



2009 Natural Gas State Program Evaluation

for

Delaware PSC

Document Legend

PART:

- O -- Representative Date and Title Information
- A -- General Program Qualifications
- B -- Inspections and Compliance - Procedures/Records/Performance
- C -- Interstate Agent States
- D -- Incident Investigations
- E -- Damage Prevention Initiatives
- F -- Field Inspection
- G -- PHMSA Initiatives - Strategic Plan
- H -- Miscellaneous
- I -- Program Initiatives



2009 Natural Gas State Program Evaluation -- CY 2009
Natural Gas

State Agency: Delaware

Agency Status:

Date of Visit: 10/25/2010 - 10/29/2010

Agency Representative: Jerry Platt

PHMSA Representative: Dino N. Rathod, P.E.

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

Name/Title: Ms. Arnetta McRae, Chair

Agency: Delaware Public Service Commission

Address: 861 Silverlake Blvd

City/State/Zip: Dover, DE 19904

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 2009 (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 certification/agreement attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART F):

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

Scoring Summary

PARTS

Possible Points Points Scored

| | | | |
|---|---|------|------|
| A | General Program Qualifications | 26 | 25 |
| B | Inspections and Compliance - Procedures/Records/Performance | 24.5 | 21.5 |
| C | Interstate Agent States | 0 | 0 |
| D | Incident Investigations | 1.5 | 1.5 |
| E | Damage Prevention Initiatives | 7 | 7 |
| F | Field Inspection | 12 | 12 |
| G | PHMSA Initiatives - Strategic Plan | 9.5 | 9 |
| H | Miscellaneous | 3 | 3 |
| I | Program Initiatives | 9 | 9 |

92.5 88

TOTALS

State Rating 95.1

PART A - General Program Qualifications

Points(MAX) Score

- | | | | |
|----------|--|-------------------------------------|---|
| 1 | Did the state submit complete and accurate information on the attachments to its most current 60105(a) Certification/60106 (a) Agreement? (NOTE: PHMSA Representative to verify certification/agreement attachments by reviewing appropriate state documentation. Score a deficiency in any one area as "needs improvement". Attachment numbers appear in parenthesis) Previous Question A.1, Items a-h worth 1 point each Yes = 8 No = 0 Needs Minor Improvement = 3-7 Needs Major Improvement = 2 | 8 | 7 |
| <hr/> | | | |
| a. | State Jurisdiction and agent status over gas facilities (1) | <input checked="" type="checkbox"/> | |
| b. | Total state inspection activity (2) | <input checked="" type="checkbox"/> | |
| c. | Gas facilities subject to state safety jurisdiction (3) | <input checked="" type="checkbox"/> | |
| d. | Gas pipeline incidents (4) | <input checked="" type="checkbox"/> | |
| e. | State compliance actions (5) | <input checked="" type="checkbox"/> | |
| f. | State record maintenance and reporting (6) | <input checked="" type="checkbox"/> | |
| g. | State employees directly involved in the gas pipeline safety program (7) | <input checked="" type="checkbox"/> | |
| h. | State compliance with Federal requirements (8) | <input checked="" type="checkbox"/> | |

SLR Notes:

PSC Certification Attach 5 indicated "No Probable Violations Found during CY 2009. However based on records review, it indicated that possibly one carry over from 2008, with compliance action being taken in 2009. PSC agreed to review and verify and provided supporting data/ additional details. PSC agreed to revise Attachment 5.

Also Discussed with PSC need to recheck Attachments 2 and 5. Subsequently PSC indicated a minor error. R Schefgen's time as inspector 79% not 100% as indicated. That will result in "Time Charged" to pipeline Safety Program as 0.925 vs 1.14 as shown in Attachmnet 7 (page 18). PSC was advised to submit corrected mark-up copies to Zach and seek his concurrence for changes to FedStar. I re-emphasized PHMSA requirements for Accurate, Complete and Consistent data in Certification attachments.

- | | | | |
|----------|---|---|---|
| 2 | Did the state have an adequate mechanism to receive operator reporting of incidents to ensure state compliance with 60105(a) Certification/60106(a) Agreement requirements (fatality, injury requiring hospitalization, property damage exceeding \$50,000 - Mechanism should include receiving "after hours" reports)? (Chapter 6) Previous Question A.2 Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

PSC Inspection Procedures cover these requirements.

- | | | | |
|----------|---|---|---|
| 3 | Has the state held a pipeline safety TQ seminar(s) in the last 3 years? (NOTE: Indicate date of last seminar or if state requested seminar, but T&Q could not provide, indicate date of state request for seminar. Seminars must be held at least once every 3 calendar years.) (Chapter 8.5) Previous Question A.4 Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

PSC hosted T&Q seminar MAY 21-22, 2009.

- | | | | |
|----------|--|---|---|
| 4 | Were pipeline safety program files well-organized and accessible?(NOTE: This also includes electronic files) (Chapter 5) Previous Question A.5 Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

Files are kept in a secure bldg and easily accessible.

- | | | | |
|----------|---|---|---|
| 5 | Did state records and discussions with the state pipeline safety program manager indicate adequate knowledge of PHMSA program and regulations? (Chapter 4.1, Chapter 8.1) Previous Question A.6 Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

During CY 2009, PSC Acting Prog Manager K Neilson provided continuity and guidance. PSC was in still in process of selecting a permanent Prog Mgr.

