



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

NEBRASKA PIPELINE SAFETY DIVISION

## 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:** Nebraska

**Agency Status:**

**Date of Visit:** 08/06/2018 - 08/10/2018

**Agency Representative:** David Levering, Chief Deputy State Fire Marshal

Arnie Bates, Deputy State Fire Marshal

Tyler Dean, Deputy State Fire Marshal

**PHMSA Representative:** Glynn Blanton, US DOT/PHMSA State Programs

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

**Name/Title:** Jim Heine, Nebraska State Fire Marshal

**Agency:** Nebraska State Fire Marshal Office

**Address:** 246 South 14th Street

**City/State/Zip:** Lincoln, Nebraska 68508-1804

**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

|   |  |
|---|--|
| A | Progress Report and Program Documentation Review |
| B | Program Inspection Procedures                    |
| C | Program Performance                              |
| D | Compliance Activities                            |
| E | Incident Investigations                          |
| F | Damage Prevention                                |
| G | Field Inspections                                |
| H | Interstate Agent State (If Applicable)           |
| I | 60106 Agreement State (If Applicable)            |

### Possible Points Points Scored

|            |            |
|------------|------------|
| 10         | 8          |
| 13         | 13         |
| 47         | 45         |
| 15         | 13         |
| 11         | 11         |
| 8          | 8          |
| 12         | 12         |
| 0          | 0          |
| 0          | 0          |
| <b>116</b> | <b>110</b> |

### TOTALS

**State Rating** ..... **94.8**

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

**Evaluator Notes:**

A review of Attachment 1 found the number of operators inspected was less than in previous year. Units inspected were 54.8% compared to last year's 65.8%. The number of private operators were one less than in previous year due to a merger of a private company. All information contained in the attachment was found correct and match office records.

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

**Evaluator Notes:**

A review of inspection days of each activity listed in Attachment 2 found the data to be correct. Total number of inspections performed were 402 with the majority in standard comprehensive inspection category.

- |          |  |   |   |
|----------|--|---|---|
| <b>3</b> | 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:**

Attachment 3 was compared to office data and found correct with the number of inspection units and operators. No issues of concern.

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

**Evaluator Notes:**

No incidents/accidents were listed on 2017 NSFM Progress Report Attachment 4. However, a review of files and NRC database found one incident that occurred on March 9, 2017 at 2117 South Locust Street in Grand Island, NE. This incident information will need to be added to the 2017 NSFM Progress Report. A loss of one point occurred. It will be necessary for the Program Manager to contact Carrie Winslow, PHMSA State Programs, and have this item corrected in the Progress Report.

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

**Evaluator Notes:**

A comprehensive review of Attachment 5 found the number of carryovers, 20 continues to be higher than in previous years. No civil penalties were assessed or collected in the year in review.

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

**Evaluator Notes:**

Yes program files and records located in NE SFM office were well-organized and accessible.

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

A review of Attachment 7 and TQ records show Arnold Bates, Kevin Bumgardner, Tyler Dean and Doug Donnelson have completed training to meet the Gas Inspector requirements. Arnold Bates and Doug Donnelson have completed the Gas IM training requirements. David Levering needs to complete PL1310 Plastic & Composite Materials course. He is scheduled to attend in CY2019. All inspectors have completed the Root Cause/incident Investigation course.

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

Evaluator Notes:

A review of Attachment 8 found Amendments 118 and 123 were listed as taking steps to adopt. Currently, these two amendments are moving forward and anticipate being adopted in CY2018. A review of state statute and discussion with Program Manager found the civil penalty amounts listed in the progress report were incorrect. The correct amounts are \$10,000 per violation to a maximum amount of \$500,000. This error has a significant effect on the NE SFM 2017 Progress Report scoring and grant funding. It will be necessary for the Program Manager to contact Carrie Winslow, PHMSA State Programs, and have this item corrected in the Progress Report. Improvement is needed and a loss of one point occurred.

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

Evaluator Notes:

Yes, planned and past program performance were listed along with DPAP information

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

Evaluator Notes:

A loss of one point occurred in each question A.4 & A.8

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Total points scored for this section: 8  
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:

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. subpart F.5-1 pages 29-33.

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

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. Subpart F.5-4 page 41.

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

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. subpart F.5-7 page 47.

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

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. subpart F.5-9 page 53.

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

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. subpart F.5-10 page 56.

