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

1200 New Jersey Avenue SE
Washington DC 20590

2009 Natural Gas State Program Evaluation

for

Public Service Commission, State of Wyoming

Document Legend
PART:

- O -- Representative Date and Title Information
- A -- General Program Qualifications
- B -- Inspections and Compliance - Procedures/Records/Performance
- C -- Interstate Agent States
- D -- Incident Investigations
- E -- Damage Prevention Initiatives
- F -- Field Inspection
- G -- PHMSA Initiatives - Strategic Plan
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2009 Natural Gas State Program Evaluation -- CY 2009

Natural Gas

State Agency: Wyoming
Agency Status:
Date of Visit:
Agency Representative:
PHMSA Representative:
Commission Chairman to whom follow up letter is to be sent:
Name/Title:
Agency:
Address:
City/State/Zip:

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

INSTRUCTIONS:

Complete this evaluation in accordance with the Procedures for Evaluating State Pipeline Safety Program. The evaluation should generally reflect state program performance during CY 2009 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less then the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual certification/agreement attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART F):

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

Scoring Summary

PARTS		Possible Points	Points Scored
A	General Program Qualifications	26	26
B	Inspections and Compliance - Procedures/Records/Performance	25	25
C	Interstate Agent States	0	0
D	Incident Investigations	7	7
E	Damage Prevention Initiatives	9	9
F	Field Inspection	12	12
G	PHMSA Initiatives - Strategic Plan	10	10
H	Miscellaneous	3	3
I	Program Initiatives	9	9
TOTALS		**101**	**101**
State Rating			**100.0**

PART A - General Program Qualifications

		Points(MAX)	Score
1	Did the state submit complete and accurate information on the attachments to its most current 60105(a) Certification/60106 (a) Agreement? (NOTE: PHMSA Representative to verify certification/agreement attachments by reviewing appropriate state documentation. Score a deficiency in any one area as "needs improvement". Attachment numbers appear in parenthesis) Previous Question A.1, Items a-h worth 1 point each Yes = 8 No = 0 Needs Minor Improvement = 3-7 Needs Major Improvement = 2	8	8

- a. State Jurisdiction and agent status over gas facilities (1) ☒
- b. Total state inspection activity (2) ☒
- c. Gas facilities subject to state safety jurisdiction (3) ☒
- d. Gas pipeline incidents (4) ☒
- e. State compliance actions (5) ☒
- f. State record maintenance and reporting (6) ☒
- g. State employees directly involved in the gas pipeline safety program (7) ☒
- h. State compliance with Federal requirements (8) ☒

SLR Notes:

Yes. Upon a review of the WPSC's 2009 Certification Application, all information appeared to be accurate and complete. The WPSC's office records provided documentation that supported the information entered into the Certification. Except for which was not on certification due to it not being complete and state compliance with Federal requirements points was deducted during the certificatin review.

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

SLR Notes:

The WPSC has an incident recording form that is completed by the staff member that receives the telephonic notification. An incident file is created after the form is completed. A spreadsheet is maintained to list all of the incidents reported into the WPSC.

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

SLR Notes:

Yes. The WPSC holds a regulations update seminar that includes participation by a member of the Office of Training and Qualifications. The seminar is held every other year. The last seminar was conducted in March 2010.

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

SLR Notes:

Yes. The WPSC keeps paper copies of inspection reports and supporting forms in file cabinets that are secure. The files are organized by operator and unit with multiple years of inspection reports in each file.

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

SLR Notes:

Yes. David Piroutek, Engineering Supervisor, has been in his position of managing the pipeline safety program for many years. Mr. Pirouted has gained an excellent understanding of the PHSMA's requirements for state pipeline safety programs operating under certification from PHMSA.

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

SLR Notes:

There were no items contained in the Chairman's letter that required a response

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

Yes = 1 No = 0

1 1

SLR Notes:

There were no issues raised in the Chairman's letter that required action from the WPSC.

Personnel and Qualifications

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

Yes = 3 No = 0

3 3

SLR Notes:

All inspectors have completed or are on track to complete the three year and five year requirements.

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9 Brief Description of Non-TQ training Activities:

Info Only = No Points

Info Only Info Only

For State Personnel:

For Operators:

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

SLR Notes:

Same as 2008

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10 Did the lead inspectors complete all required T&Q OQ courses and Computer Based Training (CBT) before conducting OQ Inspections? (Chapter 4.4.1) Previous Question A.12

Yes = 1 No = 0

1 1

SLR Notes:

Yes. The OQ inspections conducted by the WPSC were lead by inspectors that had completed the CBT based training required prior to the inspections.

