



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

1200 New Jersey Avenue SE  
Washington DC 20590

## 2017 Gas State Program Evaluation

for

MAINE PUBLIC UTILITIES 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)



# 2017 Gas State Program Evaluation -- CY 2017

Gas

**State Agency:** Maine

**Agency Status:**

**Date of Visit:** 07/24/2018 - 07/26/2018

**Agency Representative:** Gary Kenny, Gas Safety Manager

**PHMSA Representative:** Don Martin

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

**Name/Title:** Mark Vannoy, Chairman

**Agency:** Maine Public Utilities Commission

**Address:** State House Station 18

**City/State/Zip:** Augusta, Maine 04333-0018

**Rating:**

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

## INSTRUCTIONS:

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 2017 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

## Field Inspection (PART G):

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

## Scoring Summary

### PARTS

### Possible Points Points Scored

A	Progress Report and Program Documentation Review
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)

10	10
13	13
46	46
15	15
4	4
8	8
12	12
0	0
0	0

### TOTALS

**108 108**

### State Rating .....

**100.0**

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

Evaluator Notes:

Operator information in the Pipeline Data Mart and the MPUC's office records were reviewed and compared to the summary information in Attachment 1. No inaccuracies were found.

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

Evaluator Notes:

The spreadsheet on inspection person-days and inspection records were reviewed. The MPUC's spreadsheet on inspection activities supported the entries on Attachment 2. No inaccuracies were found.

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

Evaluator Notes:

The inspection units totaled on Attachment 1 matched the totals on Attachment 3. The unit information by operator was supported by MPUC documentation.

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

Evaluator Notes:

There were no incidents listed in Attachment 4. A search in the Pipeline Data Mart did not show any incidents for Maine in CY2016.

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

Evaluator Notes:

No accuracy issues were found. Compliance information was supported by MPUC documents.

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

Evaluator Notes:

No improvement issues identified from a review of the MPUC hard copy files. The MPUC maintains most files list in Attachment 6 in electronic files. No issues with electronic files.

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

Evaluator Notes:

No issues were identified with listing of employees. Training records were downloaded from PHMSA Training and Qualifications SABA database.

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

Evaluator Notes:

A review of state statutes or commission rules was consistent with the information entered on Attachment 8.

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

Evaluator Notes:

There was adequate detail of the MPUC's program in Attachment 10. No improvements were noted.

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<b>10</b>	General Comments:	Info Only	Info Only
	Info Only = No Points		

Evaluator Notes:

The MPUC has generally complied with the requirements of Part A of this evaluation.

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



## PART B - Program Inspection Procedures

Points(MAX) Score

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

Yes = 2 No = 0 Needs Improvement = 1

**Evaluator Notes:**

Appendix C, Section C, of the MPUC Gas Safety Program Procedures includes the general Pre-Inspection, Inspection, and Post Inspection Activities which are incorporated for all inspection types. Appendix C also contains a listing of the inspection types, including Standard Inspections, and the frequency for conducting the inspections.

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

Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

Appendix C, Section C, of the MPUC Gas Safety Program Procedures includes the general Pre-Inspection, Inspection, and Post Inspection Activities which are incorporated for all inspection types. Appendix C also contains a listing of the inspection types, including IMP and DIMP Inspections, and the frequency for conducting the inspections.

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

Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

Appendix C, Section C, of the MPUC Gas Safety Program Procedures includes the general Pre-Inspection, Inspection, and Post Inspection Activities which are incorporated for all inspection types. Appendix C also contains a listing of the inspection types, including OQ Inspections, and the frequency for conducting the inspections.

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

Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

Appendix C, Section C, of the MPUC Gas Safety Program Procedures includes the general Pre-Inspection, Inspection, and Post Inspection Activities which are incorporated for all inspection types. Appendix C also contains a listing of the inspection types, including Damage Prevention Inspections, and the frequency for conducting the inspections. Damage Prevention inspections are also conducted by the MPUC Damage Prevention Staff per the Chapter 895 Rule.