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

Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section F. subpart F.5-8 page 49

- |   |   |   |   |
|---|---|---|---|
| 7 | Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? | 6 | 6 |
|---|---|---|---|

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

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

Evaluator Notes:

a. to e.: Yes, this information is listed in Nebraska State Fire Marshall Inspection & Compliance Plan dated January 16, 2017, Section E-2 pages 24-27.

f.: Yes, all inspection units appear to be correct and are reviewed annually by Program Manager.

**8** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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

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):  
402.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
 $220 \times 2.37 = 520.67$

Ratio: A / B  
 $402.00 / 520.67 = 0.77$

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)= 402

B.Total Inspection Person Days Charged to the program( $220 \times$ Number of Inspection person years(Attachment 7)=520.66652

Formula:- Ratio = A/B =  $402/520.66652 = 0.77$

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

Thus Points = 5

- 2 Has each inspector and program manager fulfilled the T Q Training Requirements? (See Guidelines Appendix C for requirements) Chapter 4.4 5 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. All inspectors including Program Manager have completed the OQ training requirements.

b. All inspectors have completed DIMP/IMP training requirements except the Program Manager.

c. All inspectors including the Program Manager have completed the Root Cause/Investigation Course.

d. Arnie Bates attended the Annual NACE training course in Omaha, NE

e. All inspectors have completed the Gas Training requirement. However, Program Manager needs to complete PL1310 Plastic & Composite Material Course.

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

### Evaluator Notes:

Due to errors on 2017 NSFPM Progress Report, has served less than one year as program manager and limited knowledge about the pipeline safety program that is provided in the Guidelines for States Participating in the Pipeline Safety Program, a loss of one point occurred.

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

### Evaluator Notes:

Yes, State Fire Marshal Jim Heine's response letter to Zach Barrett was send on February 23, 2018, and within the sixty day time requirement.

- 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:

Yes, NSFM hosted a pipeline safety seminar on February 7-9, 2017, in Columbus, NE. Number of attendees was seventy-five operators.

- 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:

Yes, as listed in procedures: Inspections will occur at least every five (5) years, unless otherwise stated below:

- a) Operation & Maintenance Plans (O&M). Last inspected (Sept/Oct 2016)
- b) Drug and Alcohol Program. Last inspected (May 2013)
- c) Emergency Response Plans. Last inspected (September 2016)
- d) Annual Report including leak histories will be reviewed on an annual basis with regard to Part 191. (Reviewed Yearly CY2018)
- e) Liquefied Natural Gas (LNG) plants will be inspected at least every three years, with more frequent inspections desirable. Last inspected (November 2017)
- f) Operator Qualification Program, in accordance with Section F.5-6. Last inspected (February 2013)
- g) Integrity Management Programs. (Transmission and/or Distribution Integrity Management Programs) Last inspected (March 2014)
- h) Public Awareness Plan, which will include the operator's Public Awareness Plan Effectiveness Evaluation. Last inspected (May 2013)
- i) Damage Prevention Program and procedures or Third Party Damage activities will be inspected, or as appropriate.

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

Evaluator Notes:

Yes, NSFM is using PHMSA Equivalent forms and NSFM Inspection form that are relative to damage prevention. These forms are listed as Appendix B (PHMSA Equivalent Forms) and Appendix C in their procedures manual.

- 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 1 1  
Yes = 1 No = 0

Evaluator Notes:

Yes. this is reviewed with the operator during an inspection and listed on the Federal inspection form-# 2 Part 192.489 (b); pp. 19.

- 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 1 1  
Yes = 1 No = 0

Evaluator Notes:

Yes. this is reviewed with the operator during an inspection and listed on the Federal inspection form-# 2, pg 4 Part 192.613 (a).

- 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 1 1  
Yes = 1 No = 0



Evaluator Notes:

Yes, this is accomplished in NSFM Form 5.3. Standard Procedures Inspection, page 7. Reference Part 192.615 (a) (7).

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- |           |  |   |   |
|-----------|--|---|---|
| <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 192.617? Chapter 5.1<br>Yes = 1 No = 0 | 1 | 1 |
|-----------|--|---|---|
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Evaluator Notes:

Yes, this is accomplished in NSFM Form G. 3-3 Damage Investigation Report and Form 5.3. Standard Procedures Inspection, page 7. Reference Part 192.617.

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|-----------|--|---|---|
| <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?<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|
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Evaluator Notes:

Yes. NSFM created and standardized a form in reviewing annual reports. The form is used in rank risking the operators pertaining to their inspection.

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|-----------|---|---|---|
| <b>13</b> | 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 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, this is accomplished on NSFM Form F 5-15.2 Annual Report Review Transmission, page 4.

