



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

1200 New Jersey Avenue SE
Washington DC 20590

2013 Natural Gas State Program Evaluation

for

FLORIDA PUBLIC SERVICE COMMISSION, Bureau of Safety

Document Legend

PART:

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

2013 Natural Gas State Program Evaluation -- CY 2013
Natural Gas

State Agency: Florida

Agency Status:

Date of Visit: 04/07/2014 - 04/09/2014

Agency Representative: Rick Moses, Safety Bureau Chief

PHMSA Representative: Don Martin, State Programs Coordinator

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

Name/Title: Art Graham, Chairman

Agency: Florida Public Service Commission

Address: 2540 Shumard Oak Blvd.

City/State/Zip: Tallahassee, Florida 32399-0850

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 2013 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART G):

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

Scoring Summary

PARTS		Possible Points	Points Scored
A	Progress Report and Program Documentation Review	10	10
B	Program Inspection Procedures	14	14
C	Program Performance	45	43
D	Compliance Activities	15	15
E	Incident Investigations	8	8
F	Damage Prevention	8	8
G	Field Inspections	12	12
H	Interstate Agent State (If Applicable)	0	0
I	60106 Agreement State (If Applicable)	0	0
TOTALS		112	110
State Rating			98.2

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 (A1a) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: No errors found. There was a change in operators and units during CY2013 but was accounted for correctly.			
2	Review of Inspection Days for accuracy - Progress Report Attachment 2 (A1b) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: Information was correct and supported by inspection file summaries.			
3	Accuracy verification of Operators and Operators Inspection Units in State - Progress Report Attachment 3 (A1c) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: FPSC records supported the information entered into Attachment 3. Inspection unit totals did not match Attachment 1 totals but was explained in the notes.			
4	Were all federally reportable incident reports listed and information correct? - Progress Report Attachment 4 (A1d) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: The FPSC included two reportable incidents in Attachment 4. The Pipeline Data Mart had one reportable incident for CY2013 but one of the incidents on Attachment 4 was not required to be reported. There were no omissions.			
5	Accuracy verification of Compliance Activities - Progress Report Attachment 5 (A1e) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: Information on Attachment 5 was reported correctly.			
6	Were pipeline program files well-organized and accessible? - Progress Report Attachment 6 (A1f, A4) Yes = 2 No = 0 Needs Improvement = 1	2	2
Evaluator Notes: No issues with file organization.			
7	Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 (A1g) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: All employees were accurate. The training information was downloaded by PHMSA from the Training and Qualification database.			
8	Verification of Part 192,193,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h) Yes = 1 No = 0 Needs Improvement = .5	1	1
Evaluator Notes: No issues were found with the status of amendment adoptions.			

- 9** List of Planned Performance - Did state describe accomplishments on Progress Report in detail - Progress Report Attachment 10 (H1-3) 1 1
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

No issues were identified with Attachment 10.

10 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

The FPSC complied with Part A of this evaluation.

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

PART B - Program Inspection Procedures

Points(MAX) Score

1	Standard Inspections (B1a)	2	2
	Yes = 2 No = 0 Needs Improvement = 1		

Evaluator Notes:

Evaluator Notes:

Each operator and unit will receive an inspection annually. Standard inspections are included in the FPSC's Standard Operating Procedures (SOP). Excerpt from SOP, Page 28:

"C. PROCEDURES: 1. Gas System Annual Compliance Evaluation d. The safety engineer analyzes and evaluates the system's new construction standards, operation and maintenance procedures, emergency plan procedures, operator qualification procedures, public awareness procedures, drug and alcohol procedures, and integrity management procedures, where applicable, to ascertain that such procedures comply with the adopted Federal Regulations and FPSC Rules."

2	IMP Inspections (including DIMP) (B1b)	1	1
	Yes = 1 No = 0 Needs Improvement = .5		

Evaluator Notes:

Each operator and unit will receive an inspection annually. IMP inspections are included in the FPSC's Standard Operating Procedures (SOP). Excerpt from SOP, Page 28:

"C. PROCEDURES: 1. Gas System Annual Compliance Evaluation d. The safety engineer analyzes and evaluates the system's new construction standards, operation and maintenance procedures, emergency plan procedures, operator qualification procedures, public awareness procedures, drug and alcohol procedures, and integrity management procedures, where applicable, to ascertain that such procedures comply with the adopted Federal Regulations and FPSC Rules."

