



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

Minnesota Office of Pipeline Safety

## 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:** Minnesota

**Agency Status:**

**Date of Visit:** 07/16/2019 - 07/18/2019

**Agency Representative:** Jon Wolfgram, Program Manager - Chief Engineer

**PHMSA Representative:** Rex Evans

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

**Name/Title:** John Harrington, Commissioner

**Agency:** Minnesota Department of Public Safety

**Address:** 445 Minnesota Street, Suite 1000

**City/State/Zip:** St. Paul, MN 55101

**Rating:**

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

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**INSTRUCTIONS:**

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

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**Scoring Summary**

**PARTS**

**Possible Points    Points Scored**

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

10  
13  
41  
15  
11  
8  
11  
7  
0

10  
13  
41  
15  
11  
8  
11  
7  
0

**TOTALS**

**116                    116**

**State Rating .....**

**100.0**

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## PART A - Progress Report and Program Documentation Review

Points(MAX) Score

- |  | 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:

The information reviewed appears correct. No issues.

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

Days were reviewed with inspection summary. No issue

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

No issues.

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

Evaluator Notes:

Matched PDM, all interstate on HL program.

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

Evaluator Notes:

Numbers appear to match summary of compliance actions. No issues.

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

In process of migrating to new database. Overall found what I need, however would like to be able to access and have free run of records during next review. A lot of pieces to be put together in systems.

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

No issues

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

Evaluator Notes:

No issues

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

Evaluator Notes:  
No issues

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**10**    General Comments:  
Info Only = No Points  
Evaluator Notes:

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Info OnlyInfo Only

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



## PART B - Program Inspection Procedures

Points(MAX) Score

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

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

yes, this is covered in the MNOps Manual, section 5.

- |   |   |   |   |
|---|---|---|---|
| 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. | 1 | 1 |
|---|---|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

LIMP covered in Section 5.2 of manual. No issues.

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

OQ covered in Section 5 of manual. No issues.

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

covered in Section 5 of manual. No issues.

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

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

This is covered in Section 5 of manual. No issues.

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

Construction covered in Section 5.2 of manual. No issues.

- |   |   |   |   |
|---|---|---|---|
| 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 <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. Type of activity being undertaken by operators (i.e. construction)  | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. Locations of operators inspection units being inspected - (HCA's, Geographic area, Population Density, etc)   | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e. Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors) | Yes <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:

Areas are addressed and covered in MnOPS manual. No issues.

**8** General Comments:

Info Only = No Points

Info Only Info Only

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):  
127.28

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 1.36 = 299.66

Ratio: A / B  
127.28 / 299.66 = 0.42

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

Evaluator Notes:

Yes, no issues. Total person days 127 with 1.36 FTE.

- 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 IMP Training before conducting inspection as lead   | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Root Cause Training by at least one inspector/prgram 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:

Transcripts reviewed and they also have internal training summary provided. No issues.

- 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:

No issues found.

- 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, letter was responded to on October 11, 2019. Actually only issue was on compliance count carry-over. Issue corrected.

- 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:

MNOPS conducts an annual safety seminar, usually in April. Last one held April 8-11, 2019

- 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:

It appears all were inspected. Review of inspection records by each operator.

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

Evaluator Notes:

State primarily uses IA. No issues.

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

Evaluator Notes:

Reviewed under compliance review of 195.402. Mandatory excavation reporting allows MNOPS to routinely investigate excavation damages. No issues.

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- |   |  |   |   |
|---|--|---|---|
| 9 | Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues?<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|
- 

Evaluator Notes:

Yes, no issues. Annual report information incorporated into MNOPS inspection plan process. Reviews of both Gas and HL programs include things such as leaks per mile. Excavation damage. Incident per leak (global) New system will have acknowledgement by inspector that annual reports reviewed.

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- |    |  |   |   |
|----|--|---|---|
| 10 | Has state confirmed intrastate operators have submitted information into NPMS database along with changes made after original submission?<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----|--|---|---|
- 

Evaluator Notes:

MNOPS has GIS system with updated information and requests new dataset from PHMSA. They look at patterns of new pipe and pipe deletions. No issues.

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

Evaluator Notes:

D & A review conducted every 5 years. D & A field form reviewed during field and records inspection. No issues

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

Evaluator Notes:

OQ plan review every 5 years, OQ field forms during field and records inspections. Did not find any issues

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

The do annual request for information (RFI) on operators. Most of HL is with Central Region on interstate plans. No issues.

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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  
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

MNOPS Completed second round of PAPEI inspections in CY2018. They utilize Inspection Assistant (IA).

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

Evaluator Notes:

Yes, they have website <https://dps.mn.gov/divisions/ops/Pages/default.aspx>

Enforcement and various other communications are available. No issues.

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

Evaluator Notes:

No SRC's in 2018

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

Evaluator Notes:

Yes, no issues

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

Evaluator Notes:

No issues.

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

Evaluator Notes:

Yes

- 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

- a. Discussion of Potential Accelerated Actions (AA's) based on any negative trends Yes ☒ No ☐ Needs Improvement ☐
- b. NTSB P-11-20 Meaningful Metrics Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Metrics were reviewed. Same as Gas Program. We had discussion on metrics, all generally appear to be in positive trend. Damage prevention metric had slight up tick, however trend is low and they are taking actions to address any recent issues. There was an increase in leaks that were pending repair, this is one operator specific. Recommend possible follow up to see if improvement can be made.