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11 Did the lead inspectors complete all required TQ Integrity Management (IMP) Courses/Seminars and CBT before conducting IMP Inspections? (Chapter 4.4.1) Previous Question A.13

Yes = 1 No = 0

1 1

SLR Notes:

Yes. Training and Qualification records indicate that inspectors who lead IMP inspections received the required training prior to the inspections. The WPSC has one individual that is qualified to lead IMP inspections.

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12 Was the ratio acceptable of Total inspection Person-days to Total Person-days charged to the program by state inspectors? (Region Director may modify points for just cause) (Chapter 4.3) Previous Question B.12

Yes = 5 No = 0

5 5

A. Total Inspection Person Days (Attachment 2):
177.33

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 1.61 = 354.20

Ratio: A / B
177.33 / 354.20 = 0.50

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

SLR Notes:

The WPSC logged 173 inspection person days during 2009. On its 2010 Certification, the WPSC assigned 1.65 person years to its program. The ratio of inspection person days to inspection person years calculated to .49 which is greater than the minimum ratio of .38.

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13 Have there been modifications or proposed changes to inspector-staffing levels? (If yes, describe) Previous Question B.13 — Info Only — Info Only

Info Only = No Points

SLR Notes:

The WPSC did not make any modifications to its staffing during 2008. There are no plans at this time to make changes in the future.

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14 Part-A General Comments/Regional Observations — Info Only — Info Only

Info Only = No Points

SLR Notes:

The WPSC has generally complied with the requirements contained in Part A of this evaluation.

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

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

Points(MAX) **Score**

Inspection Procedures

1 Does the State have a written inspection plan to complete the following? (all types of operators including LNG) (Chapter 5.1) Previous Question B.1 + Chapter 5 Changes + Incorporate LNG — 6.5 — 6.5

Yes = 6.5 No = 0 Needs Improvement = 50% Deduction

a	Standard Inspections (Including LNG) (Max points = 2)	Yes ◉	No ○	Needs Improvement ○
b	IMP Inspections (Including DIMP) (Max points = .5)	Yes ◉	No ○	Needs Improvement ○
c	OQ Inspections (Max points = .5)	Yes ◉	No ○	Needs Improvement ○
d	Damage Prevention (Max points = .5)	Yes ◉	No ○	Needs Improvement ○
e	On-Site Operator Training (Max points = .5)	Yes ◉	No ○	Needs Improvement ○
f	Construction Inspections (Max points = .5)	Yes ◉	No ○	Needs Improvement ○
g	Incident/Accident Investigations (Max points = 1)	Yes ◉	No ○	Needs Improvement ○
h	Compliance Follow-up (Max points = 1)	Yes ◉	No ○	Needs Improvement ○

SLR Notes:

The WPSC has written procedures for its pipeline safety program. A portion of the procedures covers how inspections are scheduled. The WPSC develops a plan each year that shows what operators and units will be inspected, the inspectors assigned, and the type of inspection planned.

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2 Did the written Procedures for selecting operators adequately address key concerns? (Chapter 5.1) Previous Question B.2, items a-d are worth .5 point each — 2 — 2

Yes = 2 No = 0 Needs Improvement = 50% Deduction

a	Length of time since last inspection	Yes ◉	No ○	Needs Improvement ○
b	History of Operator/unit and/or location (including leakage , incident and compliance history)	Yes ◉	No ○	Needs Improvement ○
c	Type of activity being undertaken by operator (construction etc)	Yes ◉	No ○	Needs Improvement ○
d	For large operators, rotation of locations inspected	Yes ◉	No ○	Needs Improvement ○

SLR Notes:

Yes. The WPSC's procedures cover all of the concerns in a, b, c, and d above. The WPSC also develops a risk assessment of oprerator's inspection units based upon additional factors not listed above.

Inspection Performance

3 Did the state inspect all types of operators and inspection units in accordance with time intervals established in its written procedures? (Chapter 5.1) Previous Question B.3 — 2 — 2

Yes = 2 No = 0

SLR Notes:

Yes. The WPSC provided a listing of the inspections performed during 2009. Upon a review of the listing, all inspections on the WPSC's inspection plan were inspected.