3	OQ Inspections (B1c)	1	1
	Yes = 1 No = 0 Needs Improvement = .5		

Evaluator Notes:

Each operator and unit will receive an inspection annually. Operator Qualification inspections are included in the FPSC's Standard Operating Procedures (SOP). Excerpt from SOP, Page 28:

"C. PROCEDURES: 1. Gas System Annual Compliance Evaluation d. The safety engineer analyzes and evaluates the system's new construction standards, operation and maintenance procedures, emergency plan procedures, operator qualification procedures, public awareness procedures, drug and alcohol procedures, and integrity management procedures, where applicable, to ascertain that such procedures comply with the adopted Federal Regulations and FPSC Rules."

4	Damage Prevention Inspections (B1d)	1	1
	Yes = 1 No = 0 Needs Improvement = .5		

Evaluator Notes:

Each operator and unit will receive an inspection annually. Damage Prevention inspections are included in the FPSC's Standard Operating Procedures (SOP) under the description of operation and maintenance procedures. Excerpt from SOP, Page 28:

"C. PROCEDURES: 1. Gas System Annual Compliance Evaluation d. The safety engineer analyzes and evaluates the system's new construction standards, operation and maintenance procedures, emergency plan procedures, operator qualification procedures, public awareness procedures, drug and alcohol procedures, and integrity management procedures, where applicable, to ascertain that such procedures comply with the adopted Federal Regulations and FPSC Rules."

5	On-Site Operator Training (B1e)	1	NA
	Yes = 1 No = 0 Needs Improvement = .5		

Evaluator Notes:

The FPSC does not conduct on-site operator training on a routine basis. The FPSC's 2013 Progress Report does not show any inspection person days related to training which is consistent with past year reporting. The FPSC supports the Florida Gas Association in its training efforts. The FPSC does have procedures for initiating and scheduling TQ regulations update seminars for its operators.

6	Construction Inspections (B1f)	1	1
Yes = 1 No = 0 Needs Improvement = .5			

Evaluator Notes:

Each operator and unit will receive an inspection annually. Construction inspections are included in the FPSC's Standard Operating Procedures (SOP). Excerpt from SOP, Page 28:

"C. PROCEDURES: 1. Gas System Annual Compliance Evaluation d. The safety engineer analyzes and evaluates the system's new construction standards, operation and maintenance procedures, emergency plan procedures, operator qualification procedures, public awareness procedures, drug and alcohol procedures, and integrity management procedures, where applicable, to ascertain that such procedures comply with the adopted Federal Regulations and FPSC Rules."

7	Incident/Accident Investigations (B1g)	2	2
Yes = 2 No = 0 Needs Improvement = 1			

Evaluator Notes:

On Page 24 of the FPSC's SOP, procedures for conducting accident investigations are described. See excerpt from SOP below:

1. Accident/Interruption of Service Investigation a. Contact the utility management explaining the purpose of your investigation and update details obtained relative to the incident since the initial report. b. Ascertain the sequence of events leading up to the incident including times of occurrence. c. Review the necessary records. Have records pulled and copy those that provide information that assists in the investigation. d. Visit the scene. View the area in light of the knowledge gained to find information which supports or contradicts reports received. e. Interview available personnel of police and fire departments, insurance companies and others who have knowledge of the incident. f. Perform tests on the equipment involved or in the soil adjacent to the scene, if needed. g. Take pictures of pertinent information at the scene and/or obtain prints of pictures taken by the utility, police, fire department or others where possible. h. Review additional records obtained from the utility, if any, and discuss the findings with the utility management prior to leaving, including any possible violations of Commission Rules and/or Federal Regulations. i. Obtain and complete a Florida Public Service Commission Accident & Incident Report (GS-10). Make sure to include all supporting documents. This form may be obtained from the Chief of the Bureau of Safety.

