



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

1200 New Jersey Avenue SE
Washington DC 20590

2018 Hazardous Liquid State Program Evaluation

for

MARYLAND PUBLIC SERVICE COMMISSION

Document Legend

PART:

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



2018 Hazardous Liquid State Program Evaluation -- CY 2018
Hazardous Liquid

State Agency: Maryland

Agency Status:

Date of Visit: 05/14/2019 - 05/14/2019

Agency Representative: John J. Clementson II

PHMSA Representative: Jim Anderson

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

Name/Title: Jason M. Stanek, Chairman

Agency: Maryland Public Service Commission

Address: 6 St. Paul, 16th Floor

City/State/Zip: Baltimore, Maryland 21202-6806

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 2018 (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.

Scoring Summary

PARTS	Possible Points	Points Scored
A Progress Report and Program Documentation Review	10	10
B Program Inspection Procedures	13	13
C Program Performance	37	37
D Compliance Activities	15	15
E Accident Investigations	7	7
F Damage Prevention	8	8
G Field Inspections	11	11
H Interstate Agent State (if applicable)	1	1
I 60106 Agreement State (if applicable)	0	0
TOTALS	102	102
State Rating		100.0



PART A - Progress Report and Program Documentation Review

Points(MAX) Score

- | | | Points(MAX) | Score |
|---|---|-------------|-------|
| 1 | Accuracy of Jurisdictional Authority and Operator/Inspection Units Data - Progress Report Attachment 1
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |

Evaluator Notes:

All information contained in the attachment was found correct.

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

Evaluator Notes:

All information contained in the attachment was found correct. Required to get 15 inspection days - conducted 15 inspection days.

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

Evaluator Notes:

All information contained in the attachment was found correct.

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

All information contained in the attachment was found correct.

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

Evaluator Notes:

All information contained in the attachment was found correct.

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

Evaluator Notes:

Program files and records located in MD PSC office were well-organized and accessible. Copies mostly hard copies and inspection forms kept on pipeline safety database program and easily accessible.

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

All information contained in the attachment was found correct.

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| 8 | Verification of Part 195,198,199 Rules and Amendments - Progress Report Attachment 8
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

MD PSC has automatic adoption of federal rules and regulations. MD PSC civil penalty amounts are the same as PHMSA.

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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:

The Program Manager was part of a Stakeholders group that completed the rewrite of Title 12 Damage Prevention Law. The purpose of the rewrite was to solve administrative issues and to get rid of the homeowner exemption. Homeowners were not required to call 811 when using hand tools on their own property. The rewrite has addressed that issue. The changes are currently being put into legislative format and will be sent to the legislature for the 2020 session.

The Maryland Underground Facility Damage Prevention Authority received 93 NOPV's and acted on 71. As a result the Authority issued \$92,445.75 in civil penalties.

The two newest engineers (Kobby Anyinam and Negussie Tesfaye) have completed the required training at T&Q. They each have only a few of the specialized classes to complete to become fully trained.

10 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

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.

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

This information is listed in MD PSC Pipeline Safety Program Procedure Plan for Inspection, Enforcement and Incident (Procedures) dated June 28, 2018. Inspection and post-inspection are listed under V. Conducting Inspections, Section E, Record Inspection, page 10. Standard inspection forms are listed in Attachment 1.

- 2 IMP 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.

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

IMP inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section O, Distribution Integrity Management Programs, page 16 of MD PSC Procedures.

- 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.

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

OQ inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, H. Training and Operator Qualification (OQ) Inspections, page 16.

- 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.

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Damage Prevention procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, L. Damage Prevention Activities, page 16.

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

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Operator training is listed in the written Procedures under V. Conducting Inspections, Section K. Operator Training on page 16.

- 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.

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Construction inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section G. Design, Testing and Construction Inspection, page 13.