- | | | | |
|----------|---|---|---|
| 6 | Did the state respond in writing within 60 days to the requested items in the Chairman's letter following the Region's last program evaluation? (No response is necessary if no items are requested in letter and mark "Yes") (Chapter 8.1) Previous Question A.8 Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

PSC Chair letter response dated 02/17/2010

- 7 What actions, if necessary, did the State initiate as a result of issues raised in the Chairperson's letter from the previous year? Did actions correct or address deficiencies from previous year's evaluation? (No response is necessary if no items are requested in letter and mark "Yes") (Chapter 8.1) Previous Question A.8/A.9 1 1
Yes = 1 No = 0

SLR Notes:

I discussed with PSC and reemphasized need to continue working with many stakeholders for possible enhancement of One Call Enforcement considerations.

Personnel and Qualifications

- 8 Has each inspector fulfilled the 3 year TQ training requirement? If No, has the state been granted a waiver regarding TQ courses by the Associate Administrator for Pipeline Safety? (NOTE: If the State has new inspectors who have not attended all TQ courses, but are in a program which will achieve the completion of all applicable courses within 3 years of taking first course (5 years to successfully complete), or if a waiver has been granted by the applicable Region Director for the state, please answer yes.) (Chapter 4.4) Previous Question A.10 3 3
Yes = 3 No = 0

SLR Notes:

Bob Scaefgen- completed required T&Q courses.

New Prog Mgr Jerry Platt to sign for TQ courses FY 2011. I requested an update from PSC for training courses (accepted, wait listed)

- 9 Brief Description of Non-TQ training Activities: Info Only Info Only
Info Only = No Points
For State Personnel:

For Operators:

For Non-Operator Entities/Parties, Information Dissemination, Public Meetings:

SLR Notes:

- 10 Did the lead inspectors complete all required T&Q OQ courses and Computer Based Training (CBT) before conducting OQ Inspections? (Chapter 4.4.1) Previous Question A.12 1 1
Yes = 1 No = 0

SLR Notes:

- 11 Did the lead inspectors complete all required TQ Integrity Management (IMP) Courses/Seminars and CBT before conducting IMP Inspections? (Chapter 4.4.1) Previous Question A.13 1 1
Yes = 1 No = 0

SLR Notes:

- 12 Was the ratio acceptable of Total inspection Person-days to Total Person-days charged to the program by state inspectors? (Region Director may modify points for just cause) (Chapter 4.3) Previous Question B.12 5 5
Yes = 5 No = 0
A. Total Inspection Person Days (Attachment 2):
87.00
B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 1.14 = 249.70
Ratio: A / B
87.00 / 249.70 = 0.35
If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
Points = 0

SLR Notes:

A= 87

B= (0..925) x 220= 223.4 A/B= 0.428 5 Numbers were revised by DE PSC Prog Mgr J Platt. Robert Schaeffgens time was 79% and not 100% as indicted in Attach. 7. Based on recalculation as indicated, 5 point score is ok score 5 points.

| | | | | |
|-----------|--|----------|-----------|-----------|
| 13 | Have there been modifications or proposed changes to inspector-staffing levels? (If yes, describe) | Previous | Info Only | Info Only |
| | Question B.13 | | | |
| | Info Only = No Points | | | |

SLR Notes:

Peder Hensen passed away in Dec 2009. Jerry Platt was selected as Program Manager in May 2010.

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|-----------|---|-----------|-----------|
| 14 | Part-A General Comments/Regional Observations | Info Only | Info Only |
| | Info Only = No Points | | |

SLR Notes:

Total points scored for this section: 25
Total possible points for this section: 26



PART B - Inspections and Compliance - Procedures/Records/ Performance

Points(MAX) Score

Inspection Procedures

- 1** Does the State have a written inspection plan to complete the following? (all types of operators including LNG) 6.5 5.5
(Chapter 5.1) Previous Question B.1 + Chapter 5 Changes + Incorporate LNG
Yes = 6.5 No = 0 Needs Improvement = 50% Deduction
- | | | | | |
|---|---|---------------------------|--------------------------|--|
| a | Standard Inspections (Including LNG) (Max points = 2) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b | IMP Inspections (Including DIMP) (Max points = .5) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c | OQ Inspections (Max points = .5) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d | Damage Prevention (Max points = .5) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| e | On-Site Operator Training (Max points = .5) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| f | Construction Inspections (Max points = .5) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| g | Incident/Accident Investigations (Max points = 1) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| h | Compliance Follow-up (Max points = 1) | Yes <input type="radio"/> | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |

SLR Notes:

Discussed DE PSC Inspection Procedures. PSC to revise and add detailed Enforcement and Compliance procedures. PSC also agreed to develop Civil Penalty matrix as a tool to help determine appropriate levels of penalties.

