



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2011 Natural Gas State Program Evaluation

for

MA DEPT. OF PUBLIC UTILITIES

## 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)



2011 Natural Gas State Program Evaluation -- CY 2011  
Natural Gas

**State Agency:** Massachusetts

**Agency Status:**

**Date of Visit:** 11/26/2012 - 11/30/2012

**Agency Representative:** Jorge Santi

**PHMSA Representative:** Dinubhai (Dino) N. Rathod

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

**Name/Title:** Ann G. Berwick, Chair

**Agency:** Massachusetts Department of Public Utilities

**Address:** One South Station

**City/State/Zip:** Boston, MA 02110

**Rating:**

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

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**INSTRUCTIONS:**

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 2011 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

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**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  
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)

9  
15  
43  
14  
3  
8  
11  
0  
0

7.5  
9.5  
37  
14  
3  
8  
11  
0  
0

**TOTALS**

**103**

**90**

**State Rating .....**

**87.4**

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

Evaluator Notes:

MA provided accurate data for Jurisdictional Authority and Operator/Inspection Units.

- |   |  |   |     |
|---|--|---|-----|
| 2 | Review of Inspection Days for accuracy - Progress Report Attachment 2 (A1b)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0.5 |
|---|--|---|-----|

Evaluator Notes:

MA DPU performed IMP and OQ inspections but did not indicate in Attachment 2. Discussed with DPU need to revise and show corrected inspection days devoted to IMP and OQ activities. DPU agreed to submit marked-up copy of these changes to Zach for his concurrence and implementation in FedStar ASAP.

- |   |  |   |   |
|---|--|---|---|
| 3 | Accuracy verification of Operators and Operators Inspection Units in State - Progress Report Attachment 3 (A1c)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|--|---|---|

Evaluator Notes:

Discussed with DPU possible minor discrepancy between Attachment 1 & 3 regarding Inspection Units. DPU to review and revise, if necessary.

- |   |  |   |    |
|---|--|---|----|
| 4 | Were all federally reportable incident reports listed and information correct? - Progress Report Attachment 4 (A1d)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|---|--|---|----|

Evaluator Notes:

No Reportable Incidents in CY 2011

- |   |  |   |   |
|---|--|---|---|
| 5 | Accuracy verification of Compliance Activities - Progress Report Attachment 5 (A1e)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|--|---|---|

Evaluator Notes:

DPU provided accurate Compliance Activities -

- |   |   |   |   |
|---|---|---|---|
| 6 | Were pipeline program files well-organized and accessible? - Progress Report Attachment 6 (A1f, A4)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 1 |
|---|---|---|---|

Evaluator Notes:

Discussed with DPU need for better organization and accessibility for all required supporting documents related to completed inspections forms/ check lists and DPU activities. DPU indicated that the Commission intends to implement an enhanced capability for database allowing electronic records, sort and track etc.

- |   |  |   |   |
|---|--|---|---|
| 7 | Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 (A1g)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|--|---|---|

Evaluator Notes:

- |   |   |   |   |
|---|---|---|---|
| 8 | Verification of Part 192,193,198,199 Rules and Amendments - Progress Report Attachment 8 (A1h)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|---|---|---|---|

Evaluator Notes:

DPU needs to finalize steps to Adopt federal amendments in a timely manner. DPU agreed to take care of this issue and adopt all necessary federal code amendments within time limit.

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<b>9</b>	List of Planned Performance - Did state describe accomplishments on Progress Report in detail - Progress Report Attachment 10 (H1-3) Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:

1 DPU hired an inspector in CY 2011. Inaddiotn, inspector has started taking T&Q courses.  
State lifted out-of -state travel ban so inspecots resumed sending inspectors to T&Q training courses.

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<b>10</b>	General Comments: Info Only = No Points	Info OnlyInfo Only
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Evaluator Notes:

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Total points scored for this section: 7.5  
Total possible points for this section: 9



## PART B - Program Inspection Procedures

Points(MAX) Score

- |          |  |   |   |
|----------|--|---|---|
| <b>1</b> | Standard Inspections (B1a)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 1 |
|----------|--|---|---|

Evaluator Notes:

Discussed with DPU need to review and provide pertinent details of Standard Inspection Procedure (see PHMSA Guideline manual Ch 5, Para 5.1.3(a))

- |          |   |   |     |
|----------|---|---|-----|
| <b>2</b> | IMP Inspections (including DIMP) (B1b)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0.5 |
|----------|---|---|-----|