- 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

Evaluator Notes:

SICT process was discuss, methods used appear to be on track with MNOPS. No issues

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- 22** Did the State verify Operators took appropriate action regarding Pipeline Flow Reversals, 1 NA  
Product Changes and Conversions to Service? See ADP-2014-04

Needs Improvement = .5 No = 0 Yes = 1

Evaluator Notes:

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- 23** General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

C

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Total points scored for this section: 41  
Total possible points for this section: 41



## PART D - Compliance Activities

Points(MAX) Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Procedures to notify an operator (company officer) when a noncompliance is identified  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Procedures to routinely review progress of compliance actions to prevent delays or breakdowns  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c.       | Procedures regarding closing outstanding probable violations   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

Yes, procedures are acceptable. Section 5.3 and flow chart is included. No issues.

- |          |  |   |   |
|----------|--|---|---|
| <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? (Incident Investigations do not need to meet 30/90 day requirement) Chapter 5.1<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Were compliance actions sent to company officer or manager/board 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:

Yes, the MNOPS process includes both inspectors and supervisors responsible for follow through. All compliance issues were documented and in compliance system. Found no issues with their compliance activities.

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

Evaluator Notes:

Yes, record review shows anything applicable has been addressed.

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

Evaluator Notes:

No issues. Program has the ability to assess fines with due process following any objections.

- |          |   |   |   |
|----------|---|---|---|
| <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 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

Yes, civil penalties are regularly given and consideration given based on severity.

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

Evaluator Notes:

Yes, the program has demonstrated it is using fining authority.

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7 General Comments:  
Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

We had a discussion on identifying proper closure of compliance actions. Particularly recognizing when field follow-up is necessary although all compliance activities appear to be in order.

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



## PART E - Accident Investigations

Points(MAX) Score

- 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, Section 6. All aspects appear to be covered. No issues.

- 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:

Yes, Section 6.1 (1-3) covered in MNOPS Manual. No Issues.

- 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, found no issues with any follow-up and investigation activities.

- 4 Were all accidents 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 where appropriate Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Three incidents all interstate. No issues with activities and reporting.

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

Yes = 1 No = 0

Evaluator Notes:

No compliance actions. All were interstate.

- 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 issues.

- 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:

Yes, regular actions at NAPSIR meetings.

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**8** General Comments:

Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

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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? | 2 | 2 |
|   | Yes = 2 No = 0 Needs Improvement = 1  |   |   |

Evaluator Notes:

Yes, now part of construction inspection form and question added to Standard inspection form.

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

Evaluator Notes:

Yes, part of damage prevention inspection.

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

Evaluator Notes:

Yes, state has robust damage prevention program. Also has various training sessions and significant participation.

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

Evaluator Notes:

MNOPS collects data and has non-pipeline voluntary process and required process for jurisdictional operators. Data is evaluated and no issues in this area.

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

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:

Magellan Pipeline

Name of State Inspector(s) Observed:

Todd Stansberry

Location of Inspection:

Western Minnesota near Moorhead and West

Date of Inspection:

07/16/2019

Name of PHMSA Representative:

Rex Evans

Evaluator Notes:

This was a pipeline facility and right of way inspection on Magellan Product line heading back east.

- 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, the operator was present.

- 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, MNOPS inspectors utilize tablets to conduct inspection. No issues.

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

Evaluator Notes:

Yes, no issues.

- 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, the operator took cathodic reads on pipe during visit.

- 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:

As noted above this was a right of way inspection, which included facilities and crossing inspections. Remote actuated valve was operated at milepost 87.



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

No issues, inspector was very knowledgeable.

- |   |   |   |   |
|---|---|---|---|
| 8 | Did the inspector conduct an exit interview? (If inspection is not totally complete the interview should be based on areas covered during time of field evaluation)<br>Yes = 1 No = 0 | 1 | 1 |
|---|---|---|---|

Evaluator Notes:

The inspection not complete at the time I left, however summary to that point was done with no issues.

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

Evaluator Notes:

At that point of inspection, it was not complete.

- |    |  |           |           |
|----|--|-----------|-----------|
| 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 checked="" type="checkbox"/> |  |
| m. | Line Markers                      | <input checked="" 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 checked="" 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:

Started with Magellan right of way Milepost 92-18 West of Barnesville. River crossing SE of Sabin. Remote valve site MM 87 to MM86.

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



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

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

Evaluator Notes:

Yes, state uses Inspection Assistant. (IA)

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

Evaluator Notes:

Yes?. MN is only participating in PHMSA led inspections. At the request of the states, we created an Interstate Agent Guidance Document for the states to follow. I also sent it out to our inspectors so that they understand the expectation from the states during a PHMSA led integrated inspection. No issues with MN not submitting the required information.

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

Evaluator Notes:

No issues. See Question 2.

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

Evaluator Notes:

No issues found.

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

Evaluator Notes:

No issues and no instances known for past reporting period.

- |          |   |   |   |
|----------|---|---|---|
| <b>6</b> | 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:

No issues.

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

Evaluator Notes:

No issues.

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

Evaluator Notes:

Per Hans Sheih at Central Region PHMSA. No issues with MNOPS interstate agent performance.

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

**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? (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:

Section Not Applicable

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