- 2** Did the written Procedures for selecting operators adequately address key concerns? (Chapter 5.1) Previous Question B.2, items a-d are worth .5 point each 2 2
Yes = 2 No = 0 Needs Improvement = 50% Deduction
- | | | | | |
|---|--|--------------------------------------|--------------------------|---|
| a | Length of time since last inspection | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b | History of Operator/unit and/or location (including leakage , incident and compliance history) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c | Type of activity being undertaken by operator (construction etc) | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d | For large operators, rotation of locations inspected | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |

SLR Notes:

Inspection Performance

- 3** Did the state inspect all types of operators and inspection units in accordance with time intervals established in its written procedures? (Chapter 5.1) Previous Question B.3 2 2
Yes = 2 No = 0

SLR Notes:

- 4** Did the state inspection form cover all applicable code requirements addressed on the Federal Inspection forms? (Chapter 5.1 (3)) Previous Question B.4 1 0
Yes = 1 No = 0

SLR Notes:

Discussed with PSC need for documenting reviews for inspection check lists and inspection forms. dates and revisions should be clearly identified in each of these documents. Suggested that PSC may consider a method similar to PHMSA forms with all revision information in a footer. PSC agreed to implement is ASAP in CY 2010.

- 5** Did state complete all applicable portions of inspection forms? (Chapter 5.1 (3)) Previous Question B.5 1 1
Yes = 1 No = 0

SLR Notes:

- 6** Did the state initiate appropriate follow-up actions to Safety Related Condition Reports? (Chapter 6.3) Previous Question B.6 .5 NA
Yes = .5 No = 0

SLR Notes:

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|----------|---|----|----|
| 7 | Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Previous Question B.7 | .5 | .5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC performs review of Cast Iron- exposed pipe procedures and records. PSC performed PSIR #16 (DP&E) and PSIR 23 (Chesapeake). He also reviewed DP&E procedures G9.01-2006, para. 4.4.3) and G9.14-2006, para. 3.3.3.2. Chesapeake removed all remaining CI during CY 2009. DP& E has about 107 miles of CI mains.

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| 8 | Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Previous Question B.8 | .5 | .5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

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|----------|---|----|----|
| 9 | Did the state review operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21? (NTSB) Previous Question B.9 | .5 | .5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

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|-----------|--|---|---|
| 10 | Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 192.617? (NTSB) Previous Question B.10 | 1 | 1 |
| | Yes = 1 No = 0 | | |

SLR Notes:

Compliance - 60105(a) States

- | | | | |
|-----------|---|---|---|
| 11 | Did the state adequately document sufficient information on probable violations? (Chapter 5.2) Previous Question B.14 | 1 | 1 |
| | Yes = 1 No = 0 Needs Improvement = .5 | | |

SLR Notes:

Certification Attachment 5- shows 2009 one(1) corrected. Subsequently PSC provided adequate documentation for proper resolution. Compliance letter dated 1-29-2009 and resolution to close it after remedial actions were done

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|-----------|---|---|----|
| 12 | Does the state have written procedures to identify the steps to be taken from the discovery to the resolution of a probable violation as specified in the "Guidelines for State Participating in the Pipeline Safety Program"? (Chapter 5.1) Previous Question D(1).1 | 1 | .5 |
| | Yes = 1 No = 0 Needs Improvement = .5 | | |

SLR Notes:

PSC became 60105 (a) state in CY 2009. Discussed with PSC and suggested detailed procedures and a method to keep track of status of enforcement / Compliance activities. It should help to "alert" PSC when certain actions are due and be able to follow-thru for timely resolution and proper closure.

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|-----------|--|---|---|
| 13 | Does the state have written procedures to notify an operator when a noncompliance is identified as specified in the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(4)) Previous Question D (1).2 | 1 | 1 |
| | Yes = 1 No = 0 Needs Improvement = .5 | | |

SLR Notes:

Title 26 Public Utilities DE Administrative Code -PSC has 8001 Rules. These outline Rules to establish an intrastate gas pipeline safety Compliance Program. Discussed need for detailed procedures by DE PSC as part of Inspection Procedures Manual. PSC will also review PHMSA's State Guideline Manual Dec 2009 or current revision, as necessary

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|-----------|---|---|---|
| 14 | Does the state have a written procedure for routinely reviewing the progress of compliance actions to prevent delays or breakdowns of the enforcement process, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(5)) Previous Question D(1).3 | 1 | 1 |
| | Yes = 1 No = 0 Needs Improvement = .5 | | |

SLR Notes:

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|-----------|--|---|---|
| 15 | Has the State issued compliance actions for all probable violations discovered? (Note : PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation) Previous Question D(1).4 Yes = 1 No = 0 | 1 | 1 |
|-----------|--|---|---|
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SLR Notes:

PSC issued a Compliance letter in 1-29-2009 for a Carry Over violation discovered in 2008.

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| 16 | Did the state follow its written procedures for reviewing compliance actions and follow-up to determine that prompt corrective actions were taken by operators, within the time frames established by the procedures and compliance correspondence, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? Previous Question D(1).5 Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|
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SLR Notes:

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|-----------|---|---|---|
| 17 | If compliance could not be established by other means, did state pipeline safety program staff request formal action, such as a "Show Cause Hearing" to correct pipeline safety violations? (check each states enforcement procedures) Previous Question D(1).6 No = 0 Yes = 1 | 1 | 1 |
|-----------|---|---|---|
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SLR Notes:

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- | | | | |
|-----------|--|---|----|
| 18 | Did the state adequately document the resolution of probable violations? (Chapter 5.1 (6)) Previous Question D(1).7 Yes = 1 No = 0 Needs Improvement = .5 | 1 | .5 |
|-----------|--|---|----|
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SLR Notes:

Discussed with PSC need to maintain pertinent details for resolution of probable violations. PSC agreed to review and revise Inspection Procedures Manual.