Evaluator Notes:

Discussed with DPU need to review and provide pertinent details of IMP Inspection Procedure (see PHMSA Guideline manual Ch 5, Para 5.1.3(d & e))

- |          |   |   |     |
|----------|---|---|-----|
| <b>3</b> | OQ Inspections (B1c)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0.5 |
|----------|---|---|-----|

Evaluator Notes:

Discussed with DPU need to review and provide pertinent details of Standard Inspection Procedure (see PHMSA Guideline manual Ch 5, Para 5.1.3(f))

- |          |  |   |   |
|----------|--|---|---|
| <b>4</b> | Damage Prevention Inspections (B1d)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|--|---|---|

Evaluator Notes:

- |          |  |   |     |
|----------|--|---|-----|
| <b>5</b> | On-Site Operator Training (B1e)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 0.5 |
|----------|--|---|-----|

Evaluator Notes:

Discussed with DPU need to review and provide pertinent details of On-Site Operator Training Inspection Procedure (see PHMSA Guideline manual Ch 5, Para 5.1.3(c))

- |          |   |   |   |
|----------|---|---|---|
| <b>6</b> | Construction Inspections (B1f)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

- |          |  |   |   |
|----------|--|---|---|
| <b>7</b> | Incident/Accident Investigations (B1g)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

DPU Inspection Procedures- Section 7

- |          |   |   |   |
|----------|---|---|---|
| <b>8</b> | Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? (B2a-d, G1,2,4)<br>Yes = 6 No = 0 Needs Improvement = 1-5 | 6 | 3 |
|----------|---|---|---|

- |    |  |                                      |                          |  |
|----|--|--------------------------------------|--------------------------|--|
| a. | Length of time since last inspection   | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |
| b. | Operating history of operator/unit and/or location (includes leakage, incident and compliance activities)    | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" type="radio"/> |
| c. | Type of activity being undertaken by operators (i.e. construction)   | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" 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 ☐ No ☐ Needs Improvement ☒

f. Are inspection units broken down appropriately?

Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Discussed with DPU need to make modifications to Inspection Procedures and develop inspection plan with priorities of each operator. DPU must document these items and make readily available for use including PHMSA program annual evaluation.

9 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

Discussed with DPU to make changes conveyed as part of PHMSA annual evaluation(s). DPU agreed to address pending review and modification to thier own Inspection Procedures Manual.

Total points scored for this section: 9.5  
Total possible points for this section: 15



## 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):  
841.17

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 6.83 = 1503.33

Ratio: A / B  
841.17 / 1503.33 = 0.56

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

Evaluator Notes:

Ratio > 0.38 5 points

- 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

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

For CY 2011- Verified that each DPU inspector and program manager fulfilled the T Q Training Requirements

- 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:

For CY 2011 Chris Bourne was Program Manager/ Director. DPU made changes to Program Manager position effective Sept 2012 with selection of Jorge Santi. Both of them provide many years of pipeline safety regulatory experience.

- 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:

DPU attempted to resolve the issue of Civil Penalties not substantially same as federal amounts. However it did not succeed. DPU indicated that it intends to bring this issue for legislative considerations.

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

Evaluator Notes:

MA DPU participated in NEPSR seminar in Oct 2012. This is hosted by six New England states (CT, MA, ME, NH, RI and VT).

- 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 3  
Yes = 5 No = 0 Needs Improvement = 1-4

Evaluator Notes:

Discussed with DPU need for a verifiable inspection plan to implement inspection activities in accordance with "time

intervals" per Inspection Procedures. DPU was reminded of need for making available proper supporting inspection reports/ completed inspection forms/ check list documents

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- |          |   |   |   |
|----------|---|---|---|
| <b>7</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 1 |
|----------|---|---|---|
- 

Evaluator Notes:

1 Discussed with DPU need for revising all applicable check lists/ inspection forms and making sure that all applicable code requirements addressed on Federal Inspection form are covered. 2. DPU needs to maintain all completed check lists/ forms and making them easily available during PHMSA state program annual evaluation. DPU agreed and indicated that it intends to develop an enhance electronic database capability including appropriate inspection forms/ check lists beginning CY 2013.

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|----------|--|---|---|
| <b>8</b> | 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)<br>Yes = 1 No = 0 | 1 | 1 |
|----------|--|---|---|
- 

Evaluator Notes:

CY 2011 DPU reviewed operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization.