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4 Did the state inspection form cover all applicable code requirements addressed on the Federal Inspection forms? (Chapter 5.1 (3)) Previous Question B.4 — 1 — 1

Yes = 1 No = 0

SLR Notes:

The WPSC utilizes a standard inspection form that is based upon the federal inspection form. The WPSC conducts special inspections that cover certain areas of the regulations such as corrosion, regulator/relief valve, valve/leaks/patrolling. Regardless of the inspection type and form used, drug and alcohol testing is covered at the end of the form. The forms are written in a format similar to the protocol forms for OQ and IMP.

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5 Did state complete all applicable portions of inspection forms? (Chapter 5.1 (3)) Previous Question B.5 — 1 — 1

Yes = 1 No = 0

SLR Notes:

Upon a review of randomly selected inspection reports completed in 2009, all portions of the forms attached to the reports were completed.

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6 Did the state initiate appropriate follow-up actions to Safety Related Condition Reports? (Chapter 6.3) Previous Question B.6 — .5 — .5

Yes = .5 No = 0

SLR Notes:

There were no safety related condition reports filed by an operator in Wyoming in 2009.

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7 Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Previous Question B.7 — .5 — .5

Yes = .5 No = 0

SLR Notes:

No regulated cast iron pipe in Wyoming

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8 Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Previous Question B.8 — .5 — .5

Yes = .5 No = 0

SLR Notes:

No regulated cast iron pipe in Wyoming.

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9 Did the state review operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21? (NTSB) Previous Question B.9 — .5 — .5

Yes = .5 No = 0

SLR Notes:

Yes. The WPSC reviews operators procedures for managing leaks. The WPSC reviews operators' records documenting leak repairs. The WPSC has required operators to look for leak migration when conducting leak detection and repairs.

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10 Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 192.617? (NTSB) Previous Question B.10 — 1 — 1

Yes = 1 No = 0

SLR Notes:

The WPSC reviews operators' records for leak detection, response and repairs. The WPSC covers the requirements of 192.617 during standard inspections.

Compliance - 60105(a) States

11 Did the state adequately document sufficient information on probable violations? (Chapter 5.2) Previous Question B.14 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Yes. Upon a review of randomly selected inspection reports completed in 2009, the WPSC inspectors stated the pipeline safety regulations that were in non-compliance. In the narrative portion of the reports, a detailed description was provided for the operator's actions or lack of actions that resulted in a probable violation.

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12 Does the state have written procedures to identify the steps to be taken from the discovery to the resolution of a probable violation as specified in the "Guidelines for State Participating in the Pipeline Safety Program"? (Chapter 5.1) Previous Question D(1).1 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

The WPSC describes it process for non compliance in its procedures. The steps and timeframes for action are detailed in the procedures.

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13 Does the state have written procedures to notify an operator when a noncompliance is identified as specified in the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(4)) Previous Question D (1).2 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Yes. The WPSC's procedures outline the notifications that must take place including initial verbal notification and formal written notification.

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14 Does the state have a written procedure for routinely reviewing the progress of compliance actions to prevent delays or breakdowns of the enforcement process, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? (Chapter 5.1(5)) Previous Question D(1).3 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Yes. After written notification of non compliance, probable violations are maintained in a log process as open probable violations. Probable violations remain open until corrective action is verified by the inspector in designated follow up inspections or future inspections. Prior to performing an inspection, the WPSC inspectors are required to obtain information on open probable violations prior to making their inspection visit.

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15 Has the State issued compliance actions for all probable violations discovered? (Note : PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation) Previous Question D(1).4 — 1 — 1

Yes = 1 No = 0

SLR Notes:

Upon a review of randomly selected inspection reports completed in 2009, all probable violations were provided to operators by written notification and formal report.

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16 Did the state follow its written procedures for reviewing compliance actions and follow-up to determine that prompt corrective actions were taken by operators, within the time frames established by the procedures and compliance correspondence, as required by the "Guidelines for States Participating in the Pipeline Safety Program"? Previous Question D(1).5 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Upon a review of randomly selected files of inspection reports completed in 2009, all formal written reports contained a description of any open probable violations. A status was given for each open probable violation. Each open probable violation was deemed to be closed because corrective action evidence was provided by the operator was stated to remain open because proper corrective action had not taken place.

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17 If compliance could not be established by other means, did state pipeline safety program staff request formal action, such as a "Show Cause Hearing" to correct pipeline safety violations? (check each states enforcement procedures) Previous Question D(1).6 — 1 — 1

No = 0 Yes = 1

SLR Notes:

During 2009 there were no operators that failed to comply with the WPSC's notifications. There were no "show cause" hearings required.