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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 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, this is accomplished by using the NSFM Form F 5.14 (C) Drug & Alcohol Inspection Comprehensive

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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:

Yes, this is accomplished by using NSFM Forms F 5.14 (C) & F5.14 (S) Drug & Alcohol Inspection.

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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:

Yes, this is accomplished by using the NSFM Form F 5.15.2 Annual Report Review Transmission.

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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 | 1 |
|-----------|--|---|---|
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Evaluator Notes:

Yes, this is partly accomplished by using the NSFM Form F 5.15.1 Annual Report Review Distribution. However, a review of files found the State's largest operators were not reviewed annually. Improvement is needed and it was suggested this question be added to their NSFM Forms. A loss of one point occurred.

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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:

Yes, a review of files and spreadsheet confirm the PAPEI inspections have been completed and reviewed in accordance to NSFM procedures. Discussion with the operators has found the effectiveness of their programs are determined by an outside third party consultant. No issues of concern.

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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:

Yes, NSFM has a website that provides information for all stakeholders on pipeline safety violations, links to NE 811 Center, annual report filings, PHMSA and NSFM staff members names and telephone numbers. They have attended and presented information about the program at the One call center meetings in five areas of the state and the Common Ground Nebraska Region meeting.

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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 |
|-----------|---|---|----|
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Evaluator Notes:

No safety related condition reports were filed in CY2017.

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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 |
|-----------|---|---|---|
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Evaluator Notes:

Yes, is accomplished during the review of the annual reports submitted by the operators. However, it was suggested this question be added to the standard inspection form or sent out in a separate letter to each operator to insure this item is reviewed annually.

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

Yes, NSFM has responded to all surveys from Robert Clarillos, NAPSA and PHMSA. No areas of concern.

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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 |
|-----------|--|---|---|
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Evaluator Notes:

Yes, NSFM has three waivers listed on PHMSA's website that are not relative to the pipeline safety regulations. It was suggested to the Program Manager to contact John Gale, PHMSA, and have these three waivers removed.

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|-----------|--|---|---|
| <b>24</b> | Did the state attend the National NAPS Board of Directors Meeting in CY being evaluated? | 1 | 1 |
|-----------|--|---|---|
-

No = 0 Needs Improvement = .5 Yes = 1

Evaluator Notes:

Yes, David Levering attended the NAPS SR 2017 Board of Directors meeting in Columbus, OH in September, 2017.

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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:

Reviewed NSFM State Program Metrics and found the number of excavation damages per 1,000 locate tickets were trending upward. Program Manager said, "this increase is due to Allo Communication installing fiber optic in the state". The number of inspection days for CY2017 was trending upward due to a change in the method of charging inspection days to the program and personnel changes. Leaks & hazardous leaks are trending upward due to construction work near pipelines. NSFM will continue to review the operator's annual reports and determine the origin of the leaks.

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

Evaluator Notes:

Discussed with Program Manager about the SIDCT found CY2017 inspection person days were 302. An update was recently performed on May 29, 2018. This action will result in an increase to 340 inspection person days in the coming year.

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

Yes, this item is addressed in NSFM Form F 5-3 Standard Procedure Inspection.

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

Evaluator Notes:

A loss of one point occurred on questions C.3 & C 17.

---

Total points scored for this section: 45  
Total possible points for this section: 47



**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 | <b>4</b>                             | <b>3</b>  |
| 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 type="radio"/>            | No <input type="radio"/> Needs Improvement <input checked="" 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:**

- Yes, this information is located in NSFM Pipeline Safety Section Inspection Plan, Section H.3, page 82.
- Written procedures are weak and do not address a routine review of monitoring the operator's progress pertaining to compliance action. Improvement is needed and therefore a loss of one point occurred.
- Yes, this is addressed in Section H. 2, NOPV Correction section on page 81

- |          |  |                                      |  |
|----------|--|--------------------------------------|--|
| <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 | <b>4</b>                             | <b>4</b>   |
| 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:**

- Yes, a review of files found compliance action letters were sent to company officers. Examples, Letter to Ron Reisner, Sr VP Metropolitan Utilities District on Nov. 21, 2017; Jeff Sylvester VP Black Hills Energy on Aug 10, 2017; Bill Newman, Chairman Village of Pender on March 22, 2017.
- Yes.
- Currently eight violations are at the Attorney's General (AG) Office for further compliance action.
- Yes, Program Manager is reviewing the probable violations and checking with the AG's office on compliance action.
- Yes, this is addressed in the NSFM written procedures.
- Yes, this is addressed in the NSFM written procedures.