- 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 No Needs Improvement
 - b. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities) Yes No Needs Improvement
 - c. Type of activity being undertaken by operators (i.e. construction) Yes No Needs Improvement
 - d. Locations of operators inspection units being inspected - (HCA's, Geographic area, Population Density, etc) Yes No Needs Improvement
 - e. Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors) Yes No Needs Improvement
 - f. Are inspection units broken down appropriately? Yes No Needs Improvement

Evaluator Notes:

Inspection Priorities are listed under IV. Inspection Planning, Section B. Inspection Priority, pages 8-9 of the written procedures. Each of the elements above were listed and used in establishing inspections. Additionally, a review of office records and files indicate all inspections units are broken down correctly. No areas of concern.

8 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

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):
 15.00
 B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
 220 X 0.17 = 37.40
 Ratio: A / B
 15.00 / 37.40 = 0.40
 If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
 Points = 5

Evaluator Notes:

.4 ratio exceeds the needed .38 ratio.

- 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 No Needs Improvement
 - b. Completion of Required IMP Training before conducting inspection as lead Yes No Needs Improvement
 - c. Root Cause Training by at least one inspector/prgram manager Yes No Needs Improvement
 - d. Note any outside training completed Yes No Needs Improvement
 - e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector. Yes No Needs Improvement

Evaluator Notes:

The Program Manager and five pipeline safety engineers have completed the required basic training for gas inspections. The PM and four pipeline safety inspectors have completed the required basic training for Hazardous Liquids inspections. Three pipeline safety inspectors have completed their IMP, DIMP, OQ and Root Cause training. The PM has completed the DIMP, OQ and Root Cause training. The newest engineer (S. Tetteh) has attended the 1250 course and has been waitlisted for the remainder of the basic training.

- 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:

John Clementson has completed all training courses for Gas & Hazardous Liquid Inspector training requirements and has over twenty-two years experience in pipeline safety inspection work.

- 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:

No follow-up letter was required as a result of the CY2017 Program evaluation.

- 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:

Last seminar was in the Spring of 2016. The Next seminar is scheduled for Oct. 2019.

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

Yes. Only one hazardous liquid operator in state. The operator is inspected at intervals noted in written procedures manual.

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

Yes - no issues.

8	Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 195.402(c)(5)? Yes = 1 No = 0	1	1
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Evaluator Notes:

As part of the MDPSCED's failure investigation process, the PSCED review's the operator's response to ensure that they are following their procedures. A review of the incident report is conducted to ensure that it has been completed accurately and that the cause of the event corresponds with the MDPSCED's failure investigation. Leak response, including third party damage, is reviewed when the MDPSCED conducts records inspections of their operators.

9	Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

Annual reports are reviewed, once they are received, to ensure that there are no issues with the previous years. The information contained in the annual reports is then transferred to an Excel spread sheet where it is used to track trends. A table is also created for third party damages to see how the operators are progressing from year to year. (Incident/Accident reports see above.

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

The MDPSCED verifies that the transmission operators have submitted information into the NPMS database by sending a Specific Information Request to the operators asking them to provide proof that they have made the submission. Reviewed letter and operator response.

11	Is the state verifying operators are conducting drug and alcohol tests as required by regulations? This should include verifying positive tests are responded to in accordance with program. 49 CFR 199 Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

The PSCED conducts drug and alcohol inspections every years year. 2018 was not a scheduled year for inspections. MD PSC Form EN # 10, Drug & Alcohol, is used to verify the operator is conducting drug and alcohol tests. The form includes information on verifying positive tests are responded to in accordance to 49 CFR 199. Reviewed inspection dates and inspection forms.

12	Is state verifying operators OQ programs are up to date? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals determined in the operators plan. 49 CFR 195 Part G	2	2
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Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The MDPSCED conducted a total of three-one half days were spent on OQ inspections in 2018 using the Federal Program IA to verify this information.

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| 13 | Is state verifying operator's hazardous liquid integrity management (L IMP) Programs are up to date? This should include a previous review of LIMP plan, along with monitoring progress on operator tests and remedial actions. In addition, the review should take in to account program review and updates of operators plan(s). (Are the State's largest operators programs being contacted or reviewed annually? Are replies to Operator IM notifications addressed? (formerly part of Question C-10)). 49 CFR 195.452 Appendix C | 2 | 2 |
|-----------|---|---|---|

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Transmission IMP inspections are conducted on a three year interval. The PSCED also performs inspections of the operator's when they are doing their field verification work. 2018 was not a scheduled inspection year.