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| 19 | Were compliance actions sent to a company officer? (manager or board member if municipal/government system) (Chapter 5.1(4)) Previous Question D(1).8 Yes = .5 No = 0 | .5 | .5 |
|-----------|--|----|----|
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SLR Notes:

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| 20 | Did the compliance proceedings give reasonable due process to all parties? (check each states enforcement procedures) Previous Question D(1).9 Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|
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SLR Notes:

Compliance - 60106(a) States

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|-----------|---|---|----|
| 21 | Did the state use the current federal inspection form(s)? Previous Question D(2).1 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|-----------|---|---|----|
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SLR Notes:

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- | | | | |
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| 22 | Are results adequately documented demonstrating inspection units were reviewed in accordance with state inspection plan? Previous Question D(2).2 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|-----------|--|---|----|
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SLR Notes:

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- | | | | |
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| 23 | 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.) Previous Question D(2).3 | 1 | NA |
|-----------|---|---|----|
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Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

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- | | | | |
|----|---|---|----|
| 24 | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? Previous Question D(2).4 | 1 | NA |
|----|---|---|----|
- Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

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- | | | | |
|----|--|---|----|
| 25 | Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question D(2).5 | 1 | NA |
|----|--|---|----|
- Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

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- | | | | |
|----|--|---|----|
| 26 | Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? Previous Question D(2).6 | 1 | NA |
|----|--|---|----|
- Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

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- | | | | |
|----|--|-----------|-----------|
| 27 | Part B: General Comments/Regional Observations | Info Only | Info Only |
|----|--|-----------|-----------|
- Info Only = No Points

SLR Notes:

Title 26 Public Utilities DE Administrative Code -PSC has 8001 Rules. These outline Rules to establish an intrastate gas pipeline safety Compliance Program. Discussed need for detailed procedures by DE PSC as part of Inspection Procedures Manual. PSC will also review PHMSA's State Guideline Manual Dec 2009 or current revision, as necessary

Total points scored for this section: 21.5
Total possible points for this section: 24.5



PART C - Interstate Agent States

Points(MAX) Score

- | | | | |
|----------|---|---|----|
| 1 | Did the state use the current federal inspection form(s)? Previous Question D(3).1 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

SLR Notes:

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|----------|--|---|----|
| 2 | Are results documented demonstrating inspection units were reviewed in accordance with "PHMSA directed inspection plan"? Previous Question D(3).2 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

- | | | | |
|----------|--|---|----|
| 3 | Did the state submit documentation of the inspections within 60 days as stated in its latest Interstate Agent Agreement form? Previous Question D(3).3 Yes = 1 No = 0 | 1 | NA |
|----------|--|---|----|

SLR Notes:

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|----------|---|---|----|
| 4 | 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.) Previous Question D(3).4 Yes = 1 No = 0 | 1 | NA |
|----------|---|---|----|

SLR Notes:

- | | | | |
|----------|--|---|----|
| 5 | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? Previous Question D(3).5 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

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|----------|--|---|----|
| 6 | Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question D(3).6 Yes = 1 No = 0 | 1 | NA |
|----------|--|---|----|

SLR Notes:

- | | | | |
|----------|--|---|----|
| 7 | Did the state initially submit documentation to support compliance action by PHMSA on probable violations? Previous Question D(3).7 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

- | | | | |
|----------|---|-----------|-----------|
| 8 | Part C: General Comments/Regional Observations Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

SLR Notes:

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

PART D - Incident Investigations

Points(MAX) Score

- | | | | |
|----------|--|---|---|
| 1 | Are state personnel following the procedures for Federal/State cooperation in case of an incident? (See Appendix in "Guidelines for States Participating in the Pipeline Safety Program") (Chapter 6.1) Previous Question E.1 Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

- | | | | |
|----------|---|----|----|
| 2 | Are state personnel familiar with the jurisdictional authority and Memorandum of Understanding between NTSB and PHMSA? (See Appendix in "Guidelines for States Participating in the Pipeline Safety Program") (Chapter 6 ? Appendix D) Previous Question E.2 Yes = .5 No = 0 | .5 | .5 |
|----------|---|----|----|

SLR Notes:

- | | | | |
|----------|--|---|----|
| 3 | Did the state keep adequate records of incident notifications received? Previous Question E.3 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

No reportable incidents in CY 2009. PSC does keep records of incoming notifications and make appropriate decision

- | | | | |
|----------|--|---|----|
| 4 | If an onsite investigation of an incident was not made, did the state obtain sufficient information by other means to determine the facts and support the decision not to go on-site? Previous Question E.4 Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

SLR Notes:

No reportable incidents in CY 2009

- | | | | |
|----------|---|---------------------------|--|
| 5 | Were investigations thorough and conclusions and recommendations documented in an acceptable manner? Previous Question E.5, comprehensive question worth 2 points total Yes = 2 No = 0 Needs Improvement = 1 | 2 | NA |
| a. | Observations and Document Review | Yes <input type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Contributing Factors | Yes <input type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c. | Recommendations to prevent recurrences where appropriate | Yes <input type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

SLR Notes:

No reportable incidents in CY 2009

- | | | | |
|----------|---|---|----|
| 6 | Did the state initiate enforcement action for violations found during any incident investigation(s)? Previous Question E.6 Variation Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

SLR Notes:

No reportable incidents in CY 2009

- | | | | |
|----------|--|----|----|
| 7 | Did the state assist region office by taking appropriate follow-up actions related to the operator incident reports to ensure accuracy and final report has been received by PHMSA? (validate annual report data from operators concerning incidents/accidents and investigate discrepancies) (Chapter 6) Previous Question E.7/E.8 Yes = .5 No = 0 | .5 | NA |
|----------|--|----|----|

SLR Notes:

No reportable incidents in CY 2009

- | | | | |
|----------|---|-----------|-----------|
| 8 | Part D: General Comments/Regional Observations Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

SLR Notes:

No reportable incidents in CY 2009

Total points scored for this section: 1.5
Total possible points for this section: 1.5



PART E - Damage Prevention Initiatives

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? Previous Question B.11 Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

PSC reviewed DP&L directional drilling procedures to ensure that adequate steps are taken to minimize damage to underground facilities. These include minimum clearances and precautions when tool is pulled back.

- | | | | |
|----------|--|---|---|
| 2 | Did the state inspector check to assure the pipeline operator is following its written procedures pertaining to notification of excavation, marking, positive response and the availability and use of the one call system? New 2008 Yes = 2 No = 0 | 2 | 2 |
|----------|--|---|---|

SLR Notes:

Pipeline operators are part of One Call Notification system. One Call system provides unique number for each locate request and requires line locate, mark-out of affected facilities.

- | | | | |
|----------|---|---|---|
| 3 | Did the state encourage and promote the adoption of the Common Ground Alliance Best Practices document to its regulated companies as a means of reducing damages to all underground facilities? Previous Question A.7 Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

DE PSC encourages and promote the adoption of the Common Ground Alliance Best Practices document to its regulated companies as a means of reducing damages to all underground facilities. PSC also participated in USPCD Monthly meetings. PSC supported Damage Prevention ads on radio, 811 message on webpage and link to 822 website.

- | | | | |
|----------|---|---|---|
| 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? New 2008 Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

PSC receives damage data from both gas operators and performs review for trends and data analysis. At this point DE does not have any mandatory data submittal requirements for all stakeholders.

- | | | | |
|----------|--|---|----|
| 5 | Did the state review operators' records of accidents and failures due to excavation damage to ensure causes of failure are addressed to minimize the possibility of recurrence as required by 192.617? Yes = 2 No = 0 | 2 | NA |
|----------|--|---|----|

SLR Notes:

No reportable incidents in CY 2009. However, PSC does review reports of damages.

- | | | | |
|----------|---|-----------|-----------|
| 6 | Part E: General Comments/Regional Observations Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

SLR Notes:

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

PART F - Field Inspection

Points(MAX) Score

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

Name of Operator Inspected:

Chesapeake Utilities Corp

Name of State Inspector(s) Observed:

Robert Schaeffgen

Location of Inspection:

Middletown

Date of Inspection:

10/26/2010

Name of PHMSA Representative:

Dino N. Rathod

SLR Notes:

- 2** Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? New 2008 1 1
Yes = 1 No = 0

SLR Notes:

PSC had informed Chesapeake Utilities and Reps were present at Middletown construction location and Dover office.

- 3** Did the inspector use an acceptable inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) Previous Question F.2 2 2
Yes = 2 No = 0

SLR Notes:

PSC inspector used inspection forms to note his observations of various field activities.

- 4** Did the inspector thoroughly document results of the inspection? Previous Question F.3 2 2
Yes = 2 No = 0

SLR Notes:

PSC inspector documented his observations of various activities.

- 5** Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, pyrometer, soap spray, CGI, etc.) New 2008 1 1
Yes = 1 No = 0

SLR Notes:

PSC inspector varied that operator contractor crew had maps of proposed construction, Infrared Thermometer.

- 6** What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc) New 2008 Info Only Info Only
Info Only = No Points

SLR Notes:

New plastic pipe main installation; Operator Qualification (OQ# 9) and Damage Prevention Procedures and selected records. He also reviewed Damage Prevention Data/ Graphs/ Charts.

- 7** Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) New 2008, comprehensive question worth 2 points total 2 2
Yes = 2 No = 0 Needs Improvement = 1
- | | | |
|----|-----------------------------|-------------------------------------|
| a. | Procedures | <input checked="" type="checkbox"/> |
| b. | Records | <input checked="" type="checkbox"/> |
| c. | Field Activities/Facilities | <input checked="" type="checkbox"/> |
| d. | Other (Please Comment) | <input type="checkbox"/> |

SLR Notes:

- | | | | |
|----------|---|---|---|
| 8 | Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Liaison will document reasons if unacceptable) Previous Question F.8 Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

SLR Notes:

- | | | | |
|----------|--|---|---|
| 9 | 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) Previous Question F.10 Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

PSC inspector conveyed his concerns for several items observed during this field visit.