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

**Evaluator Notes:**

Yes, thirteen compliance action were issued in CY2017. Eight of the compliance actions are currently at the AG's office for additional action on compliance or potential civil penalties.

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

**Evaluator Notes:**

Yes, Section H.2 ? Notice of Probable Violation (NOPV) addresses this item. Additionally, the operator has the following options:

- 1) Agree to the proposed compliance order:
- 2) Request the execution of a consent order under 190.219.
- 3) Submit a work plan to the Nebraska State Fire Marshal for consideration to resolve issue(s).
- 4) Object to the proposed compliance order and submit written explanations, information or other materials in answer to the

allegations in the notice of probable violation.  
5) Request a hearing under 190.211.

- 
- |          |   |   |   |
|----------|---|---|---|
| <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, Program Manager is familiar with imposing civil penalties and has forwarded those types of violations and recommended penalties to the Attorney General Office for action. A review of files and correspondence on August 9, 2018 confirm one violation is still under consideration by the AG for action that was send on January, 2016.

- 
- |          |   |   |   |
|----------|---|---|---|
| <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 | 0 |
|----------|---|---|---|

Evaluator Notes:

A review of files found no civil penalties have been assessed against an operator for non-compliance in the last eleven years. This item was mentioned in previous state program evaluations and letters to State Fire Marshal. Improvement is needed. Therefore a loss of one point occurred.

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

Evaluator Notes:

Loss of points occurred on the following questions. D.1 & D.6

---

Total points scored for this section: 13  
Total possible points for this section: 15



## PART E - Incident Investigations

Points(MAX) Score

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

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, this item is covered under NSFM PL Inspection & Compliance Plan Section I ? Pipeline Safety Program Investigations.

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

Yes = 2 No = 0 Needs Improvement = 1

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

Evaluator Notes:

Yes, this item is covered under NSFM PL Inspection & Compliance Plan Section I.5 ? General Procedures for Investigations, page 89. The Program Manager is familiar with MOU and Understanding of the Cooperation necessary between the State, PHMSA & NTSB on incident/accident investigations.

- 3 If onsite investigation was not made, did state obtain sufficient information from the operator and/or by other means to determine the facts to support the decision to not go on-site? Chapter 6 1 1

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, an onsite investigation was made on the incident that occurred on April 9, 2017. In this regard, NSFM form G.3-4 was completed and a report of findings was provided. Additionally, Section I.5 ? General Procedures for Investigations covers the decision to not go on-site.

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

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

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

Evaluator Notes:

Yes, a review of the incident report that occurred on March 9, 2017 clearly demonstrate the observations reviewed, contributing factors and other relative information about the incident were reported. See NSFM form G.3-4.

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

Yes = 1 No = 0

Evaluator Notes:

No violations or compliance action was necessary on the incident that occurred on March 9, 2017.

- 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 1 1

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, Arnie Bates, NSFM Deputy, discussed the incident with AID.

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

Evaluator Notes:

Yes, information on incidents/ accidents were shared with other Program Managers at the NAPSAR Central Regional Meeting.

8 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

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

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



## 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:

Yes, this item is listed as a type of inspection in NSFM written procedures in Section F.1 ? Inspection Definition and in more detail in Form G.3-3 Damage Investigation.

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

Yes, this is accomplished on NSFM Form F.5-9 - Damage Prevention Program.

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

Yes. This is accomplished by NSFM conducting sixteen Outreach meetings, five locate workshops & three damage prevention classes to the contractors and public about the use of 811 in CY2017.

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

Yes, NSFM is reviewing the data on the annual report along with information from the NE 811 center. The number of damages per 1,000 locate request in NE for CY2017 was 1.1 gas and 11.67 for all utilities.

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

Evaluator Notes:

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

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



## PART G - Field Inspections

Points(MAX) Score

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

Name of Operator Inspected:

NorthWestern Energy

Name of State Inspector(s) Observed:

Tyler Dean, Deputy State Fire Marshal

Location of Inspection:

Kearney, NE

Date of Inspection:

August 8, 2018

Name of PHMSA Representative:

Glynn Blanton, State Programs

Evaluator Notes:

This was a standard inspection with corrosion control reviews on August 8th. Pipe-to-soil potential readings were taken at random locations in the City of Kearney, NE area.

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

Evaluator Notes:

Yes, North Western Energy LLC, representatives Dennis Placke and Gene Simpkins were contacted two weeks prior to the field inspection.

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

Evaluator Notes:

Yes, the inspector used the NSFM F.5-1 (Rev: 01/25/18) form to perform the inspection.