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|----------|---|---|---|
| <b>9</b> | 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)<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|
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Evaluator Notes:

In CY 2011 DPU inspectors reviewed operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history etc.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>10</b> | 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)<br>Yes = 1 No = 0 | 1 | 1 |
|-----------|--|---|---|
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Evaluator Notes:

In CY 2011 DPU reviewed operator emergency response procedures for leaks caused by excavation damage near buildings.

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- |           |   |   |   |
|-----------|---|---|---|
| <b>11</b> | 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)<br>Yes = 1 No = 0 | 1 | 1 |
|-----------|---|---|---|
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Evaluator Notes:

In CY 2011 DPU inspectors reviewed operator records of previous accidents and failures including reported third party damage and leak responses

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|-----------|---|---|---|
| <b>12</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|
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Evaluator Notes:

IN CY 2011 DPU inspectors reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>13</b> | 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) | 2 | 1 |
|-----------|--|---|---|
-



Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

IN CY 2011 DPU conducted IMP & OQ inspections (National Grid /KeySapn, MMEC & Baystate Gas). However, review of federal database (IMDB & OQDB) indicated lack of timely upload of completed inspection protocol forms. I emphasized need for timely upload and minimize unnecessary delays. DPU agreed to address and resolve this issue.

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- |           |   |   |   |
|-----------|---|---|---|
| <b>14</b> | Has state confirmed intrastate transmission operators have submitted information into NPMS database along with changes made after original submission? (G14)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|---|---|---|

Evaluator Notes:

In CY 2011 DPU confirmed intrastate transmission operators have submitted information into NPMS database.

- 
- |           |  |   |   |
|-----------|--|---|---|
| <b>15</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|

Evaluator Notes:

CY 2011 DPU verified that operators are conducting drug and alcohol tests as required by regulations.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>16</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 1 |
|-----------|--|---|---|

Evaluator Notes:

IN CY 2011 DPU conducted OQ inspections but did not complete necessary OQ Protocol forms. I discussed and emphasized need for completed inspection forms (protocols) and be finalized in OQDB. DPU agreed to review and resolve this issue.

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- |           |  |   |   |
|-----------|--|---|---|
| <b>17</b> | 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 O (I8-12)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 1 |
|-----------|--|---|---|

Evaluator Notes:

CY 2011 DPU did not complete IMP inspection activities. I discussed and emphasized need for gas transmission IMP Plan reviews and be able to verify pertinent operator records. DPU agreed to review and resolve gas transmission IMP inspection issue.

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- |           |   |           |           |
|-----------|---|-----------|-----------|
| <b>18</b> | 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<br>Info Only = No Points | Info Only | Info Only |
|-----------|---|-----------|-----------|

Evaluator Notes:

DPU has indicated that inspectors will initiate review of DIMP Plans and pertinent records. This activities are expected to take substantial amount of inspection time in 2013/2014.

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- |           |   |   |   |
|-----------|---|---|---|
| <b>19</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|

Evaluator Notes:

CY 2011 DPU received Public Awareness Plan(s) and continues to review.

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

Evaluator Notes:

DPU has website and allows Access to Dockets.

[http://www.env.state.ma.us/dpu\\_fileroom/FRM\\_docketlookup](http://www.env.state.ma.us/dpu_fileroom/FRM_docketlookup)

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

Evaluator Notes:

CY 2011 NO SRC.

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

Evaluator Notes:

- 23** Did the state participate in/respond to surveys or information requests from NAPSR or PHMSA? (H4) 1 1  
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

CY 2011- DPU participated in/responded to surveys or information requests from NAPSR or PHMSA.

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

Evaluator Notes:

Discussed with DPU need for major effort to resolve issues of Inspection Procedure Manual revisions, Inspection check lists/forms to document necessary inspection activities and make commitment for timely uploads in various federal databases. DPU indicated that they intend to commit to enhanced database capability to allow electronic forms/ check lists, ability to track and sort various actions. DPU will keep PHMSA advised of progress to avoid breakdown.

Total points scored for this section: 37  
Total possible points for this section: 43

## PART D - Compliance Activities

Points(MAX) Score

- 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) 4 4  
Yes = 4 No = 0 Needs Improvement = 1-3
- a. Procedures to notify an operator (company officer) when a noncompliance is identified Yes ☒ No ☐ Needs Improvement ☐
- b. Procedures to routinely review progress of compliance actions to prevent delays or breakdowns Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Dept of Public Utilities 220 MCR 69 "Procedures for Determination of Violations....."