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18 Did the state adequately document the resolution of probable violations? (Chapter 5.1 (6)) Previous Question D(1).7 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Yes. The WPSC documents closure of open probable violations. Open probable violations are tracked by the inspectors.

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19 Were compliance actions sent to a company officer? (manager or board member if municipal/government system) (Chapter 5.1(4)) Previous Question D(1).8 — .5 — .5

Yes = .5 No = 0

SLR Notes:

Upon a review of randomly selected inspection reports completed in 2009, all written non compliance correspondence was addressed to an officer if the operator was a private company.

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20 Did the compliance proceedings give reasonable due process to all parties? (check each states enforcement procedures) Previous Question D(1).9 — 1 — 1

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

Yes. The WPSC's procedures provide opportunities through an administrative process for operators to present evidence that a probable violation did not occur. In not resolved through the administrative process, operators have the opportunity to request a hearing before the Commissioners.

Compliance - 60106(a) States

21 Did the state use the current federal inspection form(s)? Previous Question D(2).1 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

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22 Are results adequately documented demonstrating inspection units were reviewed in accordance with state inspection plan? Previous Question D(2).2 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

23 Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) Previous Question D(2).3 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

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24 Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? Previous Question D(2).4 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

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25 Did the state give written notice to PHMSA within 60 days of all probable violations found? Previous Question D(2).5 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

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26 Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? Previous Question D(2).6 — 1 — NA

Yes = 1 No = 0 Needs Improvement = .5

SLR Notes:

N/A

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27 Part B: General Comments/Regional Observations — Info Only — Info Only

Info Only = No Points

SLR Notes:

There were issues identified that prevented giving all of the available points in Part B of this evaluation.

Total points scored for this section: 25

Total possible points for this section: 25

PART C - Interstate Agent States

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

SLR Notes:

N/A

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

SLR Notes:

N/A

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

SLR Notes:

N/A

4	Were any probable violations identified by state referred to PHMSA for compliance? (NOTE: PHMSA representative has discretion to delete question or adjust points, as appropriate, based on number of probable violations; any change requires written explanation.) Previous Question D(3).4 Yes = 1 No = 0	1	NA

SLR Notes:

N/A

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

SLR Notes:

N/A

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

SLR Notes:

N/A

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

SLR Notes:

N/A

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

SLR Notes:

N/A

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

PART D - Incident Investigations

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

SLR Notes:

The WPSC is very aware of the procedures contained in the Guideline's appendices. There were no reportible incidents that occurred during 2009 that required the procedures to be implemented.

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

SLR Notes:

Yes. David Piroutek Engineering Supervisor, exhibited a good understanding of the agreement of cooperation contained in the MOU between PHMSA and the NTSB.

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

SLR Notes:

The WPSC maintains a reporting log of all incidents reported into the WPSC including those that do not meet the reporting criteria in 49CFR191.

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

SLR Notes:

There was one incident meeting Part 191 criteria that was reported during 2009.

5	Were investigations thorough and conclusions and recommendations documented in an acceptable manner? Previous Question E.5, comprehensive question worth 2 points total Yes = 2 No = 0 Needs Improvement = 1	2	2

a.	Observations and Document Review	Yes ◉	No ○	Needs Improvement ○
b.	Contributing Factors	Yes ◉	No ○	Needs Improvement ○
c.	Recommendations to prevent recurrences where appropriate	Yes ◉	No ○	Needs Improvement ○

SLR Notes:

There was one investigations required in 2009.

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

SLR Notes:

There were no enforcement actions taken for reportable incidents in 2009.

7	Did the state assist region office by taking appropriate follow-up actions related to the operator incident reports to ensure accuracy and final report has been received by PHMSA? (validate annual report data from operators concerning incidents/accidents and investigate discrepancies) (Chapter 6) Previous Question E.7/E.8 Yes = .5 No = 0	.5	0.5

SLR Notes:

Yes. The WPSC responded to requests to follow up with operators who submitted written incident reports.

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

SLR Notes:

The WPSC generally complied with the requirements contained in Part D of this evaluation.

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

PART E - Damage Prevention Initiatives

		Points(MAX)	Score
1	Has the state reviewed directional drilling/boring procedures of each pipeline operator or its contractor to determine if they include actions to protect their facilities from the dangers posed by drilling and other trench less technologies? Previous Question B.11 Yes = 2 No = 0 Needs Improvement = 1	2	2

SLR Notes:

Yes. The WPSC reviews operators' Operation and Maintenance Procedures each year. The WPSC verifies that operators have procedures in place that address the use of trenchless excavation.