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| 14 | 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 195.440 | 2 | 2 |
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Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The PSCED conducts PAP inspections on a three year cycle. 2018 was not a scheduled year.

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| 15 | 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). | 1 | 1 |
|-----------|---|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

The MDPS Eng Dept meets with operators on a quarterly basis at the Gas Operator Advisory Committee meetings (GOAC). The MDPSCED also attends the monthly MD/DC Damage Prevention Committee meetings to meet with other stakeholders. All enforcement cases are available to the public through written request.

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| 16 | Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3 | 1 | NA |
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

None in 2018.

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| 17 | Did the state participate in/respond to surveys or information requests from NAPSRS or PHMSA? | 1 | 1 |
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Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes

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| 18 | 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. | 1 | NA |
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Needs Improvement = .5 No = 0 Yes = 1

Evaluator Notes:

No HL special permits have been issued.

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|-----------|---|---|---|
| 19 | Did the state attend the NAPSRS National Meeting in CY being evaluated? | 1 | 1 |
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Needs Improvement = .5 No = 0 Yes = 1

Evaluator Notes:

Yes

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- | | | | |
|-----------|---|--------------------------------------|--|
| 20 | Discussion on State Program Performance Metrics found on Stakeholder Communication site ? http://primis.phmsa.dot.gov/comm/states.htm
Needs Improvement = 1 No = 0 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:

Brought up PHMSA's Stakeholders Communication and discussed Marylands meaningful metrics webpage and discussed trends shown on graphs.

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| 21 | Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool (SICT) Has the State updated SICT data?
No = 0 Yes = 1 | 1 | NA |
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Evaluator Notes:

SICT tool was down during the evaluation. SICT tool was used for calculation 2018 inspection needs.

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| 22 | Did the State verify Operators took appropriate action regarding Pipeline Flow Reversals, Product Changes and Conversions to Service? See ADP-2014-04
Needs Improvement = .5 No = 0 Yes = 1 | 1 | NA |
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Evaluator Notes:

None in state to reversal product flow.

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| 23 | General Comments:
Info Only = No Points | 1 | NA |
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Evaluator Notes:

Total points scored for this section: 37
Total possible points for this section: 37



PART D - Compliance Activities

Points(MAX) Score

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|----|--|--------------------------------------|--|
| 1 | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| a. | Procedures to notify an operator (company officer) when a noncompliance is identified | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Procedures to routinely review progress of compliance actions to prevent delays or breakdowns | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| 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 is listed in Section V. CONDUCTING INSPECTIONS, Subsection P. Notice of Probable Violations (NOPV) and/or Warning Letters (WARN), Q. Notice of Violaations Actions, R. Notice of Probable Violation Tracking, S. Closure of a Probable violation

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|----|--|--------------------------------------|--|
| 2 | Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? (Incident Investigations do not need to meet 30/90 day requirement) Chapter 5.1
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| a. | Were compliance actions sent to company officer or manager/board director if municipal/government system? | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | 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. All reviewed compliance action letters were sent to company officers or master meter owners.
- b. Yes, program manager has a spreadsheet that he reviews monthly on probable violations.
- c. Yes, probable violations are being resolve in a timely manner. In this regard, most are cleared within 30 days of receipt of the compliance letter to the operator.
- d. Yes, routinely reviewed monthly by program manager.
- e. Inspectors conduct an exit interview after each inspection with appropriate operator personnel.
- f. The operator receives within 90 days after the inspection the letter of concern or probable violation from the MD PSC.

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

Yes, the State issued two complianoce actions for probable violations found during inspections in 2018.

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

Evaluator Notes:

- Yes, MD PSC has written procedures to allow the operator due process including a request for a show cause hearing. In each of the compliance letter there is four options available to the operator:
- 1. Agree to the proposed compliance order;
 - 2. Request the execution of a consent order;
 - 3. Object to the proposed compliance order and submit written explanation, information or other material to the allegations in the notice;
 - 4. Request a hearing under 3-102(c), Public Utility Companies Article.