- | | | | |
|-----------|--|---|---|
| 10 | During the exit interview, did the inspector identify probable violations found during the inspections? Previous Question F.11 Yes = 1 No = 0 | 1 | 1 |
|-----------|--|---|---|

SLR Notes:

Three items were discussed as part of the exit interview. 1) Lack of available construction documents/ updated manuals at job site. These document were appear to be out dated. 2) 8-inch HDPE crossing exist water main. PSC expressed concern with adequate cover and clearance with water pipe. 3) Asphalt spoils from pavement in trench. Must be stored away from trench and be hauled away for disposal.

- | | | | |
|-----------|---|-----------|-----------|
| 11 | What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|

SLR Notes:

Operator: Chesapeake Utilities Corp.
Contractor: Voshell Bros.
Location: N Front St and Swain Ave in Middletown
PSC Inspector: Robert Schaeffgen
PSC inspector used inspection form/ check list to note his field observations. He also verified One Call ticket validity, utility locate mark-outs. Contractor crew were in process of installing 8-inch HDPE Yellowstripe pipe 8300/PE 3408/4710. Estimated length 5800 ft and about 280 ft 6-inch. Contractor Crew also performed Hor Directinal Drilling. Test holes were done to observe exist water pipe. PSC inspector also observed butt fusion joint and performed field verification (OQ#9)
Damage Prevention: PSC inspector reviewed data/ records and procedures. Chesapeake Utilities perform line locates using company persons. Public Awareness Program (PAP) details were discussed

- | | | | |
|-----------|--|-----------|-----------|
| 12 | Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) Info Only = No Points | Info Only | Info Only |
|-----------|--|-----------|-----------|

SLR Notes:

- | | | | |
|-----------|--|-------------------------------------|-----------|
| 13 | Field Observation Areas Observed (check all that apply) 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 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 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 checked="" type="checkbox"/> |
| x. | Public Education | <input type="checkbox"/> |
| y. | Purging | <input type="checkbox"/> |
| z. | Prevention of Accidental Ignition | <input type="checkbox"/> |
| A. | Repairs | <input type="checkbox"/> |
| B. | Signs | <input type="checkbox"/> |
| C. | Tapping | <input type="checkbox"/> |
| D. | Valve Maintenance | <input type="checkbox"/> |
| E. | Vault Maintenance | <input type="checkbox"/> |
| F. | Welding | <input type="checkbox"/> |
| G. | OQ - Operator Qualification | <input checked="" type="checkbox"/> |
| H. | Compliance Follow-up | <input type="checkbox"/> |
| I. | Atmospheric Corrosion | <input type="checkbox"/> |
| J. | Other | <input type="checkbox"/> |

SLR Notes:

14 Part F: General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

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



PART G - PHMSA Initiatives - Strategic Plan

Points(MAX) Score

Risk base Inspections - Targeting High Risk Areas

- 1** Does state have process to identify high risk inspection units? 1.5 1.5
Yes = 1.5 No = 0

Risk Factors (criteria) to consider may include:

Miles of HCA's, Geographic area, Population Density

Length of time since last inspection

History of Individual Operator units (leakage, incident and compliance history, etc.)

Threats - (Excavation Damage, Corrosion, Natural Forces, Other Outside Forces, Material or Welds, Equipment, Operations, Other)

SLR Notes:

PSC reviewed high risk inspection - Transmission lines --DP&L from Ridge Rd to Hay Road Power Plant (in highly populated area) and --Delaware Solid Waste Authority. In addition, PSC receives and reviews construction projects.

- 2** Are inspection units broken down appropriately? (see definitions in Guidelines) .5 0.5
Yes = .5 No = 0

SLR Notes:

PSC has units broken down per 2009 PHMSA's State Guideline Manual definitions.

- 3** Consideration of operators DIMP Plan? (if available and pending rulemaking) Info Only Info Only
Info Only = No Points

SLR Notes:

- 4** Does state inspection process target high risk areas? .5 0.5
Yes = .5 No = 0

SLR Notes:

PSC receives and reviews data from both LDCs, inspects construction (line replacement projects for CI and bare steel pipes) and reviews leak data and corrosion issues.

Use of Data to Help Drive Program Priority and Inspections

- 5** Does state use data to analyze effectiveness of damage prevention efforts in the state? (DIRT or other data, etc) .5 0.5
Yes = .5 No = 0

SLR Notes:

PSC receives and reviews damage data and damage prevention goals. PSC Prog Mgr also reviews Monthly Pipe damage summary reports from USCPD and analyze effectiveness of their damage prevention efforts and help target Public Awareness, Excavator Education/ training etc/

- 6** Has state reviewed data on Operator Annual reports for accuracy? .5 0.5
Yes = .5 No = 0

SLR Notes:

DE reviews LDC annual reports for accuracy and consistency.

- 7** Has state analyzed annual report data for trends and operator issues? .5 0.5
Yes = .5 No = 0

SLR Notes:

DE PSC analyzes LDC Annual report data for possible trends and pipeline safety issues. Number of leak by cause, amount of unaccounted gas and CI /bare steel replacement activities.

