



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

PENNSYLVANIA PUBLIC UTILITY 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: Pennsylvania

Agency Status:

Date of Visit: 06/21/2019 - 06/22/2019

Agency Representative: Paul Metro, Manager Gas Safety; David Kline, Fixed Utility Valuation Engineer III;

PHMSA Representative: David Lykken, State Liaison

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

Name/Title: Ms. Gladys Brown Dutrieuille, Chairman

Agency: Pennsylvania Public Utilities Commission

Address: P.O. Box 3265

City/State/Zip: Harrisburg, PA 17105-3265

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
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
27
7
6
8
12
0
0

10
13
27
7
6
8
11
0
0

TOTALS

83 82

State Rating

98.8

PART A - Progress Report and Program Documentation Review

Points(MAX) Score

- | | | | |
|----------|---|---|---|
| 1 | Accuracy of Jurisdictional Authority and Operator/Inspection Units Data - Progress Report Attachment 1
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

Revisions required on Attachment One to match changes to Attachment Three. PDM data shows three operators who do not file Annual Reports for intrastate pipeline facilities within PA. A amended PR will need to be re-submitted.

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

Will need to submit a revised PR. 200 of the 205 days devoted to field inspection activities involved Sunoco Pipeline L.P. Sunoco has not filed Annual Reports indicating intrastate pipeline facilities within PA. The 5 remaining days devoted to construction activity involving HL operator Markwest Liberty Midstream.

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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 |
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Evaluator Notes:

Will need to file a amended PR. PDM data shows three operators who do not file Annual Reports for intrastate pipeline facilities within PA. Buckeye Partners, Energy Transfer Partners, and Sunoco Pipeline L.P.

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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:

No reportable intrastate incidents in CY2018. Attachment 4 will need to be revised.

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

Attachment 5 needs revising to show that no compliance actions were taken or civil penalties issued in CY2018 due to changes in number of jurisdictional intrastate operators. Will need to file a amended PR.

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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:

Yes. Records readily available via agency's pipeline database, spreadsheets, and other documentation maintained.

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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 |
|----------|--|---|---|

Evaluator Notes:

Yes. Some adjustment to staff's percent of time in the HL program will be required to balance out issues identified with Attachment Three. Training information verified with the training information locate in Blackboard. Will be submitting a amended PR.

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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:

No issues. State has automatic adoption by reference. Title 52, Part 1, Sub Part C, 59-33.

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. Continuing to hiring additional inspection staff. In CY2019 may see up to 20 additional inspectors hired. Dedicated staff for One-Call enforcement in place.

10 General Comments:
Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

No point deductions for Part A.

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:

No issues. As noted in the last evaluation results...Standard inspection procedures located in the Pennsylvania Public Utility Commission Gas Safety Inspector Handbook (Rev 3/2019) on page 11. Inspection protocols are listed on page 15. Pre and Post inspection instructions addressed on page 13 outline steps for all inspections completed by the Division.

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

Liquid IMP inspection procedures on page 23 of handbook. Inspection protocols page 15. Pre and Post inspection instructions page 13 that outline the steps for all inspections completed by the Division.

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|---|--|---|---|
| 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 inspection procedures on page 28/29 of handbook. Inspection protocols page 15. Pre and Post inspection instructions pages 13/14.

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

Damage Prevention inspection procedures page 15 of Handbook. Inspection protocols are listed beginning on page 15. Pre and Post inspection instructions pages 13/14.

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

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Operator Training inspection activities procedures page 9 of Handbook. Inspection protocols page 14. Pre and Post inspection instructions on pages 13/14.

- | | | | |
|---|--|---|---|
| 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 Inspections beginning on page 18. Steel pipe construction is found on page 33. Inspection protocols page 14 and Pre and Post inspection instructions pages 13/14.

- 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 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:

Length of time between inspections not to exceed five years. Inspection plan schedule for operators and inspection units is consistent with the priorities described in the procedures (Attachement 4). Four methods used. 1) Risk formula 2) length of time since last 3) Construction workload 4) Staff analyst review of inspection data requested and collected from operators (Annual FL-XX letter). Where applicable and if not already addressed, the program may need to add "Pump Stations" and Breakout tanks to list of inspection types in Appendix Four of inspection manual as well as the master inspection plan spreadsheet.

8 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No points deducted under Part B.

B-7 Where applicable and if not already addressed, the program may need to add "Pump Stations" and Breakout tanks to list of inspection types under Appendix Four of their inspection manual as well as the master inspection work plan spreadsheet.

As mentioned in an email to the PM in the prior year. Programs written procedures contain minimal baseline information as required. Needs further work. Recommend more attention be devoted to providing additional detail specific to the program. Shared examples of other state program written procedures for reference purposes.