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

Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

Seminars are conducted annually in conjunction with TQ and are reference in Section 9 of the MPUC Gas Safety Program Procedures, as well as included on the annual inspection plan (see Attachment 1 to Appendix C of the Procedures). The MAINE PUC hosted a seminar in 2016.

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

Yes = 1 No = 0 Needs Improvement = .5

**Evaluator Notes:**

Appendix C, Section C, of the MPUC Gas Safety Program Procedures includes the general Pre-Inspection, Inspection, and Post Inspection Activities which are incorporated for all inspection types. Appendix C also contains a listing of the inspection types, including Construction Inspections, and the frequency for conducting the inspections. The MPUC has a rule whereby operators must notify the MPUC of construction activity on a weekly basis.

<b>7</b>	Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? Yes = 6 No = 0 Needs Improvement = 1-5	<b>6</b>	<b>6</b>
a.	Length of time since last inspection (Within five year interval)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
b.	Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
c.	Type of activity being undertaken by operators (i.e. construction)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
d.	Locations of operators inspection units being inspected - (HCA's, Geographic areas, Population Density, etc)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
e.	Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
f.	Are inspection units broken down appropriately?	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>

**Evaluator Notes:**

The process for developing the inspection plan is located in Appendix C of the MPUC Gas Safety Program Procedures. Section A of Appendix C provides the background and foundation of the inspection program. Section B of the Appendix discusses both planned and risk-based inspections, including the elements considered when planning inspections annually. Appendix A of the Procedures includes a breakdown of inspection units.

**8 General Comments:**

Info Only Info Only

Info Only = No Points

**Evaluator Notes:**

The MPUC has generally complied with the requirements of Part B of this evaluation.

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 5 5  
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):  
251.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 2.50 = 550.00

Ratio: A / B  
251.00 / 550.00 = 0.46

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

Evaluator Notes:

Inspection person days achieved were above the minimum of .38.

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

- |    |  |                                      |                          |   |
|----|--|--------------------------------------|--------------------------|---|
| a. | Completion of Required OQ Training before conducting inspection as lead?   | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Completion of Required DIMP*/IMP Training before conducting inspection as lead? *Effective Evaluation CY2013           | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Root Cause Training by at least one inspector/program manager  | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Note any outside training completed  | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e. | Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector. | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

A review of TQ's data base (SABA), training and inspection records was conducted. Items a. through e. were found to be satisfactory.

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

Evaluator Notes:

Yes. Gary Kenny has completed training and has a good understanding of PHMSA's requirements for State Pipeline Safety Programs.

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

Evaluator Notes:

There were no deficiencies found that required a response from the MPUC Chairman.

- 5 Did State conduct or participate in pipeline safety training session or seminar in Past 3 Years? Chapter 8.5 1 1  
Yes = 1 No = 0

Evaluator Notes:

The previous seminar was conducted in October 2016. A seminar is scheduled for 2018.

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

Evaluator Notes:

Upon a review of randomly selected operators, inspection units and inspection types the MPUC did not exceed the four year interval for pipeline operators. The MPUC did not exceed the annual interval for the one LNG operator.

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

**Evaluator Notes:**

Created a standard field inspection form for LP operators. Inspection Assistant (IA) forms are used for all other operators and inspection types except for Construction and Drug and Alcohol (D&A) Programs. Form 13 is used for D&A.

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|---|---|---|---|
| 8 | Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Chapter 5.1<br>Yes = 1 No = 0 | 1 | 1 |
|---|---|---|---|

**Evaluator Notes:**

One operator has cast iron pipe in its system. The operator has a procedure to investigate for graphitization and a place on its exposed main documentation to verify their inspection results. The last standard comprehensive inspection was reviewed. The MPUC covered this requirement in the inspection.