- 8** Has state reviewed data on Incident/Accident reports for accuracy? .5 0.5
Yes = .5 No = 0

SLR Notes:

DE PSC reviewed gas incident data in past and worked closely with PHMSA. For CY 2009, no reportable gas incident

| | | | |
|----------|---|----|-----|
| 9 | Does state do evaluation of effectiveness of program based on data? (i.e. performance measures, trends, etc.) | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC has performed evaluation with consideration for: 1) Meet necessary inspection activities. 2) Minimize gas incidents or near misses. 3) promote good damage prevention program

| | | | |
|-----------|--|----|-----|
| 10 | Did the State input all operator qualification inspection results into web based database provided by PHMSA in a timely manner upon completion of OQ inspections? Previous Question B.15 | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

For CY 2009 PSC performed OQ inspections- 6 OQ Plan Reviews; 5 OQ #9 field verification inspections and uploaded results in OQDB.

| | | | |
|-----------|--|----|---|
| 11 | Did the State submit their replies into the Integrity Management Database (IMDB) in response to the Operators notifications for their integrity management program? Previous Question B.16 | .5 | 0 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC did not submit any reply into IMDB.

| | | | |
|-----------|---|----|-----|
| 12 | Have the IMP Federal Protocol forms been uploaded to the IMDB? Previous Question B.17 | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC performed IMP inspections 2006-2008 and uploaded data in federal IMDB. However no IMP inspections were due for CY 2009.

| | | | |
|-----------|---|----|-----|
| 13 | Did the State ask Operators to identify any plastic pipe and components that has shown a record of defects/leaks and what those operators are doing to mitigate the safety concerns? Previous Question B.18 | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC has worked closely with both major LDCs. No issues were identified

| | | | |
|-----------|--|----|-----|
| 14 | Has state confirmed transmission operators have submitted information into National Pipeline Mapping System (NPMS) database along with any changes made after original submission? | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

DP&L submitted information into NPMS.

Accident/Incident Investigation Learning and Sharing Lessons Learned

| | | | |
|-----------|--|----|-----|
| 15 | Has state shared lessons learned from incidents/accidents? (i.e. NAPSIR meetings and communications) | .5 | 0.5 |
| | Yes = .5 No = 0 | | |

SLR Notes:

PSC shared information at NAPSIR ER meeting and with other stakeholders

| | | | |
|-----------|---|----|----|
| 16 | Does the State support data gathering efforts concerning accidents? (Frequency/Consequence/etc) | .5 | NA |
| | Yes = .5 No = 0 | | |

SLR Notes:

No Reportable gas incidents in CY 2009. However, PSC would work closely with PHMSA.

| | | | |
|-----------|--|-----------|-----------|
| 17 | Does state have incident/accident criteria for conducting root cause analysis? | Info Only | Info Only |
| | Info Only = No Points | | |

SLR Notes:

18 Does state conduct root cause analysis on incidents/accidents in state?

Info Only Info Only

Info Only = No Points

SLR Notes:

19 Has state participated on root cause analysis training? (can also be on wait list)

.5

0.5

Yes = .5 No = 0

SLR Notes:

PSC inspector R Schaeffgen attended and participated during week of August 16, 2009.

Transparency - Communication with Stakeholders

20 Other than pipeline safety seminar does State communicate with stakeholders? (Communicate program data, pub awareness, etc.)

.5

0.5

Yes = .5 No = 0

SLR Notes:

DE PSC website provides weblink to 811.

PSC participates in monthly Damage Prevention meetings, including Public Awareness message thru Radio ads

21 Does state share enforcement data with public? (Website, newsletters, docket access, etc.)

.5

0.5

Yes = .5 No = 0

SLR Notes:

PE PSC webiste provides Operator related Docketed information- rate cases, Commission Orders; Also weblink to 811 .

<http://www.depsec.delaware.gov/naturalgas.shtml>

<http://call811.com/default.aspx>

22 Part G: General Comments/Regional Observations

Info Only Info Only

Info Only = No Points

SLR Notes:

Total points scored for this section: 9
Total possible points for this section: 9.5



PART H - Miscellaneous

Points(MAX) Score

- | | | | |
|----------|---|----|-----|
| 1 | What were the major accomplishments for the year being evaluated? (Describe the accomplishments, NAPSR Activities and Participation, etc.) Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

SLR Notes:

1. DE PSC aquired 6015(a) Certification status. DE PSC was 60106 Agreement state for intrstate gas pipelines.

- | | | | |
|----------|--|----|-----|
| 2 | What legislative or program initiatives are taking place/planned in the state, past, present, and future? (Describe initiatives (i.e. damage prevention, jurisdiction/authority, compliance/administrative, etc.) Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

- As 60105 (a) state, DE is currently reviewing pertinent requiremets and intends to develop appropriate procedures for implementation

- | | | | |
|----------|--|----|-----|
| 3 | Any Risk Reduction Accomplishments/Projects? (i.e. Cast iron replacement projects,bare steel,third-party damage reductions, etc.) Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

- In CY 2009 Chesapeake Utilites eliminated all remaining cast iron pipe. Both gas operators also actively repalce bare steel pipes (mains+services)

- | | | | |
|----------|--|---|---|
| 4 | Did the state participate in/respond to surveys or information requests from NAPSR or PHMSA? Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

- DE PSC participated in NAPSR surveys.

- | | | | |
|----------|---|----|-----|
| 5 | Sharing Best Practices with Other States - (General Program) Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

SLR Notes:

- DE attended NAPSR ER meeting and shared pertinent details of pipeline safety program.