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

Evaluator Notes:

No civil penalties issued in 2018. Program manager has issued civil penalties for gas operators through the years.

- 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:

In CY2017 three civil penalties were assessed against three gas operators in the amount of \$7,500. Also, \$10,250 were collected from previous civil penalties in 2018.

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

Evaluator Notes:

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



PART E - Accident 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, procedures pertaining to incident/accident investigation are listed in MD PSC written procedures, Section VI. Investigation of Incidents, page 20.

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

The operators are given a "Incident Notification List" for notifying the MDPSC Eng Department personnel of incident. The list has an order of notification that includes all of the engineer's cell numbers for after hours contact.

- 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, if an onsite investigation was not made they have in their written procedures under Section VI, a statement, "a memo to the Incident File will be created documenting the reason(s) that an on-site investigation was not conducted."

- 4 Were all accidents investigated, thoroughly documented, and with conclusions and recommendations? 3 NA
Yes = 3 No = 0 Needs Improvement = 1-2

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

Evaluator Notes:

No reportable accidents in 2018.

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

Evaluator Notes:

No reportable accidents in 2018.

- 6 Did the state assist Region Office or Accident Investigation Division (AID) by taking appropriate follow-up actions related to the operator accident reports to ensure accuracy and final report has been received by PHMSA? (validate report data from operators concerning incidents/accidents and investigate discrepancies) Chapter 6 1 1
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No reportable accidents in 2018.

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

Evaluator Notes:

The MDPSC shares lessons learned from various incidents and or events with NAPSRS at the ER meeting and with its jurisdictional operators at the GOAC meetings.

8 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

Total points scored for this section: 7
Total possible points for this section: 7



PART F - Damage Prevention

Points(MAX) Score

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

The HDD procedures are reviewed when the engineers perform a comprehensive review of the operator's procedures using inspection form EN17.

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

Miss Utility tickets are checked when construction or excavation activities are inspected. A review of the Utilities One Call procedures is also conducted when their O&Ms are reviewed.

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| 3 | Did the state encourage and promote practices for reducing damages to all underground facilities to its regulated companies? (i.e. such as promoting/adopting the CGA Best Practices encouraging adoption of the 9 Elements, etc.)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

The MDPSCE participated in GOAC meetings where these issues are addressed.

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| 4 | Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests? (This can include DIRT and other data shared and reviewed by the pipeline safety program)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

The MDPSCED collects damage prevention data and presents the results to the operators at the GOAC meetings and individually at various meetings throughout the year. Reviewed spreadsheet with data.

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| 5 | General Comments:
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

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:
 Petroleum Fuel and Terminal
 Name of State Inspector(s) Observed:
 Negussie Tesfaye
 Location of Inspection:
 Baltimore
 Date of Inspection:
 May 16, 2014
 Name of PHMSA Representative:
 Jim Anderson

Evaluator Notes:
 Tank to tank transfer from receiving from pipeline to being able to load barges.
 no issues

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. 5 staff member participated

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 - used form EN61

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

Evaluator Notes:
 Yes - followed question listed on form

5 Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, valve keys, half cells, etc) 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:
 Monitored start up of tranferin hazardous liquid from tank to tank.

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:
 Yes - no issues

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:
 Yes

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

Evaluator Notes:
 None found

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
- t. Navigable Waterway Crossings
- u. Odorization
- v. Overpressure Safety Devices
- w. Plastic Pipe Installation
- x. Public Education
- y. Purging
- z. Prevention of Accidental Ignition
- A. Repairs
- B. Signs
- C. Tapping
- D. Valve Maintenance



- E. Vault Maintenance
- F. Welding
- G. OQ - Operator Qualification
- H. Compliance Follow-up
- I. Atmospheric Corrosion
- J. Other

Evaluator Notes:

Monitored startup of tank hazardous liquid transfer.

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



PART H - Interstate Agent State (if applicable)

Points(MAX) Score

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

Total points scored for this section: 1
Total possible points for this section: 1



PART I - 60106 Agreement State (if applicable)

Points(MAX) Score

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