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|---|--|---|---|
| 9 | Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Chapter 5.1<br>Yes = 1 No = 0 | 1 | 1 |
|---|--|---|---|

**Evaluator Notes:**

The MPUC utilizes the IA system for its inspections on Unifil (only distribution operator with cast iron). IA question sets include this question and concern.

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

**Evaluator Notes:**

The MPUC utilizes the IA system for its inspection. IA question sets include this question and concern.

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

**Evaluator Notes:**

The MPUC utilizes the IA system for its inspection documentation. IA question sets include this question and concern. Upon a review of randomly selected inspection reports this item was completed on the inspection forms.

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

**Evaluator Notes:**

The annual reports are reviewed for trends regarding cast iron and unprotected steel pipe (only one operator has them), mains and services, leaks, damages, and unaccounted for gas. There were no incidents or accidents in 2017 which required reporting under part 191.

- |    |   |   |   |
|----|---|---|---|
| 13 | Has state confirmed intrastate transmission operators have submitted information into NPMS database along with changes made after original submission?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----|---|---|---|



Evaluator Notes:

The NPMS Public Viewer has been verified for Bangor Gas, Maine Natural Gas, Summit Natural Gas, and Woodland Pulp. Unutil is supplied by an interstate system.

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- |           |   |   |   |
|-----------|---|---|---|
| <b>14</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<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
- 

Evaluator Notes:

In 2014 the Program Manager performed inspections to verify that Summit's, MNG's, and Unutil's Contractors were included in the Drug and Alcohol plan and inspected the Drug and Alcohol program for Woodland Pulp, LLC. All natural gas operators were inspected for Drug & Alcohol compliance in 2013 utilizing PHMSA Form 13. Summit and Bangor Gas were inspected again in 2016 and 2017 using Form 13. MNG and Unutil was inspected in 2017 using Form 13.

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|-----------|---|---|---|
| <b>15</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 192 Part N<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

MPUC Rule Chapter 420 Section 7.D.1.d requires that natural gas operators submit their OQ plans to the MPUC annually. The qualification of the operator's and contractor's personnel is verified each time tasks are observed during inspections. If the records are not available at the time of the inspection, they are either requested from the operator or obtained from the appropriate database.

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|-----------|---|---|---|
| <b>16</b> | 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). (Are the State's largest operators programs being contacted or reviewed annually? Are replies to Operator IM notifications addressed? (formerly part of Question C-13)). 49 CFR 192 Subpart 0<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

The IMP records of Summit were reviewed in 2016 and 2017.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>17</b> | 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). (Are the State's largest operators programs being contacted or reviewed annually?). 49 CFR 192 Subpart P<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|
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Evaluator Notes:

The DIMP plans of all LP operators were reviewed in 2014. Summit Natural Gas' distribution system went in service in 2014 and their DIMP plan was inspected in 2015. The DIMP plans of the other utilities have been inspected as follows:  
&#61623; Bangor Gas-2014 and 2016  
&#61623; Maine Natural Gas-2013, 2016, and 2017.  
&#61623; Unutil-2012 and 2016.  
Unutil is the largest operator. Numerous inspections are conducted each year pertaining to their cast iron replacement.

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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. PAPEI Effectiveness Inspections should be conducted every four years by operators. 49 CFR 192.616<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

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

Evaluator Notes:

The following methods of communication are utilized: 1. Dissemination of Federal Register notices and other pertinent information to operators via e-mail. The program maintains operator distribution lists (LPG and Natural Gas) for dissemination of these notices. 2. Information concerning gas safety regulations and contact information is available on the Commission website. The URL is [http://www.maine.gov/mpuc/natural\\_gas/natural\\_gas\\_safety/index.html](http://www.maine.gov/mpuc/natural_gas/natural_gas_safety/index.html) 3. Enforcement cases are available to the public through the Commission's Case Management System.

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

Evaluator Notes:

Upon a review of the Pipeline Data Mart, there were no SRCs in 2016 or 2017, nor were there any SRCs in previous years warranting follow-up in 2017.