8	Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? (B2a-d, G1,2,4)	6	6
Yes = 6 No = 0 Needs Improvement = 1-5			
a.	Length of time since last inspection	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
b.	Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
c.	Type of activity being undertaken by operators (i.e. construction)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
d.	Locations of operators inspection units being inspected - (HCA's, Geographic areas, Population Density, etc)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
e.	Process to identify high-risk inspection units that includes all threats - (Excavation Damage, Corrosion, Natural Forces, Outside Forces, Material and Welds, Equipment, Operators and any Other Factors)	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>
f.	Are inspection units broken down appropriately?	Yes <input checked="" type="radio"/>	No <input type="radio"/> Needs Improvement <input type="radio"/>

Evaluator Notes:

The FPSC inspects each operator and unit annually. The scheduling within the year and the scope is determined as described below: See excerpt from C.1.c and d, Page 28, of the FPSC's SOP below:

c. Prior to beginning the evaluation, the safety engineer should determine if any construction or repair work is in progress. If so, arrange to visit one or more sites during the evaluation and observe the construction design, materials, joining and installation for compliance with applicable regulations. d. The scope and depth of each safety evaluation will be determined by the engineer and supervisor. Considerations for the scope and depth of evaluations; past compliance in an area of evaluation, known changes that may effect the system, known problem areas, new safety compliance programs, new or changed safety regulations, emergencies, workload, time, job knowledge and staffing. See excerpt The FPSC inspects each operator and unit annually. The scheduling within the year and the scope is determined as described below: See excerpt from C.1.c and d, Page 28, of the FPSC's SOP below: from Page 8 of the FPSC's SOP below: A. TITLE: QUALITY ASSURANCE OF SAFETY EVALUATIONS B. PURPOSE: To provide Engineering managers guidance on the productivity and overall quality assurance of electric and gas safety evaluations. C. PROCEDURES: 1. Assignment of systems ? Once each calendar year, the Bureau Chief and Supervisors of the Safety section will meet with meeting can be either in person or by

teleconference. System assignments should strive for an annual evaluation for all systems and consider the field staff experience, travel requirements, past history and trends of system evaluations, and other pertinent items. Such assignments should also rotate assignments in order to avoid the review of a system by the same field personnel for two consecutive years.

9 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

The FPSC complied with Part B of this evaluation.

Total points scored for this section: 14
Total possible points for this section: 14

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 (A12) 5 5
Yes = 5 No = 0

A. Total Inspection Person Days (Attachment 2):
1024.20

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 4.40 = 967.08

Ratio: A / B
1024.20 / 967.08 = 1.06

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

Evaluator Notes:

The FPSC exceeded the minimum ratio of 0.38.

- 2** Has each inspector and program manager fulfilled the T Q Training Requirements? (See Guidelines for requirements) Chapter 4.4 (A8-A11, G19) 5 5
Yes = 5 No = 0 Needs Improvement = 1-4

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|----|--|--------------------------------------|--------------------------|---|
| a. | Completion of Required OQ Training before conducting inspection as lead? | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Completion of Required DIMP*/IMP Training before conducting inspection as lead? *Effective Evaluation CY2013 | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Root Cause Training by at least one inspector/program manager | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Note any outside training completed | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

The FPSC has met or is on schedule to meet the deadlines for the minimum required courses. One inspector, Carl Chen, has completed all of the training requirements for Gas IMP. During 2013, an IMP inspection was not lead by an inspector that had not completed the training.

- 3** Did state records and discussions with state pipeline safety program manager indicate adequate knowledge of PHMSA program and regulations? Chapter 4.1,8.1 (A5) 2 2
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Rick Moses has been in the program manager role for approximately four years. Rick has completed the core courses at PHMSA's TQ training facility.

- 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 (A6-7) 2 2
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The FLPSC responded in 9 days. All deficiencies discussed in the letter have been addressed.

- 5** Did State hold PHMSA TQ Seminar in Past 3 Years? Chapter 8.5 (A3) 2 2
Yes = 2 No = 0

Evaluator Notes:

The FLPSC held its last pipeline safety seminar in February, 2012.

- 6** Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1 (B3) 5 5
Yes = 5 No = 0 Needs Improvement = 1-4

Evaluator Notes:

An inspection was conducted on all operators and units during CY2013.