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

SLR Notes:

This issued is covered on the WPSC's inspection checklist. It is reviewed when the WPSC covers the requirements in 192.614.

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

SLR Notes:

Yes. The WPSC works closely with the Wyoming one call system, Wyoming 811. The WPSC has encouraged Wyoming 811 and gas pipeline operators to incorporate the best practices that effect their processes and procedures related to damage prevention.

4	Has the agency or another organization within the state collected data and evaluated trends on the number of pipeline damages per 1,000 locate requests? New 2008 Yes = 1 No = 0	1	1

SLR Notes:

Wyoming 811 collects this information from its members on a voluntary basis. Wyominge 811 submits this data to CGA's DIRT reporting system. The WPSC receives Wyoming 811's damage information each year or on an adhoc basis when requested.

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

SLR Notes:

Yes. The WPSC covers 192.617 requirements on is standard inspection form.

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

SLR Notes:

The WPSC is generally complying with the requirements of Part E of this evaluation. The WPSC has plans to continue pursuing changes in Wyoming's damage prevention laws to incorporate the Nine Elements contained in the PIPES Act.

Total points scored for this section: 9

Total possible points for this section: 9

PART F - Field Inspection

Points(MAX) Score

1 Operator, Inspector, Location, Date and PHMSA Representative — Info Only | Info Only

Info Only = No Points

Name of Operator Inspected:
Kinder Morgan

Name of State Inspector(s) Observed:
David Piroutek

Location of Inspection:
Log Cabin, Wyoming

Date of Inspection:
9/13-15/2010

Name of PHMSA Representative:
Dale Bennett

SLR Notes:

David Pioutek conducted an inspection of Kinder Morgan's gathering line in Lost Cabin, Wyoming.

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2 Was the operator or operator's representative notified and/or given the opportunity to be present during inspection? New 2008 — 1 | 1

Yes = 1 No = 0

SLR Notes:

Yes. The operator was notified two months prior to the inspection. Operator's representatives were present during the inspection.

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3 Did the inspector use an acceptable inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) Previous Question F.2 — 2 | 2

Yes = 2 No = 0

SLR Notes:

Yes. The WYSC inspector used the federal inspection form for gas distribution operators. The form was the latest version that was revised in March, 2009.

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4 Did the inspector thoroughly document results of the inspection? Previous Question F.3 — 2 | 2

Yes = 2 No = 0

SLR Notes:

Yes. The inspector marked the "check off" columns for each item on the federal form. If unsatisfactory was checked, an explanation of the non compliance issue was provided in the comments sections.

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5 Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, pyrometer, soap spray, CGI, etc.) New 2008 — 1 | 1

Yes = 1 No = 0

SLR Notes:

Yes. The inspector checked that the operator representatives had testing equipment for odorant checks, voltmeters, half cells for cathodic protection readings and leak detection equipment for finding leaks. The inspector checked records to verify that testing equipment met manufacturer's recommendations for calibration of the instruments.

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6 What type of inspection(s) did the state inspector conduct during the field portion of the state evaluation? (i.e. Standard, Construction, IMP, etc) New 2008 — Info Only | Info Only

Info Only = No Points

SLR Notes:

The WYPSC conducted a standard inspection of Kinder Morgan's gathering line. The inspection was conducted on September 13th, 14th and 15th.

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7 Did the inspector adequately review the following during the field portion of the state evaluation? (check all that apply on list) New 2008, comprehensive question worth 2 points total — 2 | 2

Yes = 2 No = 0 Needs Improvement = 1

a. Procedures ☒

b. Records ☒

c. Field Activities/Facilities ☒

d. Other (Please Comment) ☐

SLR Notes:

The WYPSC reviewed the operator's procedures, operation and maintenance records and observed test readings taken in the field.

---

8 Did the inspector have adequate knowledge of the pipeline safety program and regulations? (Liaison will document reasons if unacceptable) Previous Question F.8 — 2 — 2

Yes = 2 No = 0

SLR Notes:

Yes. Inspector has several years experience in gas pipeline operations experience and have taken a number of classes at PHMSA's Training and Qualification training facility.

---

9 Did the inspector conduct an exit interview? (If inspection is not totally complete the interview should be based on areas covered during time of field evaluation) Previous Question F.10 — 1 — 1

Yes = 1 No = 0

SLR Notes:

Yes. The WYPSC inspector provided the operator's representatives with a briefing of his findings for the two day inspection.