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|-----------|---|---|---|
| <b>21</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?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|

Evaluator Notes:

MPUC Rule Chapter 420 Section 7.C. states "Each natural gas utility shall participate in the Plastic Pipe Data Collection and Sharing Initiative and report each discovered incident of plastic pipe failure, as prescribed in the Initiative, to the Maine Public Utilities Commission Gas Safety Manager and The American Gas Association Plastic Pipe Ad Hoc Committee."

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|-----------|--|---|---|
| <b>22</b> | Did the state participate in/respond to surveys or information requests from NAPSRS or PHMSA?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

The MPUC responded to several surveys through e-mail with NAPSRS and PHMSA. All such correspondence is archived in the Program Managers e-mail folders for NAPSRS and PHMSA. There were no known instances where the MPUC did not respond.

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|-----------|--|---|---|
| <b>23</b> | If the State has issued any waivers/special permits for any operator, has the state verified conditions of those waivers/special permits are being met? This should include having the operator amend procedures where appropriate.<br>No = 0 Needs Improvement = .5 Yes = 1 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

A waiver to the MPUC Chapter 420 Rule regarding regulator vents (Paragraph 5(B)(4)(b)(2)) was issued to Unitil via Docket 2014-00135. The waiver exempts the operator from compliance with the Rule section in cases where a building opening is situated at least 8' vertically from an installed regulator vent. Regular field inspections verify compliance with this waiver requirement.

A waiver of Chapter 420 of the Commission's Rules and 49 C.F.R. Paragraph's 192.619(a)(1) and 192.621(e)(1) with regard to MAOP of portions of Unitil's natural gas distribution system in 2014 via Docket 2011-00360. Its conditions are monitored through correspondence with the Operator, reporting by the Operator, and periodic inspections.

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|-----------|---|---|---|
| <b>24</b> | Did the state attend the National NAPSRS Board of Directors Meeting in CY being evaluated?<br>No = 0 Needs Improvement = .5 Yes = 1 | 1 | 1 |
|-----------|---|---|---|

Evaluator Notes:

Yes, Gary Kenny attended the NAPSRS Meeting in Columbus, OH during 2017. He served as National Vice Chairman.

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|-----------|---|--------------------------------------|--|
| <b>25</b> | Discussion on State Program Performance Metrics found on Stakeholder Communication site - <a href="http://primis.phmsa.dot.gov/comm/states.htm">http://primis.phmsa.dot.gov/comm/states.htm</a><br>No = 0 Needs Improvement = 1 Yes = 2 | 2                                    | 2  |
| a.        | Discussion of Potential Accelerated Actions (AA's) based on any negative trends   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b.        | NTSB P-11-20 Meaningful Metrics   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

**Evaluator Notes:**

The review of these Performance Metrics has been added to Section 4 of the MPUC's Gas Safety Program Procedures. Shown below is an excerpt from the review conducted in 2017:

1. Damage Prevention Program: The gas distribution damages per 1,000 tickets rose slightly from 2014 to 2015 (1.543 to 1.860). This, and the increase to 2.605, for 2016, is primarily due to old and inadequately documented facilities of Unitil. This is being monitored and the situation is expected to improve as cast iron and bare steel are replaced.
2. Inspection Activity:
  - a. Gas Pipelines: The Inspection Days per 1,000 miles of pipeline is trending upward. No modifications are warranted.
  - b. LPG Units: This metric fluctuates with the number of facilities inspected per year and the number of O&M and other inspections conducted. No corrective action is required.
3. Inspector Qualification: No change is necessary regarding the training and qualification of Inspectors.
4. Leak Management: The leaks repaired are up slightly in 2015 from 2014. However, the numbers for 2015 were still significantly less than for 2013. With the exception of continued monitoring, no action is warranted at this time. The number of leaks repaired annually is expected to decrease as cast iron and bare steel are replaced.
5. Enforcement (PHMSA's Evaluations): No actions are necessary, other than to continue to strive for perfect scores.
6. Incident Investigation: There have been no recent incidents. No action is necessary, other than to continue to inspect Emergency Response plans.