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 (B4-5) Yes = 2 No = 0 Needs Improvement = 1	2	2
<p>Evaluator Notes:</p> <p>The FLPSC uses inspection forms that were developed by the FLPSC. The forms are as follows: GS-1 New Construction Requirements Checklist GS-3 Inspection and Maintenance Requirements Checklist GS-5 Pressure Regulating Station Data Checklist GS-6 Odorization Checklist GS-13 Annual Natural Gas Pipeline Safety Summary GS-9 Construction Inspection Checklist - Visual GS-10 Gas Incident/Accident Inspection Checklist GS-11 Notification of Commission Rule Violation GS-Drug /Alcohol Programs Public Awareness Plan PHMSA DIMP 192.1005-192.1001 Distribution Operators PHMSA DIMP 192.1015 Master Meters No issues were found where the FPSC forms did not cover a requirement on the federal forms.</p>			
8	Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Chapter 5.1 (B7) Yes = 1 No = 0	1	1
<p>Evaluator Notes:</p> <p>The FLPSC covers this issue on Page 12 of its GS-03 inspection form.</p>			
9	Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Chapter 5.1 (B8) Yes = 1 No = 0	1	1
<p>Evaluator Notes:</p> <p>The FLPSC reviews operators' leak repair records and verifies that operators are noting whether cast iron leaks are resulting from circumferential cracking. This issue is covered in the continuing surveillance section on Page 3 of the GS-03 Inspection Form.</p>			
10	Did the state review operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21? (NTSB) Chapter 5.1 (B9) Yes = 1 No = 0	1	1
<p>Evaluator Notes:</p> <p>The FLPSC reviews operators leak repair records as a part of its standard inspections. This issue is covered on Page 4 of the GS-03 Inspection Form.</p>			
11	Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 192.617? Chapter 5.1 (B10,E5) Yes = 1 No = 0	1	1
<p>Evaluator Notes:</p> <p>The FLPSC reviews operators' compliance with the requirements of 192.617 when it conducts standard inspections and completes the GS-03 inspection form.</p>			
12	Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? Data Initiative (G6-9,G16) Yes = 2 No = 0 Needs Improvement = 1	2	2
<p>Evaluator Notes:</p> <p>Operators are required to submit a copy of its Annual Report to the FLPSC each year. Operators are notified of any inconsistencies found during the FLPSC's review. The FPSC's SOP states that inspectors are to check annual reports for accuracy during the inspection. The annual report has the data trends obtained from annual reports.</p>			

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| 13 | Did state input all applicable OQ, IMP inspection results into federal database in a timely manner? This includes replies to Operator notifications into IMDB database. Chapter 5.1 (G10-12)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----|--|---|---|

Evaluator Notes:

No issues were found with OQ and IMP inspections completed in 2013.

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| 14 | Has state confirmed intrastate transmission operators have submitted information into NPMS database along with changes made after original submission? (G14)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

The FLPSC reviews the NPMS periodically. It has not identified any known gas transmission pipelines that have not been included.

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| 15 | 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 (I1-3)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

The FPSC conducted 80 drug and alcohol inspections during 2013. There were 60 active operators during 2013.

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| 16 | Is state verifying operators OQ programs are up to date? This should include verification of any plan updates and that persons performing covered tasks (including contractors) are properly qualified and requalified at intervals determined in the operators plan. 49 CFR 192 Part N (I4-7)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

The FPSC spent 37 inspection person days in 2013 on inspecting operators for OQ compliance.

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| 17 | Is state verifying operator's gas transmission integrity management programs (IMP) are up to date? This should include a previous review of IMP plan, along with monitoring progress on operator tests and remedial actions. In addition, the review should take in to account program review and updates of operators plan(s). 49 CFR 192 Subpart 0 (I8-12)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

The FPSC has completed the initial review of all operator's gas transmission IMP plans. The FPSC reviews the implementation of the operator's plan during standard inspections. The FPSC had 20 inspection person days conducting gas transmission IMP inspections during 2013.

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| 18 | Is state verifying operator's gas distribution integrity management Programs (DIMP)? This should include a review of DIMP plans, along with monitoring progress. In addition, the review should take in to account program review and updates of operators plan(s). 49 CFR 192 Subpart P
DIMP ? First round of program inspections should be complete by December 2014 | 2 | 2 |
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Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The FPSC completed the first round of DIMP inspections in CY2013.

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| 19 | 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. 49 CFR 192.616 (I13-16)
PAPEI Effectiveness Inspections should be complete by December 2013 | 2 | 0 |
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Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The FPSC did not complete all of the PAPEI inspections by the end of December, 2013. Two points could not be given for Question C.19.

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| 20 | 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). (G20-21)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

The FLPSC has a section in its website that allows the public to view summary enforcement information and communicate with the Bureau of Safety on pipeline safety concerns.