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):
205.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 3.61 = 793.10

Ratio: A / B
205.00 / 793.10 = 0.26

If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
Points = 0

Evaluator Notes:

An amended PR will need to be re-submitted to reflect the reduction in the number of operators under attachment three. Will also need to update the SICT.

- 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:

Inspectors have completed the PL-3622 OQ training necessary for conducting OQ inspections. B. Inspection staff who have conducted IM inspections as lead have completed all necessary T&Q training. C. Multiple Supervisory/Inspection staff have completed the T&Q Root Cause training. D. Outside training attended included the Appalachian Gas Measurement Short Course, Appalachian Underground Corrosion Short Course, and Energy World OQ Training. E. Inspectors who conducted standard inspections as lead have attend all necessary T&Q courses.

- 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 noted. PM has over 16 years experience in pipeline safety operations and administration.

- 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. Chairman's letter sent out 2/06/2019. Response received 03/12/2019.

- 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. The annual pipeline safety seminar was conducted in State College, Pennsylvania on September 5-6, 2018. Reviewed agenda and attendance list.

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

New program (only inspected for 18 months with certification), second year for evaluation. Program did not inspect all operators and inspection units in 2018.

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

No issues noted. Program has staff assigned to review forms to ensure content is up to date. Discussed possible inclusion of inspection guidance (IA Considerations) as part of future database form enhancements.

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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)?
Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

Yes. The program issues a letter to all operators in the first quarter of each year. The letter (FL 1-18) lists this question. Reviewed a sampling of letters sent out in CY2018. Operator responses are reviewed and data incorporated data into the PUC risk model.

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

Evaluator Notes:

Yes. Operator's annual reports and results recorded into the risk assessment spreadsheet. Spreadsheet reviewed.

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| 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:

Yes. Formal Letter FL 1-18 issued to all operators the first quarter of each year. Reviewed copies of CY2018 letters.

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

Evaluator Notes:

None in CY2018. New Program. Formal Letter FL 1-18 is sent to all operators issued the first quarter of each year requesting verification of positive results.

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

Evaluator Notes:

None in CY2018. New Program.

- 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
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

New program. None in CY2018.

- 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:

New Program. None in CY2018.

- 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. Meetings held with operators semi-annually. A Public Documents page is provided on the PA-PUC web site to search for enforcement case information.

- 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:

N/A. No open SRC's in CY2018. Written procedure for receiving and processing of SRC's covered on page 12 of inspector manual.

- 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. Reviewed email responses to NAPSRS requested surveys.

- 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:

N/A. No open waivers.

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

Evaluator Notes:

Yes. National meeting held in Sante Fe, NM Oct 22-26,2018.

- 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:

Discussed performance metrics but no meaningful statistics related to the hazardous liquid program. The PA-PUC metrics appeared to be at reasonable performance levels.

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

Evaluator Notes:

PM will need to amend inspection day data in the SICT to reflect the reduction in the number of 60105 jurisdictional HL operators.

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

Evaluator Notes:

N/A no flow reversal, product changes, and/or conversion to service.

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

Evaluator Notes:

No point deductions for Part C.

Total points scored for this section: 27
Total possible points for this section: 27



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:

Notification to company official noted on Page 42. Routine review of progress of compliance actions covered under Non-Compliance Follow Up Procedures, Page 26 and Page 40 (Documentation). Procedures for closing out outstanding PV's under Inspection and Enforcement Program beginning on Page 39.

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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 | NA |
| a. | Were compliance actions sent to company officer or manager/board director if municipal/government system? | Yes <input type="radio"/> No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Document probable violations | Yes <input type="radio"/> No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Resolve probable violations | Yes <input type="radio"/> No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Routinely review progress of probable violations | Yes <input type="radio"/> No <input checked="" 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 type="radio"/> No <input checked="" 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 type="radio"/> No <input checked="" type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

N/A. No compliance actions taken against 60105 operators in CY2018.

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

Evaluator Notes:

N/A. No compliance actions taken against 60105 operators in CY2018.

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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 | NA |
|----------|---|----------|-----------|

Evaluator Notes:

N/A. No compliance actions taken against 60105 operators in CY2018.

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|----------|---|----------|----------|
| 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)
Yes = 2 No = 0 | 2 | 2 |
|----------|---|----------|----------|

Evaluator Notes:

No issues - The PM understands the process for issuing civil penalties. Civil penalties are considered for repeat violations.

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

Evaluator Notes:

The program has on demonstrated under the NG program. No compliance actions taken against 60105 regulated HL operators.

7 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

No points deducted under Part D.

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



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. Page 16 Accident/Incident Inspections and Pages 27-28 - Reportable Failure Investigations.

- 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:

Pipeline operators know to contact the regional PA-PUC supervisor or default to one of the inspection staff to report incidents. All operators have PA PUC staff contact information. Process appears to work satisfactory. Program is familiar and understands the MOU between the NTSB and PHMSA and Federal/State cooperation in case of incidents.