---

10 During the exit interview, did the inspector identify probable violations found during the inspections? Previous Question F.11 — 1 — 1

Yes = 1 No = 0

SLR Notes:

Yes. The WYPSC lead inspector described the probable violations that were found during the inspection. The WYPSC inspector also provided an explanation of the written notification that would be sent and the follow up process until the corrections actions are verified.

---

11 What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) — Info Only — Info Only

Info Only = No Points

SLR Notes:

The observation of test readings taken in the field took place the day before the evaluation observation. Tests were taken on cathodic test point and overpressure protection pressure set point readings.

---

12 Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) — Info Only — Info Only

Info Only = No Points

SLR Notes:

There were no inspection activities observed that were identied as best practices to be shared with other states.

---

13 Field Observation Areas Observed (check all that apply) — Info Only — Info Only

Info Only = No Points

a. Abandonment ☐
b. Abnormal Operations ☐
c. Break-Out Tanks ☐
d. Compressor or Pump Stations ☐
e. Change in Class Location ☐
f. Casings ☐
g. Cathodic Protection ☒
h. Cast-iron Replacement ☐
i. Damage Prevention ☐
j. Deactivation ☐
k. Emergency Procedures ☐
l. Inspection of Right-of-Way ☒
m. Line Markers ☒
n. Liaison with Public Officials ☐
o. Leak Surveys ☐
p. MOP ☐
q. MAOP ☒

r.	Moving Pipe	☐
s.	New Construction	☐
t.	Navigable Waterway Crossings	☐
u.	Odorization	☐
v.	Overpressure Safety Devices	☒
w.	Plastic Pipe Installation	☐
x.	Public Education	☐
y.	Purging	☐
z.	Prevention of Accidental Ignition	☐
A.	Repairs	☐
B.	Signs	☒
C.	Tapping	☐
D.	Valve Maintenance	☒
E.	Vault Maintenance	☐
F.	Welding	☐
G.	OQ - Operator Qualification	☐
H.	Compliance Follow-up	☐
I.	Atmospheric Corrosion	☒
J.	Other	☐

SLR Notes:

Either records were reviewed or test readings were observed for the items checked above.

---

14 Part F: General Comments/Regional Observations — Info Only Info Only

Info Only = No Points

SLR Notes:

The WYPSC inspector generally met the requirements for this portion of the evaluation. The inspector conducted himself in a professional manner and treated the operator's personnel with respect.

Total points scored for this section: 12

Total possible points for this section: 12

PART G - PHMSA Initiatives - Strategic Plan

		Points(MAX)	Score

Risk base Inspections - Targeting High Risk Areas

1 Does state have process to identify high risk inspection units? — 1.5 — 1.5

Yes = 1.5 No = 0

Risk Factors (criteria) to consider may include:

Miles of HCA's, Geographic area, Population Density

Length of time since last inspection

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

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

SLR Notes:

The WYPSC identifies high risk inspection units based upon the length since last inspection, leakage history, incident history and the results of past inspections. Operators are scheduled for more frequent inspections by conducting followup inspections based upon their outstanding non compliance issues. The WYPSC utilizes the knowledge of its inspectors to identify riskier inspection units at this time. The WYPSC should develop a formal risk evaluation process to rank inspection units based upon predetermined risk criteria.

---

2 Are inspection units broken down appropriately? (see definitions in Guidelines) — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The inspection units are broken up as described in the "Guidelines For State Pipeline Programs" (Guideline).

---

3 Consideration of operators DIMP Plan? (if available and pending rulemaking) — Info Only — Info Only

Info Only = No Points

SLR Notes:

Operators have not impemented plans, because the Distribution Integrity Management Program rule is not past the due date at this.

---

4 Does state inspection process target high risk areas? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC's investigators are very knowledgeable of each operator's systems and operations. The WYPSC utilizes the investigators knowledge to identify high risk areas and conduct focused inspections. The WYPSC should develop a more formal assessment of risk areas in addition to using the knowledge of its investigators.

Use of Data to Help Drive Program Priority and Inspections

5 Does state use data to analyze effectiveness of damage prevention efforts in the state? (DIRT or other data, etc) — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Wyoming 811 receives "damage tickets" when a damage occurs and the operator requests a relocate.

---

6 Has state reviewed data on Operator Annual reports for accuracy? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC reviews the information for accuracy and comparison to the previous year report. The operators are informed of any inconsistencies found during the reviews.

---

7 Has state analyzed annual report data for trends and operator issues? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC monitors the mileage of bare steel mains remaining in each operator's system and the total within the state of Wyoming. The WYPSC also reviews trends on leak repair and lost and unaccounted for gas data.