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| 21 | Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3 (B6)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

There were no SRC's reported by intrastate pipeline operators during CY2013.

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| 22 | 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? (G13)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

The FLPSC covers the issue of plastic pipe failure data with its operators during its Standard Inspections. Operators have been encouraged to report into the Plastic Pipe Database.

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| 23 | Did the state participate in/respond to surveys or information requests from NAPSRS or PHMSA? (H4)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
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Evaluator Notes:

There were no surveys or requests identified where the FLPSC did not respond.

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| 24 | 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.
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

There are no waiver/special permits on file with PHMSA where the FPSC granted a waiver of any pipeline safety rules and regulations.

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| 25 | General Comments:
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

C.19 - The FPSC did not complete all of the PAPEI inspections by the end of December, 2013. Two points could not be given for Question C.19.

Total points scored for this section: 43
Total possible points for this section: 45

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 (B12-14, B16, B1h)
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"/> |

Evaluator Notes:

The FLPSC procedures require inspectors to notify operators as soon as possible after the discovery of a probable violation. The FLPSC is required to provide operators with written correspondence notifying the operator of a probable violation or safety concern. Notification of probable violations are addressed to officers of private companies. The FLPSC tracks the progress of operators' corrective action. The FLPSC follows up with operators through telephonic contact or by conducting follow up inspections. The completion of corrective action is documented on the FLPSC's GS-12 form. The operator is notified in writing when the corrective action is accepted and the report is closed. The procedures are described on Page 263. The enforcement process is described in the Commission's rules.

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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? Chapter 5.1 (B11,B18,B19)
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| a. | Were compliance actions sent to company officer or manager/board member if municipal/government system? | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. | Were probable violations documented? | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. | Were probable violations resolved? | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d. | Was the progress of probable violations routinely reviewed? | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

Upon a review of the FLPSC's 2013 inspection report spreadsheet, the FLPSC documented the responses to its written notifications. Based upon the information in the spreadsheet, Operators responded to the FLPSC's notifications within the timeframe specified in the written notification from the FLPSC. Upon a review of randomly selected inspection reports, compliance letters were sent to the appropriate operator official and probable violations were sufficiently documented.

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| 3 | Did the state issue compliance actions for all probable violations discovered? (B15)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
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Evaluator Notes:

Upon a review of randomly selected 2013 inspection report files, written notification was sent to operators documenting the probable violations found during the inspection. All probable violations noted on inspection forms were addressed.

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| 4 | Did compliance actions give reasonable due process to all parties? Including "show cause" hearing if necessary. (B17, B20)
Yes = 2 No = 0 | 2 | 2 |
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Evaluator Notes:

The FLPSC's enforcement procedures provide operators with the opportunity to provide evidence that it was in compliance. Operators are given the option to request hearings with the FLPSC Commissioners to present their arguments.

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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) (B27)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

Rick Moses explained the FLPSC's process for issuing civil penalties. The FPSC has determined criteria that is used in assessing the amount of the civil penalty to be sought.

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

Evaluator Notes:

The FLPSC has issued civil penalties in past years.

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

Evaluator Notes:

The FPSC has generally complied with the requirements of Part D of this evaluation.

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

PART E - Incident Investigations

Points(MAX) Score

- | | | | |
|----------|---|--------------------------------------|--|
| 1 | Does state have adequate mechanism to receive and respond to operator reports of incidents, including after-hours reports? And did state keep adequate records of Incident/Accident notifications received? Chapter 6 (A2,D1-3)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
| a. | Acknowledgement of MOU between NTSB and PHMSA (Appendix D) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Acknowledgement of Federal/State Cooperation in case of incident/accident (Appendix E) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

The FLPSC requires operators to telephonically notify it when an incident occurs. Operators are provided with a telephone number to contact during and after normal work hours. The FLPSC program manager is also very active in the emergency management process for the state. Two incidents were reported on Attachment 4 of the 2013 Progress Report.

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|----------|---|---|---|
| 2 | 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 (D4)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

All incidents were investigated at the incident site.

- | | | | |
|----------|--|--------------------------------------|--|
| 3 | Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? (D5)
Yes = 3 No = 0 Needs Improvement = 1-2 | 3 | 3 |
| a. | Observations and document review | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Contributing Factors | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c. | Recommendations to prevent recurrences when appropriate | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

The two incidents were investigated thoroughly. No probable violation of the pipeline safety regulations was found in all two incident investigations.