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

Evaluator Notes:

Yes, a review of the inspection form used and report indicated all answers to questions were checked or indicated NA. No issues.

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

Evaluator Notes:

Yes.

- 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:

Pipe-to-soil potential readings were taken 22nd St. / Railroad, 2713 D. Ave., Holy Lutheran Church, 23rd / 6th Ave, 40th St. / 17th Ave, Kaapa Take Off Station and several other locations.

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

Evaluator Notes:

Yes, Tyler L. Dean has attended and successful completed the training needs to meet the Gas Inspector Training Requirements at TQ. The inspection was conducted in a professional matter and communications with the operator was clearly provided on the areas of concern. Excellent work!

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

Evaluator Notes:

Yes, an exit interview was conducted with North Western Foreman, Gene Simpkins. Information pertaining to low readings in one section of the city was discussed. The operator performed a cathodic protection reading to verify the readings performed by the inspector were correct. The operator has confirmed the low readings, and the section was placed on review for cathodic protection action. The low readings may be contributed to an intermittent short in the section.

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

Evaluator Notes:

Yes, a letter of concern was being developed and will be issued to the operator.

- |    |   |           |           |
|----|---|-----------|-----------|
| 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.<br>Info Only = No Points | Info Only | Info Only |
|----|---|-----------|-----------|

- |    |                                   |                                     |
|----|-----------------------------------|-------------------------------------|
| a. | Abandonment                       | <input type="checkbox"/>            |
| b. | Abnormal Operations               | <input type="checkbox"/>            |
| c. | Break-Out Tanks                   | <input type="checkbox"/>            |
| d. | Compressor or Pump Stations       | <input type="checkbox"/>            |
| e. | Change in Class Location          | <input type="checkbox"/>            |
| f. | Casings                           | <input type="checkbox"/>            |
| g. | Cathodic Protection               | <input checked="" type="checkbox"/> |
| h. | Cast-iron Replacement             | <input type="checkbox"/>            |
| i. | Damage Prevention                 | <input type="checkbox"/>            |
| j. | Deactivation                      | <input type="checkbox"/>            |
| k. | Emergency Procedures              | <input type="checkbox"/>            |
| l. | Inspection of Right-of-Way        | <input type="checkbox"/>            |
| m. | Line Markers                      | <input type="checkbox"/>            |
| n. | Liaison with Public Officials     | <input type="checkbox"/>            |
| o. | Leak Surveys                      | <input type="checkbox"/>            |
| p. | MOP                               | <input type="checkbox"/>            |
| q. | MAOP                              | <input type="checkbox"/>            |
| r. | Moving Pipe                       | <input type="checkbox"/>            |
| s. | New Construction                  | <input type="checkbox"/>            |
| t. | Navigable Waterway Crossings      | <input type="checkbox"/>            |
| u. | Odorization                       | <input type="checkbox"/>            |
| v. | Overpressure Safety Devices       | <input type="checkbox"/>            |
| w. | Plastic Pipe Installation         | <input type="checkbox"/>            |
| x. | Public Education                  | <input type="checkbox"/>            |
| y. | Purging                           | <input type="checkbox"/>            |
| z. | Prevention of Accidental Ignition | <input type="checkbox"/>            |

- |    |                             |                                     |
|----|-----------------------------|-------------------------------------|
| A. | Repairs                     | <input type="checkbox"/>            |
| B. | Signs                       | <input type="checkbox"/>            |
| C. | Tapping                     | <input type="checkbox"/>            |
| D. | Valve Maintenance           | <input type="checkbox"/>            |
| E. | Vault Maintenance           | <input type="checkbox"/>            |
| F. | Welding                     | <input type="checkbox"/>            |
| G. | OQ - Operator Qualification | <input type="checkbox"/>            |
| H. | Compliance Follow-up        | <input type="checkbox"/>            |
| I. | Atmospheric Corrosion       | <input checked="" type="checkbox"/> |
| J. | Other                       | <input type="checkbox"/>            |

Evaluator Notes:

A review of customer meter sets, regulations stations, cathodic protection, and atmospheric conditions was completed during this field inspection.

---

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:

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

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

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

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

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

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

- |          |  |           |           |
|----------|--|-----------|-----------|
| <b>8</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

**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:

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

- |          |  |   |    |
|----------|--|---|----|
| <b>3</b> | Were any probable violations identified by state referred to PHMSA for compliance?<br>(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:

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

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

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

- |          |  |           |           |
|----------|--|-----------|-----------|
| <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