- 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) 4 4  
Yes = 4 No = 0 Needs Improvement = 1-3
- a. Were compliance actions sent to company officer or manager/board member if municipal/government system? Yes ☒ No ☐ Needs Improvement ☐

Evaluator Notes:

Dept of Public Utilities 220 MCR 69 "Procedures for Determination of Violations....."

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

Evaluator Notes:

CY 2011- DPU found 6 Probable Violations.

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

Evaluator Notes:

Dept of Public Utilities 220 MCR 69 "Procedures for Determination of Violations....."

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

Evaluator Notes:

Yes; Program imposes civil penalties as a deterrent. DPU assessed \$81,000 civil penalties in CY 2011.

- 6 Can the State demonstrate it is using their enforcement fining authority for pipeline safety violations? (new question) Info Only Info Only  
Info Only = No Points

Evaluator Notes:

DPU assessed \$81,000 civil penalties in CY 2011.

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

Evaluator Notes:

Dept of Public Utilities 220 MCR 69 "Procedures for Determination of Violations....."

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

## PART E - Incident Investigations

Points(MAX) Score

- |          |   |                                      |  |
|----------|---|--------------------------------------|--|
| <b>1</b> | 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)<br>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:

- |          |   |   |   |
|----------|---|---|---|
| <b>2</b> | 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)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

DPU obtained sufficient information from the operator and/or by other means to determine the facts to support the decision to not go on-site.

- |          |  |                           |  |
|----------|--|---------------------------|--|
| <b>3</b> | Were all incidents investigated, thoroughly documented, and with conclusions and recommendations? (D5)<br>Yes = 3 No = 0 Needs Improvement = 1-2 | 3                         | 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 when appropriate  | Yes <input type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

CY 2011- No Reportable gas incidents (in CY 2011 Progress Rept Attachment 4)

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

Evaluator Notes:

CY 2011- No Reportable gas incidents.

- |          |  |   |    |
|----------|--|---|----|
| <b>5</b> | 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)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

CY 2011- No Reportable gas incidents.

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

Evaluator Notes:

CY 2011- No Reportable gas incidents.

- |          |  |           |           |
|----------|--|-----------|-----------|
| <b>7</b> | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|----------|--|-----------|-----------|

Evaluator Notes:

CY 2011- No Reportable gas incidents.

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



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

Evaluator Notes:

In CY 2011- DPU reviewed directional drilling/boring procedures

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

Evaluator Notes:

In CY 2011- DPU state inspector checked 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 Dig Safe system.

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

Evaluator Notes:

In CY 2011 DPU encouraged and promoted practices for reducing damages to all underground facilities to its regulated companies? (promoting/adopting the Common Ground Alliance (CGA) Best Practices encouraging adoption of the 9 Elements.

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

Evaluator Notes:

In CY 2011 DPU 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.

- |   |  |           |           |
|---|--|-----------|-----------|
| 5 | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|---|--|-----------|-----------|

Evaluator Notes:

CY 2011- reviewed Dig Safe data including types of damages, trends, amount of fines levied and collected.

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 OnlyInfo Only  
Info Only = No Points

Name of Operator Inspected:

Columbia Gas of MA and N-Statr

Name of State Inspector(s) Observed:

Glen LaChance/ Richard Wllace and Jorge Santi

Location of Inspection:

Brockton and Marlboro

Date of Inspection:

11/28/2012

Name of PHMSA Representative:

Dinubhai (Dino) N. Rtahod

Evaluator Notes:

DIMP implementation -status review of Columbia Gas of MA and N-Statr "Take Station" review in Marlboro.

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

Evaluator Notes:

Company representatives were notified and were present for these field activities

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

Evaluator Notes:

DPU inspector used inspection check lists

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

Evaluator Notes:

Both DPU inspectors thoroughly document results of the inspection 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.) (F5) 1 1  
Yes = 1 No = 0

Evaluator Notes:

- 6 Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) (F7) 2 2  
Yes = 2 No = 0 Needs Improvement = 1

a. Procedures ☒

b. Records ☒

c. Field Activities ☒

d. Other (please comment) ☒

Evaluator Notes:

Columbia Gas of MA- DIMP Plan Status review

N-Star Take Station- maintenance / reiew

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

Evaluator Notes:

Both inspector have many years of pipeline safety experience . They also have taken necessary T&Q training courses.

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

Evaluator Notes:

Both inspectors conducted exit interviews.