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|----------|--|---|----|
| 4 | Did the state initiate compliance action for violations found during any incident/accident investigation? (D6)
Yes = 1 No = 0 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

No probable violations were found.

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|----------|--|---|---|
| 5 | 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 report data from operators concerning incidents/accidents and investigate discrepancies) Chapter 6 (D7)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

The Southern Region Office did not have any issues with the FPSC's performance on this issue.

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|----------|---|---|---|
| 6 | Does state share lessons learned from incidents/accidents? (sharing information, such as: at NAPS Region meetings, state seminars, etc) (G15)
Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

These incidents were shared with NAPS Region members during Region meetings.

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

Evaluator Notes:

The FPSC generally complied with the requirements of Part E of this evaluation.

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

PART F - Damage Prevention

Points(MAX) Score

- | | | | |
|---|---|---|---|
| 1 | Has the state reviewed directional drilling/boring procedures of each pipeline operator or its contractor to determine if they include actions to protect their facilities from the dangers posed by drilling and other trench less technologies? NTSB (E1)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|---|---|---|

Evaluator Notes:

A question was added to the FPSC's GS-3 inspection form.

- | | | | |
|---|--|---|---|
| 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? (E2)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

Part 192.614 provides the regulatory requirements for an operator's damage prevention program. The FLPSC covers 192.614 requirements during its standard inspections. The FLPSC's inspection form is documented with the results of the inspection.

- | | | | |
|---|---|---|---|
| 3 | Did the state encourage and promote practices for reducing damages to all underground facilities to its regulated companies? (i.e. such as promoting/adopting the CGA Best Practices encouraging adoption of the 9 Elements, etc.) (E3)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|---|---|---|

Evaluator Notes:

The FLPSC is prohibited from introducing legislation. The FPSC has worked with Florida's One Call Center (FOCC) to develop legislative proposals to revise Florida damage prevention laws to align with the 9 elements contained in the PIPES Act. The FPSC has discussed CGA Best Practices with the FOCC and operators in various forums such as Pipeline Safety Seminars.

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|---|--|---|---|
| 4 | Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests? (This can include DIRT and other data shared and reviewed by the pipeline safety program) (E4,G5)
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|---|--|---|---|

Evaluator Notes:

The FLPSC includes a trend chart of this data in its Annual Pipeline Safety Report provided to the Commissioners each year.

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

Evaluator Notes:

The FPSC complied with the requirements of Part F of this evaluation.

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 = No Points | Info OnlyInfo Only |
|----------|---|--------------------|

Name of Operator Inspected:
Tallahassee Utilities and the City of Milton, FL

Name of State Inspector(s) Observed:
Robert Simpson and James McRoy

Location of Inspection:
Tallahassee and Milton, FL

Date of Inspection:
04/08/2014 and 4/09/2014

Name of PHMSA Representative:
Don Martin

Evaluator Notes:

The FPSC was in the process of conducting standard inspections of Tallahassee and Milton, FL. Records review was being conducted for Tallahassee and valve inspections were performed in the City of Milton, FL during the days the evaluator was present.

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|----------|---|----|
| 2 | Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? (F2)
Yes = 1 No = 0 | 11 |
|----------|---|----|

Evaluator Notes:

Two weeks notice was provided to both operators. Operator representatives were present during the inspections.

- | | | |
|----------|--|----|
| 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) (F3)
Yes = 2 No = 0 Needs Improvement = 1 | 22 |
|----------|--|----|

Evaluator Notes:

The Florida inspectors were utilizing GS-13 and other FPSC forms that in combination cover the requirements on federal forms.

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|----------|---|----|
| 4 | Did the inspector thoroughly document results of the inspection? (F4)
Yes = 2 No = 0 Needs Improvement = 1 | 22 |
|----------|---|----|

Evaluator Notes:

No issues identified with the inspectors documentation.

- | | | |
|----------|---|----|
| 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.) (F5)
Yes = 1 No = 0 | 11 |
|----------|---|----|

Evaluator Notes:

The inspector inspecting the City of Milton verified the equipment utilized for valve inspections. The inspection in Tallahassee was in the records portion of the inspection.