- |           |  |   |   |
|-----------|--|---|---|
| <b>26</b> | Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool (SICT) Has the State updated SICT data?<br>No = 0 Yes = 1 | 1 | 1 |
|-----------|--|---|---|

**Evaluator Notes:**

The information entered into the tool appeared reasonable based on previous inspection data. The results do require a higher level of inspection person-days than the previous formula. At this time it appears that the existing staffing level can achieve the number of required inspection person days. The MPUC has met the number of days since the implementation of the SICT.

- |           |  |   |   |
|-----------|--|---|---|
| <b>27</b> | Did the State verify Operators took appropriate action regarding Pipeline Flow Reversals, Product Changes and Conversions to Service? See ADP-2014-04<br>Needs Improvement = .5 No = 0 Yes = 1 | 1 | 1 |
|-----------|--|---|---|

**Evaluator Notes:**

Pipeline Flow Reversals did not occur during 2017.

- |           |  |           |           |
|-----------|--|-----------|-----------|
| <b>28</b> | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|-----------|--|-----------|-----------|

**Evaluator Notes:**

The MPUC has generally complied with the requirements of Part C of this evaluation.

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

## PART D - Compliance Activities

Points(MAX) Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1<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"/> |
| c.       | Procedures regarding closing outstanding probable violations   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

### Evaluator Notes:

Appendix D of the MPUC Gas Safety Program Procedures addresses compliance action procedures, including notification of company officers and compliance tracking and follow-up (including process to close probable violations).

- |          |  |   |   |
|----------|--|---|---|
| <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<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Were compliance actions sent to company officer or manager/board member if municipal/government system?  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Document probable violations   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c.       | Resolve probable violations  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d.       | Routinely review progress of probable violations   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e.       | Within 30 days, conduct a post-inspection briefing with the owner or operator of the gas or hazardous liquid pipeline facility inspected outlining any concerns; and   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| f.       | Within 90 days, to the extent practicable, provide the owner or operator with written preliminary findings of the inspection.  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

### Evaluator Notes:

A spreadsheet is utilized to track compliance actions. Upon review of a random sample of inspection reports completed during 2017 no instances were identified where the MPUC did not comply with the requirements of Question D.2 of this evaluation. Numerous examples of compliance actions from 2017, including those with civil penalties were available.

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

### Evaluator Notes:

Upon a review of randomly selected inspection reports completed during 2017 no instances were found where the MPUC did not issue a compliance action for a probable violation. Compliance actions may include both informal and formal action when conducted in accordance with MPUC Gas Safety Program Procedures, Appendix D.

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

### Evaluator Notes:

Operators are afforded multiple opportunities to respond to compliance actions through mechanisms listed in the MPUC Gas Safety Program Procedures as well as the MPUC Rule Chapters 420 and 421. No show cause hearings were requested by the MPUC or an operator in 2017.

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

### Evaluator Notes:

Yes, the program manager provided examples of violation considerations that would warrant seeking civil penalties. They enumerated in the MPUC's procedures.

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

Evaluator Notes:

The MPUC issued \$190,000 in civil penalties during 2017.

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

Evaluator Notes:

The MPUC has generally complied with the requirements of Part D of this evaluation.

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



## PART E - Incident Investigations

Points(MAX) Score

- |   |   |   |   |
|---|---|---|---|
| 1 | Does the state have written procedures to address state actions in the event of an incident/accident?<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|---|---|---|

Evaluator Notes:

The MPUC provides Incident Investigation Procedures in Appendix E of its Gas Safety Program Procedures. Upon a review of the procedures no improvement needs were found.