---

8 Has state reviewed data on Incident/Accident reports for accuracy? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC reviews data on incident repots to ensure that the reports are complete (all entries are completed), the proper status is checked (original, supplemental or final), and that the operator's stated cause of the gas release is reasonable and is consistent with the WYPSC's investigation.

---

9 Does state do evaluation of effectiveness of program based on data? (i.e. performance measures, trends, etc.) .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes

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10 Did the State input all operator qualification inspection results into web based database provided by PHMSA in a timely manner upon completion of OQ inspections? Previous Question B.15 .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes OQ inspection protocol forms have not been uploaded to the OQ database

---

11 Did the State submit their replies into the Integrity Management Database (IMDB) in response to the Operators notifications for their integrity management program? Previous Question B.16 .5 0.5

Yes = .5 No = 0

SLR Notes:

N/A

---

12 Have the IMP Federal Protocol forms been uploaded to the IMDB? Previous Question B.17 .5 0.5

Yes = .5 No = 0

SLR Notes:

N/A

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13 Did the State ask Operators to identify any plastic pipe and components that has shown a record of defects/leaks and what those operators are doing to mitigate the safety concerns? Previous Question B.18 .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes. Operators have been requested to monitor plastic pipe and component failures. The WYPSC reviews this information when verifying that operators have complied with 192.617.

---

14 Has state confirmed transmission operators have submitted information into National Pipeline Mapping System (NPMS) database along with any changes made after original submission? .5 0.5

Yes = .5 No = 0

SLR Notes:

The PSC's reviews data submitted by operators within Wyoming. The department confirmed that transmission operators submitted information into NPMS during the original submission of data (along with changes), but it has been at least a year (or more) since any comparison/check has been performed to confirm data submittal updates.

Accident/Incident Investigation Learning and Sharing Lessons Learned

15 Has state shared lessons learned from incidents/accidents? (i.e. NAPSR meetings and communications) .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC presented an update of its program at the NAPSR Western Region Meeting held in June, 2010.

---

16 Does the State support data gathering efforts concerning accidents? (Frequency/Consequence/etc) .5 0.5

Yes = .5 No = 0

SLR Notes:

There were no requests for information on accidents received by the WYPSC.

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17 Does state have incident/accident criteria for conducting root cause analysis? Info Only Info Only

Info Only = No Points

SLR Notes:

Yes. The WYPSC has received training on root cause analysis.

---

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

Info Only = No Points

SLR Notes:

The WYPSC does not use this process at this time.

---

19 Has state participated on root cause analysis training? (can also be on wait list) .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes

Transparency - Communication with Stakeholders

20 Other than pipeline safety seminar does State communicate with stakeholders? (Communicate program data, pub awareness, etc.) .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC participates in Wyoming Gas Association meetings and conferences.

---

21 Does state share enforcement data with public? (Website, newsletters, docket access, etc.) .5 0.5

Yes = .5 No = 0

SLR Notes:

Any enforcement action that results in a docketed case brought before the commission can be accessed by the public through the WYPSC's website and docket system. The WYPSC has not developed summary enforcement data that can be shared with the public at this time.

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22 Part G: General Comments/Regional Observations Info Only Info Only

Info Only = No Points

SLR Notes:

The WPSC has generally complied with the requirements contained in Part G of this evaluation.

Total points scored for this section: 10

Total possible points for this section: 10

PART H - Miscellaneous

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

SLR Notes:

1. Began IMP inspection program. 2. Moved toward more risk-based inspections by conducting an increased number of follow-up inspections on operators with cited deficiencies to ensure compliance.

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

SLR Notes:

Review of Wyoming "dig laws" versus the nine elements of an effective damage prevention program.

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

SLR Notes:

The WYPSC has identified bare steel mains as a key risk factor for pipeline safety in Wyoming.

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

SLR Notes:

The WYPSC did appear to be responsive to surveys and requests.

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

SLR Notes:

The WYPSC has shared its practices with other states in NAPSR forums

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

SLR Notes:

The WYPSC has generally complied with the requirements covered under Part H of this evaluation.

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

PART I - Program Initiatives

		Points(MAX)	Score

Drug and Alcohol Testing (49 CFR Part 199)

1 Has the state verified that operators have drug and alcohol testing programs? — 1 — 1

Yes = 1 No = 0

SLR Notes:

Yes. The WYPSC has completed the review of all operators' drug and alcohol testing programs. The WYPSC reviews testing records as part of its standard inspection and has followed up with plan reviews when Part 199 rules have been amended.