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|----------|---|-------------------------------------|
| 6 | Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) (F7)
Yes = 2 No = 0 Needs Improvement = 1 | 22 |
| | a. Procedures | <input checked="" type="checkbox"/> |
| | b. Records | <input checked="" type="checkbox"/> |
| | c. Field Activities | <input checked="" type="checkbox"/> |
| | d. Other (please comment) | <input type="checkbox"/> |

Evaluator Notes:

There were no issues identified during the evaluator's limited time observing the inspections.

7	Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Evaluator will document reasons if unacceptable) (F8) Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:

Both inspectors are new to the program but were mentored by more senior inspectors and have completed TQ's PL1250 class and a couple of other classes. Neither has completed all of the required courses but are on schedule to do so. No issues were identified with their knowledge in relation to conducting a standard inspection.

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) (F9) Yes = 1 No = 0	1	1
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Evaluator Notes:

An exit interview was conducted for the day's findings while the evaluator was present.

9	During the exit interview, did the inspector identify probable violations found during the inspections? (if applicable) (F10) Yes = 1 No = 0	1	1
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Evaluator Notes:

Yes.

10	General Comments: What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) 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 checked="" 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 checked="" type="checkbox"/> |
| l. | Inspection of Right-of-Way | <input checked="" type="checkbox"/> |
| m. | Line Markers | <input checked="" type="checkbox"/> |
| n. | Liaison with Public Officials | <input checked="" type="checkbox"/> |
| o. | Leak Surveys | <input checked="" type="checkbox"/> |
| p. | MOP | <input type="checkbox"/> |
| q. | MAOP | <input checked="" type="checkbox"/> |
| r. | Moving Pipe | <input type="checkbox"/> |
| s. | New Construction | <input type="checkbox"/> |
| t. | Navigable Waterway Crossings | <input type="checkbox"/> |
| u. | Odorization | <input checked="" type="checkbox"/> |
| v. | Overpressure Safety Devices | <input checked="" type="checkbox"/> |
| w. | Plastic Pipe Installation | <input type="checkbox"/> |
| x. | Public Education | <input checked="" type="checkbox"/> |
| y. | Purging | <input type="checkbox"/> |
| z. | Prevention of Accidental Ignition | <input type="checkbox"/> |
| A. | Repairs | <input checked="" 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 checked="" type="checkbox"/> |
| G. | OQ - Operator Qualification | <input checked="" type="checkbox"/> |
| H. | Compliance Follow-up | <input checked="" type="checkbox"/> |
| I. | Atmospheric Corrosion | <input checked="" type="checkbox"/> |
| J. | Other | <input type="checkbox"/> |

Evaluator Notes:

The inspectors were conducting comprehensive review of Part 192 requirements excluding Subparts N and O.

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

PART H - Interstate Agent State (If Applicable)**Points(MAX) Score**

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- | | | | |
|----------|---|---|----|
| 1 | Did the state use the current federal inspection form(s)? (C1)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

The FPSC is not an interstate agent.

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|----------|--|---|----|
| 2 | Are results documented demonstrating inspection units were reviewed in accordance with "PHMSA directed inspection plan"? (C2)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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- | | | | |
|----------|---|---|----|
| 3 | Did the state submit documentation of the inspections within 60 days as stated in its latest Interstate Agent Agreement form? (C3)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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| 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.) (C4)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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| 5 | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (C5)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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| 6 | Did the state give written notice to PHMSA within 60 days of all probable violations found? (C6)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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| 7 | Did the state initially submit documentation to support compliance action by PHMSA on probable violations? (C7)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC is not an interstate agent.

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|----------|--|-----------|-----------|
| 8 | General Comments:
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

The FPSC is not an interstate agent.

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

PART I - 60106 Agreement State (If Applicable)**Points(MAX) Score**

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|----------|--|---|----|
| 1 | Did the state use the current federal inspection form(s)? (B21)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 2 | Are results documented demonstrating inspection units were reviewed in accordance with state inspection plan? (B22)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 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.) (B23)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 4 | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (B24)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 5 | Did the state give written notice to PHMSA within 60 days of all probable violations found? (B25)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 6 | Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? (B26)
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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| 7 | General Comments:
Info Only = No Points | Info Only | Info Only |
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Evaluator Notes:

The FPSC does not have a 60106(a) agreement with PHMSA.

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