- |    |   |                                      |  |
|----|---|--------------------------------------|--|
| 2  | Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports? And did state keep adequate records of Incident/Accident notifications received? Chapter 6<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:

The MPUC is aware of the information contained in Appendix D and E of the Guidelines for States Participating in the Pipeline Safety Program. The MPUC's procedures (Appendix E) contain language concerning participation with NTSB and PHMSA. Operators are required to notify Commission Staff in some cases, including incident reporting, per MPUC Chapter 130 requirements. No incidents were reported to the MPUC in 2017 that warranted investigation. The Pipeline Data Mart did not show any telephonic reports to the National Response Center that met reporting requirements.

- |   |  |   |    |
|---|--|---|----|
| 3 | If onsite investigation was not made, did state obtain sufficient information from the operator and/or by other means to determine the facts to support the decision to not go on-site? Chapter 6<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|---|--|---|----|

Evaluator Notes:

There were no incidents reported during CY2017.

- |    |   |                                      |  |
|----|---|--------------------------------------|--|
| 4  | Were all incidents investigated, thoroughly documented, and with conclusions and recommendations?<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:

There were no incidents reported during CY2017.

- |   |   |   |    |
|---|---|---|----|
| 5 | Did the state initiate compliance action for violations found during any incident/accident investigation?<br>Yes = 1 No = 0 | 1 | NA |
|---|---|---|----|

Evaluator Notes:

There were no incidents reported during CY2017.

- |   |  |   |    |
|---|--|---|----|
| 6 | Did the state assist Region Office or Accident Investigation Division (AID) 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<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|---|--|---|----|

Evaluator Notes:

There were no incidents reported during CY2017.

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

Evaluator Notes:

There were no incidents reported during CY2017.

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

Evaluator Notes:

The MPUC generally complied with the requirements of Part E of this evaluation. A large portion of Part E was not applicable since no incidents were reported during CY2017.

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



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

Evaluator Notes:

This is a requirement of MPUC Rule Chapter 420 and its incorporation in Operators' O&M Procedures is verified during inspections. Additionally, Ch. 420 includes the requirement to have procedures to prevent cross bores of other underground facilities.

- |   |  |   |   |
|---|--|---|---|
| 2 | Did the state inspector verify pipeline operators are following their written procedures pertaining to notification of excavation, marking, positive response and the availability and use of the one call system?<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

The MPUC covers 192.614 requirements during its Standard Inspections. Excavation notification and follow-up records are reviewed. In addition Dig Safe ticket number (indicating notification) is verified during construction inspections for work by the operator and their contractors. Random, unannounced construction site visits, by the Damage Prevention Investigators, verify marking and positive response.

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

Evaluator Notes:

The CGA Best Practices are promoted through training by the MPUC's Damage Prevention Investigators. The MPUC actively participates in the annual training by Maine's Managing Underground Safety Training (MUST) Committee. The CGA Best Practices are also referenced in Section 3.B.a. of MPUC Rule Chapter 420, SAFETY STANDARDS FOR NATURAL GAS AND LIQUEFIED NATURAL GAS FACILITY OPERATORS, regarding the qualification of pipeline locating personnel.

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

Evaluator Notes:

The Damage Prevention Investigators maintain a spreadsheet of all underground facility incidents; including those resulting in no damage. For gas pipelines, the damages per 1,000 tickets are tracked from the annual distribution reports to PHMSA. The damages per 1,000 tickets on gas pipelines have respectively been 2.04, 1.77, 1.67, 1.54, 1.86, 2.605 and 2.22 for 2011 through 2017.

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

Evaluator Notes:

The MPUC has generally complied with the requirements of Part F of this evaluation.