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

Evaluator Notes:

No 60105 reportable incidents in CY2018

- 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:

N/A. No 60105 reportable incidents in CY2018.

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

Evaluator Notes:

N/A. No 60105 reportable incidents in CY2018.

- 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:

Yes, as necessary. The program maintains communications with AID and Eastern Region office during reportable events.

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

Evaluator Notes:

Yes as part of the NAPSР Eastern Region - State of the State presentation, and during the annual NAPSР National meeting, annual state safety seminars.

8 General Comments:

Info Only = No Points

Info OnlyInfo Only

Evaluator Notes:

No point deductions under Part E.

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



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

Evaluator Notes:

Yes, The program issues a letter to all operators in the first quarter of each year. The Formal Letter (FL 1-18) lists this question. Reviewed a sampling of letters sent out in CY2018. PA PUC inspectors review operator responses to this question.

- | | | | |
|---|--|---|---|
| 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 |
|---|--|---|---|

Evaluator Notes:

Yes. Addressed in inspection forms - One Call Verification, Facility Damages, and Steel Pipeline Construction forms.

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

Yes. This item is reviewed and discussed with operators at the annual PA PUC Pipeline Safety Seminar and Pennsylvania One-Call Safety Days (Semi-Annual) which the PA-PUC sponsors.

- | | | | |
|---|--|---|---|
| 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 |
|---|--|---|---|

Evaluator Notes:

Yes, The program issues a letter to all operators in the first quarter of each year. The letter (FL 1-18) lists this question. Excavation damages per 1000 tickets (requested) which have trended slightly upward since 2010 is ticking up slightly from CY2017 averaging approximately 2.2 damages in CY2018.

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

Evaluator Notes:

No point deductions under Part F.

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:

Markwest Liberty Midstream

Name of State Inspector(s) Observed:

Lassine Niambele

Location of Inspection:

Evans City, PA

Date of Inspection:

05/09/2019

Name of PHMSA Representative:

David Lykken

Evaluator Notes:

A review of valve inspection procedures, records, field operation of critical valves, and One-Call location verification.

- 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 notified and present during the evaluation.

- 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. PHMSA Form 3 - Standard Inspection Report of a HL Pipeline Operator

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

Evaluator Notes:

Yes. Inspection results were documented.

- 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. No issues noted.

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

a. Procedures ☒

b. Records ☒

c. Field Activities ☒

d. Other (please comment) ☐

Evaluator Notes:

Operator written procedures, emergency valve inspection records, valve operations and One-Call field locating verification performed.

The inspector did not appear to be adequately prepared or organized. Inspector needs to take control of the inspection to make most efficient use time. Inspection was rushed which reflected in the quality of the inspection. More time should have been

allocated to this inspection. Records and procedure review was minimal at best. When asked the inspector could not recall valve record content specifics he reviewed.

Inspector did not verify with individuals performing covered tasks in the field (valve operation and pipeline locating) are cognizant of the AOCs that are applicable to the tasks observed. Did not have on hand a copy of the operator's procedures for operating pipeline valves.

It is recommended that this inspector receive additional mentoring by other seasoned supervisory and inspection staff.

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

Inspector appears to have a basic knowledge of the program and regulations. Refer to Comments under G-10.

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) Yes = 1 No = 0	1	1
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Evaluator Notes:

Yes.

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

One PV identified. Operator was missing a Active Corrosion Record/Valve Inspection record for a 2017 inspection.

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 = No Points	Info Only	Info Only
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- | | | |
|----|-------------------------------|-------------------------------------|
| 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 checked="" 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 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 checked="" 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:

G-6. Marked as needing improvement.

The inspector did not appear to be adequately prepared or organized. Inspector needs to take control of the inspection to make most efficient use time. Inspection was rushed which reflected in the quality of the inspection. More time should have been allocated to this inspection. Records and procedure review was minimal at best. When asked the inspector could not recall valve record content specifics he reviewed.

Inspector did not verify with individuals performing covered tasks in the field (valve operation and pipeline locating) are cognizant of the AOCs that are applicable to the tasks observed. Did not have on hand a copy of the operator's procedures for operating pipeline valves.

It is recommended that this inspector receive additional mentoring by other seasoned supervisory and inspection staff.

Total points scored for this section: 11
Total possible points for this section: 12



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

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

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

Evaluator Notes:

N/A. Program is not a interstate agent.

- | | | | |
|----------|--|-----------|-----------|
| 8 | General Comments:
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**

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

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

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

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

- | | | | |
|----------|---|---|----|
| 3 | 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.)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

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

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

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

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

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

Evaluator Notes:

N/A. Program does not have a 60106 agreement.

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

Evaluator Notes:

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