- |   |   |   |    |
|---|---|---|----|
| 9 | During the exit interview, did the inspector identify probable violations found during the inspections? (if applicable) (F10)<br>Yes = 1 No = 0 | 1 | NA |
|---|---|---|----|

Evaluator Notes:

No probable violations were found during these field activities.

- |    |  |           |           |
|----|--|-----------|-----------|
| 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.<br>Info Only = No Points | Info Only | Info Only |
|----|--|-----------|-----------|

- |    |                                   |                                     |
|----|-----------------------------------|-------------------------------------|
| a. | Abandonment                       | <input type="checkbox"/>            |
| b. | Abnormal Operations               | <input type="checkbox"/>            |
| c. | Break-Out Tanks                   | <input type="checkbox"/>            |
| d. | Compressor or Pump Stations       | <input type="checkbox"/>            |
| e. | Change in Class Location          | <input type="checkbox"/>            |
| f. | Casings                           | <input type="checkbox"/>            |
| g. | Cathodic Protection               | <input type="checkbox"/>            |
| h. | Cast-iron Replacement             | <input type="checkbox"/>            |
| i. | Damage Prevention                 | <input type="checkbox"/>            |
| j. | Deactivation                      | <input type="checkbox"/>            |
| k. | Emergency Procedures              | <input type="checkbox"/>            |
| l. | Inspection of Right-of-Way        | <input 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 checked="" type="checkbox"/> |
| w. | Plastic Pipe Installation         | <input type="checkbox"/>            |
| x. | Public Education                  | <input type="checkbox"/>            |
| y. | Purging                           | <input type="checkbox"/>            |
| z. | Prevention of Accidental Ignition | <input type="checkbox"/>            |
| A. | Repairs                           | <input type="checkbox"/>            |
| B. | Signs                             | <input type="checkbox"/>            |
| C. | Tapping                           | <input type="checkbox"/>            |
| D. | Valve Maintenance                 | <input type="checkbox"/>            |
| E. | Vault Maintenance                 | <input type="checkbox"/>            |



- |    |                             |                                     |
|----|-----------------------------|-------------------------------------|
| F. | Welding                     | <input type="checkbox"/>            |
| G. | OQ - Operator Qualification | <input type="checkbox"/>            |
| H. | Compliance Follow-up        | <input type="checkbox"/>            |
| I. | Atmospheric Corrosion       | <input type="checkbox"/>            |
| J. | Other                       | <input checked="" type="checkbox"/> |

Evaluator Notes:

1 Columbia Gas of MA- Review DIMP Implementation status;

2 N-Star Take Station maintenance in Marlboro. N-Star employees performed maintenance activities. In addition odorization of incoming gas and pipe coating showing sign of mild corrosion/ peeling off in few places. N-Star to adress these minor concerns.

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



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

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

Evaluator Notes:

MA DPU is only 60105(a) Certification state.

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

Evaluator Notes:

MA DPU is only 60105(a) Certification state

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

Evaluator Notes:

- |          |  |   |    |
|----------|--|---|----|
| <b>4</b> | Were probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) (C4)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

- |          |  |   |    |
|----------|--|---|----|
| <b>5</b> | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (C5)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

- |          |   |   |    |
|----------|---|---|----|
| <b>6</b> | Did the state give written notice to PHMSA within 60 days of all probable violations found? (C6)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

- |          |  |   |    |
|----------|--|---|----|
| <b>7</b> | Did the state initially submit documentation to support compliance action by PHMSA on probable violations? (C7)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

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

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

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

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

- |          |  |   |    |
|----------|--|---|----|
| <b>1</b> | Did the state use the current federal inspection form(s)? (B21)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |  |   |    |
|----------|--|---|----|
| <b>2</b> | Are results documented demonstrating inspection units were reviewed in accordance with state inspection plan? (B22)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |   |   |    |
|----------|---|---|----|
| <b>3</b> | Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) (B23)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |   |   |    |
|----------|---|---|----|
| <b>4</b> | Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? (B24)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|---|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |  |   |    |
|----------|--|---|----|
| <b>5</b> | Did the state give written notice to PHMSA within 60 days of all probable violations found? (B25)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |  |   |    |
|----------|--|---|----|
| <b>6</b> | Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? (B26)<br>Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|----------|--|---|----|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

- |          |  |           |           |
|----------|--|-----------|-----------|
| <b>7</b> | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|----------|--|-----------|-----------|

Evaluator Notes:

MA DPU is only 60105(a) Certification state intrastate natural gas

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