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 OnlyInfo Only  
Info Only = No Points

Name of Operator Inspected:

1. Summit Natural Gas 2. Maine Natural Gas

Name of State Inspector(s) Observed:

1. Gary Kenny 2. Sean Watson

Location of Inspection:

1. Yarmouth, ME 2. Topsham, ME

Date of Inspection:

07/25/2018

Name of PHMSA Representative:

Don Martin

Evaluator Notes:

1. Gary Kenny performed a review of Drug and Alcohol Testing Programs for contractors performing work for Summit Natural Gas. The contractors were Celtic Controls, Cianbro Corporation, Over and Under Piping and WSP Associates.
2. Sean Watson conducted a construction inspection of Maine Natural Gas in Topsham, Maine. Maine Natural Gas's contractor was installing a four inch polyethylene main.

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

Evaluator Notes:

1. Yes, the MPUC sent an email on June 22, 2018 to the operator. Tyler Davis represented Summit Natural Gas during the inspection.
2. Per its construction inspection procedures, the MPUC did not provide notification prior to the inspection. The operator's contractor, ETTI, was on site. The contractor was represented by its foreman, Jacob Cyr. The operator did not have a company representative or inspector on site.

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

Evaluator Notes:

1. Yes, the inspector used PHMSA Form-13. The form was used to step through the inspection.
2. Yes, the inspector utilized the MPUC's construction form that was on his iPad.

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

Evaluator Notes:

1. Yes, all results were noted on the inspection form.
2. Yes, the inspector reviewed the form and stepped through questions for activities that were in progress.

- 5 Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps,pyrometer,soap spray,CGI,etc.) 1 1  
Yes = 1 No = 0

Evaluator Notes:

1. The Drug and Alcohol Program inspection did not require any testing equipment.
2. The inspector verified that the polyethylene pipe joining equipment was proper and in acceptable working order.

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

- c. Field Activities ☒
- d. Other (please comment) ☐

Evaluator Notes:

1. Drug and Alcohol Testing Programs of four contractors working for Summit in Maine.
2. The inspector reviewed the installation of four inch polyethylene pipe installation. Excavation, condition of pipe and joining activities were observed.

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

Evaluator Notes:

1. Yes, the inspector was well versed in Part 199 requirements for Drug and Alcohol Testing Programs.
2. Yes, the inspector was knowledgeable of Part 192 construction requirements and the construction procedures of the operator.

- 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) 1 1
- Yes = 1 No = 0

Evaluator Notes:

1. Yes, a summary was given at the end of the inspection.
2. Yes. The inspector stated that the results were conditioned upon searching for information related to pyrometer calibrations.

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

Evaluator Notes:

1. The inspector stated there were no probable violations resulting from the inspection.
2. The inspector stated there were no probable violations resulting from the inspection unless information is found that does require calibration of pyrometers used in the joining process.

- 10 General Comments: 1) What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) 2) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) 3) Other. Info Only Info Only

Info Only = No Points

- a. Abandonment ☐
- b. Abnormal Operations ☐
- c. Break-Out Tanks ☐
- d. Compressor or Pump Stations ☐
- e. Change in Class Location ☐
- f. Casings ☐
- g. Cathodic Protection ☐
- h. Cast-iron Replacement ☐
- i. Damage Prevention ☐
- j. Deactivation ☐
- k. Emergency Procedures ☐
- l. Inspection of Right-of-Way ☐
- m. Line Markers ☐
- n. Liaison with Public Officials ☐
- o. Leak Surveys ☐
- p. MOP ☐
- q. MAOP ☐
- r. Moving Pipe ☒

s.	New Construction	<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 checked="" 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 checked="" type="checkbox"/>
H.	Compliance Follow-up	<input type="checkbox"/>
I.	Atmospheric Corrosion	<input type="checkbox"/>
J.	Other	<input checked="" type="checkbox"/>

Evaluator Notes:

1. The Inspection of Summit Natural Gas was a Drug and Alcohol Testing Program review for contractors.
2. The Inspection was a Construction Inspection of a four inch polyethylene main installation.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

- |          |   |   |    |
|----------|---|---|----|
| <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?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC is not an interstate agent.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

- |          |   |   |    |
|----------|---|---|----|
| <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?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPUC does not have a Section 60106 agreement with PHMSA.

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