---

2 Is the state verifying that operators are conducting the drug and alcohol tests required by the operators program (random, post-incident, etc.) — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. Operators records are reviewed during standard inspections to verify random drug testing rates exceed 25 percent. The WYPSC checks records of tests for cause or post incident tests of employees who may have been involved in an incident.

---

3 Is the state verifying that any positive tests are responded to in accordance with the operator's program? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. If positive results are shown in an operator's records, the WYPSC questions operators of the actions taken as a result of the positive test(s). The WYPSC compares the action taken with the process described in the operator's plan.

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

4 Has the state verified that operators have a written qualification program? — 1 — 1

Yes = 1 No = 0

SLR Notes:

Yes. The WYPSC has completed the review of all operators' Operator Qualification Plans. The results of these inspections have been uploaded to PHMSA's OQ database.

---

5 Has the state reviewed operator qualification programs for compliance with PHMSA rules and protocols? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC utilized the protocol forms to inspect operators' OQ Plans. The protocol forms were uploaded into PHMSA's OQ database.

---

6 Is the state verifying that persons who perform covered tasks for the operator are qualified in accordance with the operator's program? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC reviews OQ Qualification records as a part of its standard inspections. The verifies that requalifications are performed within the timeframes established in the operator's OQ Plan.

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7 Is the state verifying that persons who perform covered task for the operator are requalified at the intervals specified in the operator's program? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC has used the Protocol 9 form to confirm that operator personnel can perform the task as described in the operator's plans. The WYPSC verifies that personnel possess qualification documentation. The results of Protocol 9 inspections have not been uploaded to PHMSA's OQ database.

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

8 Has the state verified that all operators with transmission pipelines have either adopted an integrity management program (IMP), or have properly determined that one is not required? — 1 — 1

Yes = 1 No = 0

SLR Notes:

The WYPSC has not completed an Integrity Management Plan inspection for all operators that have gas transmission pipelines.

---

9 Has the state verified that in determining whether a plan is required, the operator correctly calculated the potential impact radii and properly applied the definition of a high consequence area? — .5 — 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC uses and completes all information in the protocol forms while conducting its inspections of Integrity Management Plans. The protocol form covers this requirement.

---

10 Has the state reviewed operator IMPs for compliance with Subpart O? (In accordance with State Inspection plan) .5 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC uses the Integrity Management Plan inspection protocols while conducting its IMP inspections. The protocol forms covers the requirements in Subpart O.

---

11 Is the state monitoring operator progress on the inspections, tests and remedial actions required by the operator's IMP, including that they are being done in the manner and schedule called for in its IMP? .5 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC has conducted these reviews on all of the operators.

---

12 Is the state verifying that operators are periodically examining their transmission line routes for the appearance of new HCAs? .5 0.5

Yes = .5 No = 0

SLR Notes:

The WYPSC has reviewed this requirement for the operators that it has conducted an IMP inspection.

Public Awareness (49 CFR Section 192.616)

13 Has the state verified that each operator has developed a continuing public awareness program? (due date was 6/20/06 for most operators, 6/20/07 for certain very small operators,6/13/08 for master meters) .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC partiicpated in the Public Awareness Clearinghouse review of operator's plans. The WYPSC verified that all operators submitted their Public Awareness Plans within the timeframe prescribed by the regulations.

---

14 Has the state reviewed the content of these programs for compliance with 192.616 (by participating in the Clearinghouse or by other means)? .5 0.5

Yes = .5 No = 0

SLR Notes:

the WYPSC participated in the review conducted by the Public Awareness Clearinghouse. The WYPSC reviewed the results submitted by the Clearinghouse.

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15 Is the state verifying that operators are conducting the public awareness activities called for in its program? .5 0.5

Yes = .5 No = 0

SLR Notes:

Yes. The WYPSC reviews an operator's activity records when conducting standard inspections.

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16 Is the state verifying that operators have evaluated their Public Awareness programs for effectiveness as described in RP1162? Info Only Info Only

Info Only = No Points

SLR Notes:

The WYPSC has completed an Integrity Management Plan inspection for all operators that have gas transmission pipelines

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17 Part I: General Comments/Regional Observations Info Only Info Only

Info Only = No Points

SLR Notes:

The WPSC has generally complied with the requirements contained in Part I of this evaluation.

Total points scored for this section: 9

Total possible points for this section: 9