues.

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

Yes, VA SCC has conducted an IMP inspections on all Intrastate and Interstate operators and continue to review the companies updates to their plans. The Interstate Pipeline Companies plans are reviewed during pig runs or by PHMSA Eastern Region workplan. This information is recorded and captured on PHMSA Federal form IA or Number 19.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>18</b> | Is state verifying operators Public Awareness programs are up to date and being followed. State should also verify operators have evaluated Public Awareness programs for effectiveness as described in RP1162. 49 CFR 195.440 (I13-16)<br>PAPEI Effectiveness Inspections should be complete by December 2013<br><br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|
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Evaluator Notes:

Yes, VA SCC has completed several PAPEI inspections. Currently they have scheduled to perform the inspection on all Intrastate & Interstate Hazardous Liquid Operators on or before December 2013.

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- |           |   |   |   |
|-----------|---|---|---|
| <b>19</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). (G19-20)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|
- 

Evaluator Notes:

Yes, VA SCC web site is the method used to communicate with all stakeholders about their enforcement cases and other related items. No issues.

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- |           |   |   |    |
|-----------|---|---|----|
| <b>20</b> | Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3 (B6) | 1 | NA |
|-----------|---|---|----|
-

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No SRC's were reported in CY2012.

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

Evaluator Notes:

Yes, VA SCC responses to all requests from PHMSA and NAPS on surveys or information on compliance issues.

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<b>22</b>	General Comments:	Info Only	Info Only
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Info Only = No Points

Evaluator Notes:

No issues in this section.

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Total points scored for this section: 40  
Total possible points for this section: 40



## PART D - Compliance Activities

Points(MAX) Score

- |          |   |                                      |  |
|----------|---|--------------------------------------|--|
| <b>1</b> | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1 (B12-14, B16, B1h)<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4                                    | 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. This is located in VA SCC Pipeline Safety Procedure Manual page 33.  
B. This item is addressed in VA SCC Pipeline Safety Procedure Manual pages 35-36.

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

Evaluator Notes:

Yes, a review of VA SCC files found a compliance letter was sent to Ronald McClain, VP, Kinder Morgan Southeast Terminal on January 7, 2013. Also, a compliance letter was sent to Scott Bergman, VP, NuStar Terminals Operation on December 12, 2012. Both letters contain information on probable violations and action to be taken by the operator to comply with the violations.

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

Evaluator Notes:

Yes, a review of Attachment 5 in CY 2012 Progress Report confirm compliance action was taken by VA SCC.

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

Evaluator Notes:

Yes, VA SCC has written procedures pertaining to "show cause" in their Pipeline Safety Procedures Manual.

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

Evaluator Notes:

Yes, in CY2012 VA SCC issued a fine of \$2,000.00 as shown on Attachment 5.

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

Evaluator Notes:

Yes, one violation was cited and a civil penalty of \$2,000 was collected in CY2012.

- |          |                   |
|----------|-------------------|
| <b>7</b> | General Comments: |
|----------|-------------------|

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

No issues.

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



## PART E - Accident Investigations

Points(MAX) Score

- |          |   |                                      |  |
|----------|---|--------------------------------------|--|
| <b>1</b> | Does state have adequate mechanism to receive and respond to operator reports of accidents, including after-hours reports? And did state keep adequate records of Incident/Accident notifications received? Chapter 6 (A2,D1-3)<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:

- a.This item is located on VA SCC Pipeline Safety Procedures Manual page 40.  
B.This item is located on VA SCC Pipeline Safety Procedures Manual page 41.

- |          |   |   |   |
|----------|---|---|---|
| <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 | 1 |
|----------|---|---|---|

Evaluator Notes:

Yes, this item is listed on page 39 of the VA SCC Pipeline Safety Procedures Manual.

- |          |  |                                      |  |
|----------|--|--------------------------------------|--|
| <b>3</b> | Were all accidents 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 where appropriate   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

No accidents or incidents occurred on Hazardous Liquid operator facilities in CY2012.

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

NA. No accidents or incidents occurred in CY2012.

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

Evaluator Notes:

Information obtained from PHMSA Eastern Region indicated communication between VA SCC staff members is excellent. VA SCC has provided information to PHMSA Eastern Region on all incident reports when requested.

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

Evaluator Notes:

Yes, VA SCC shares information on incidents or accidents at TQ Seminars and during NAPS Eastern Region Meetings.

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

Evaluator Notes:

No issues.

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



## 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? (E1) | 2 | 2 |
|   | Yes = 2 No = 0 Needs Improvement = 1   |   |   |

Evaluator Notes:

Yes, this item is reviewed on the Federal Inspection Form 3. A review of records show the company's directional drilling procedures were reviewed during the inspection performed on NuStar Energy on December 17, 2012 and Plantation Pipe Line Company on December 18, 2012.