- | | | | |
|----------|---|-----------|-----------|
| 6 | Part H: General Comments/Regional Observations Info Only = No Points | Info Only | Info Only |
|----------|---|-----------|-----------|

SLR Notes:

Total points scored for this section: 3
Total possible points for this section: 3

PART I - Program Initiatives

Points(MAX) Score

Drug and Alcohol Testing (49 CFR Part 199)

- | | | | |
|----------|---|---|---|
| 1 | Has the state verified that operators have drug and alcohol testing programs? Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

PSC has performed inspections and verified D&A plans of two LDCs.

- | | | | |
|----------|--|----|-----|
| 2 | Is the state verifying that operators are conducting the drug and alcohol tests required by the operators program (random, post-incident, etc.) Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

PSC has performed inspections and verified D&A plans of two LDCs

- | | | | |
|----------|---|----|-----|
| 3 | Is the state verifying that any positive tests are responded to in accordance with the operator's program? Yes = .5 No = 0 | .5 | 0.5 |
|----------|---|----|-----|

SLR Notes:

PSC has performed inspections and verified D&A plans of two LDCs.

Qualification of Pipeline Personnel (49 CFR Part 192 Subpart N)

- | | | | |
|----------|---|---|---|
| 4 | Has the state verified that operators have a written qualification program? Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

SLR Notes:

CY 2009 DE PSc conducted 9 OQ inspections.

- | | | | |
|----------|--|----|-----|
| 5 | Has the state reviewed operator qualification programs for compliance with PHMSA rules and protocols? Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

CY 2009 DE PSC conducted 9 OQ inspections. PSC used OQ protocols.

- | | | | |
|----------|--|----|-----|
| 6 | Is the state verifying that persons who perform covered tasks for the operator are qualified in accordance with the operator's program? Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

CY 2009 DE PSc conducted five (45) OQ field inspections. PSC used OQ protocols

- | | | | |
|----------|--|----|-----|
| 7 | Is the state verifying that persons who perform covered task for the operator are requalified at the intervals specified in the operator's program? Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

CY 2009 DE PSc conducted 9 OQ inspections. PSC used OQ protocols

Gas Transmission Pipeline Integrity Management (49 CFR Part 192 Subpart O)

- | | | | |
|----------|--|---|---|
| 8 | Has the state verified that all operators with transmission pipelines have either adopted an integrity management program (IMP), or have properly determined that one is not required? Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|

SLR Notes:

PSC verified that two operators (DP&L and Delmarva Waste Authority) have pipelines subject to gas transmission IMP rules. Both operators have adopted IMP.

- | | | | |
|----------|--|----|-----|
| 9 | Has the state verified that in determining whether a plan is required, the operator correctly calculated the potential impact radii and properly applied the definition of a high consequence area? Yes = .5 No = 0 | .5 | 0.5 |
|----------|--|----|-----|

SLR Notes:

PSC performed IMP inspections previously (2006-2008) and reviewed IMP Plans of both operators.

- | | | | |
|-----------|---|----|-----|
| 10 | Has the state reviewed operator IMPs for compliance with Subpart O? (In accordance with State Inspection plan) Yes = .5 No = 0 | .5 | 0.5 |
|-----------|---|----|-----|

SLR Notes:

PSC performed IMP inspections previously (2006-2008) and reviewed IMP Plans of both operators

- | | | | |
|-----------|--|----|-----|
| 11 | Is the state monitoring operator progress on the inspections, tests and remedial actions required by the operator's IMP, including that they are being done in the manner and schedule called for in its IMP? Yes = .5 No = 0 | .5 | 0.5 |
|-----------|--|----|-----|

SLR Notes:

- | | | | |
|-----------|--|----|-----|
| 12 | Is the state verifying that operators are periodically examining their transmission line routes for the appearance of new HCAs? Yes = .5 No = 0 | .5 | 0.5 |
|-----------|--|----|-----|

SLR Notes:

PSC periodically verifies transmissionline of both opeprators for HCA related possible changes.

Public Awareness (49 CFR Section 192.616)

- | | | | |
|-----------|---|----|-----|
| 13 | Has the state verified that each operator has developed a continuing public awareness program? (due date was 6/20/06 for most operators, 6/20/07 for certain very small operators,6/13/08 for master meters) Yes = .5 No = 0 | .5 | 0.5 |
|-----------|---|----|-----|

SLR Notes:

- | | | | |
|-----------|--|----|-----|
| 14 | Has the state reviewed the content of these programs for compliance with 192.616 (by participating in the Clearinghouse or by other means)? Yes = .5 No = 0 | .5 | 0.5 |
|-----------|--|----|-----|

SLR Notes:

PSC conducted public awareness (PA)inspection during CY 2009

- | | | | |
|-----------|--|----|-----|
| 15 | Is the state verifying that operators are conducting the public awareness activities called for in its program? Yes = .5 No = 0 | .5 | 0.5 |
|-----------|--|----|-----|

SLR Notes:

PSC conducted PA inspection during CY 2009

- | | | | |
|-----------|---|-----------|-----------|
| 16 | Is the state verifying that operators have evaluated their Public Awareness programs for effectiveness as described in RP1162? Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|

SLR Notes:

PSC conducted PA inspection during CY 2009

- | | | | |
|-----------|---|-----------|-----------|
| 17 | Part I: General Comments/Regional Observations Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|

SLR Notes:

Total points scored for this section: 9
Total possible points for this section: 9