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

Evaluator Notes:

Yes, this is checked during the pipeline safety audit, field review and verified in VA SCC PIPES database.

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

Evaluator Notes:

Yes, VA SCC adopted the CGA Best Practices and continues to provide information to all stakeholders about best practices on marking, hand digging and directional drilling.

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

Evaluator Notes:

Yes, VA SCC maintains a database on the number of damages that are reported by the operator to their agency. In addition, the VA One Call Center provides information to VA SCC on the number of tickets requested by a caller involving gas & hazardous liquid facilities in the area. Using this information, VA SCC develops the number of damages per 1,000 locate request.

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

Evaluator Notes:

No issues.

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:

Colonial Pipeline Company & Plantation Pipe Line Company

Name of State Inspector(s) Observed:

Jim Fisher, Utilities Safety Engineer

Location of Inspection:

Prince William County & Fairfax County, VA

Date of Inspection:

June 12, 2013

Name of PHMSA Representative:

Glynn Blanton, US DOT/PHMSA State Evaluator

Evaluator Notes:

This was a construction inspection of two liquid operators. Colonial Pipeline Company was performing a reinforcement of their existing pipeline at the Intersection of Robertson Drive and Univeristy Blvd. The second construction project by Plantation Pipe Line Company was the relocation of 500 feet of a 6 inch steel line for Viriginia Department of Transportation walking path project. LE Bell construction company was performing the work for Plantatio Pipe Line Company.

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

Evaluator Notes:

Yes, Colonial Pipeline Company and Plantation Pipe Line Company officials were notified on May 28, 2013 by VA SCC staff members.

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

Evaluator Notes:

Yes. VA SCC inspector used Federal Form 7 and recorded information into the form and field note book.

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

Evaluator Notes:

Yes, the inspector was very thorough in his request of information from the operators. Excellent documentation was recorded by the inspector on the information provided by the operator pertaining to OQ records, construction procedures, permits and welding requirements. No issues of concerns were noted.

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

Evaluator Notes:

Yes, a field check of the equipment being used by the operators was checked and verified by the inspector.

- 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:



A detail review of the operator's written procedure, records and field activities on the proposed project was reviewed with the operator representatives.

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

Yes, the inspector was very knowledge about the regulations and requirements pertaining to the installation of a new arch support system for the Colonial Pipeline Company and the relocation of the 6' pipeline for the Virginia Department of Transportation pathway project.

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

Yes, after obtaining all requested information and performing a visual review, an exit interview was conducted at each construction site. Information on items observed and noted were provided to the operator representative. No issues.

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

No probable violations were found or noted.

- |    |   |           |           |
|----|---|-----------|-----------|
| 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 checked="" 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 checked="" 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 checked="" 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:

This was a construction inspection of two liquid operators. Colonial Pipeline Company was performing a reinforcement of their existing pipeline at the Intersection of Robertson Drive and Univeristy Blvd. The second construction project by Plantation Pipe Line Company was the relocation of 500 feet of a 6 inch steel line for Virginia Department of Transportation walking path project. LE Bell construction company was performing the work for Plantatio Pipe Line Company.

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



**PART H - Interstate Agent State (if applicable)****Points(MAX) Score**

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

Evaluator Notes:

Yes, VA SCC uses Federal Inspection Forms 10, 13, 19 &amp; IA.

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

Evaluator Notes:

A review of the VA SCC 2012 work plan and tracking sheet for the hazardous liquid operator inspections indicate all inspection units were reviewed in accordance to the work plan that was approved by PHMSA Eastern Region. No issues.

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

Evaluator Notes:

Yes, a review of VA SCC records found each of the inspection reports were submitted within 60 days as required in the work plan. For example, the Colonial Pipe Line Company inspection was performed on November 15, 2012, submitted to PHMSA on December 12, 2012 and approved by PHMSA on December 19, 2012.

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

Evaluator Notes:

Yes, three violations were submitted to PHMSA Eastern Region for consideration in CY2012.

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

Evaluator Notes:

NA.

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

Evaluator Notes:

Yes, for example, VA SCC performed an inspection on Plantation Pipe Line on September 13, 2012, violations were found and submitted to PHMSA on November 7, 2012.

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

Evaluator Notes:

Yes, a review of the Colonial Pipe Line Company file folder indicated all required information was submitted in a timely manner to PHMSA.

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

Evaluator Notes:

No issues.

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



**PART I - 60106 Agreement State (if applicable)****Points(MAX)    Score**

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

Evaluator Notes:

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

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

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

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

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

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

Evaluator Notes:

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