



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

1200 New Jersey Avenue SE  
Washington DC 20590

# 2013 Natural Gas State Program Evaluation

for

MISSISSIPPI PUBLIC SERVICE COMMISSION

## Document Legend

### PART:

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

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

**State Agency:** Mississippi

**Agency Status:**

**Date of Visit:** 09/29/2014 - 10/02/2014

**Agency Representative:** Rickey Cotton, Director - Pipeline Safety

**PHMSA Representative:** Don Martin

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

**Name/Title:** Lynn Posey, Chairman

**Agency:** Mississippi Public Service Commission

**Address:** 501 N. West Street, Suite 201A

**City/State/Zip:** Jackson, Mississippi 32901

**Rating:**

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

---

**INSTRUCTIONS:**

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

---

**Field Inspection (PART G):**

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

**Scoring Summary**

<b>PARTS</b>		<b>Possible Points</b>	<b>Points Scored</b>
A	Progress Report and Program Documentation Review	10	10
B	Program Inspection Procedures	15	15
C	Program Performance	46	41
D	Compliance Activities	15	14
E	Incident Investigations	4	4
F	Damage Prevention	8	8
G	Field Inspections	12	12
H	Interstate Agent State (If Applicable)	0	0
I	60106 Agreement State (If Applicable)	0	0
<b>TOTALS</b>		<b>110</b>	<b>104</b>
<b>State Rating .....</b>			<b>94.5</b>

---

## PART A - Progress Report and Program Documentation Review

Points(MAX) Score

- |          |   |   |   |
|----------|---|---|---|
| <b>1</b> | 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:**

No accuracy issues that requires point reduction. Some utility district operators could be moved to Other operator type after confirming whether or not they are a municipality or not.

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

**Evaluator Notes:**

The inspection person day data on Attachment 2 matched the inspection information maintained by the MPSC.

- |          |  |   |   |
|----------|--|---|---|
| <b>3</b> | 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:**

The MPSC operator records verified the information input into Attachment 3. No issues.

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

**Evaluator Notes:**

There were no incidents reported on Attachment 4. The Pipeline Data Mart confirms that there were no incidents reported.

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

**Evaluator Notes:**

No issues were identified with the information on Attachment 5. Recommended that the notes section be used to describe any corrective action ordered that results in expenditures by the operator.

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

**Evaluator Notes:**

No issues were identified with the files. All information requested was easily collected and provided.

- |          |  |   |   |
|----------|--|---|---|
| <b>7</b> | 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:**

The employee listing was complete. The training information was downloaded from PHMSA Training and Qualification's database.

- |          |   |   |   |
|----------|---|---|---|
| <b>8</b> | 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:**

The information regarding adoption of amendments was verified. The MPSC was informed of the results of the Progress Report scoring. Civil penalty levels for pipeline safety do not meet the minimum requirement of \$100,000 per day up to \$1,000,000 and no penalty level for damage prevention law violations.

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

Evaluator Notes:

The MPSC did describe information related to the construction of a fire training facility and its work to improve the damage prevention law. The MPSC should also provide additional information regarding accomplishments of its annual inspection plan.

---

10 General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

The MPSC generally complied with the requirements of Part A of this evaluation.

---

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

## PART B - Program Inspection Procedures

Points(MAX) Score

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

**Evaluator Notes:**

The MPSC has identified its inspection frequencies in its operation procedures. Standard inspections will be scheduled based upon risk analysis but each unit will be inspected at an interval not to exceed once every two years.

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

**Evaluator Notes:**

The MPSC corrected the deficiency found during the Program Evaluation of CY2012. The inspection procedures now includes Transmission Integrity Management Program Inspections and Distribution Integrity Management Program Inspections. Each are to be conducted at least once every two years.

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

**Evaluator Notes:**

OQ inspections are included in the inspection procedures. The frequency stated is on an as needed basis. It is recommended that the language be revised to show a maximum time interval. The Guidelines for States Participating in the Pipeline Safety Program will a maximum interval of five years beginning in 2015.

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

**Evaluator Notes:**

Damage Prevention requirements in Part 192.614 are inspected during Standard Inspections.

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

**Evaluator Notes:**

Operator Training is scheduled on as needed basis such as change in Master Meter operators.

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

**Evaluator Notes:**

The MPSC has construction notification requirements for operators. The MPSC schedules Contruction Inspections as notifications are received or as determined while conducting Standard Inspections.

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

**Evaluator Notes:**

The MPSC's inspection procedures covers the investigation of Incidents. The procedures imply that all reportable incidents are investigated at the scene of the incident because no other options are described in the procedures.

- |          |   |   |   |
|----------|---|---|---|
| <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 | 6 |
|----------|---|---|---|

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

- d. Locations of operators inspection units being inspected - (HCA's, Geographic areas, Population Density, etc) Yes ☒ No ☐ Needs Improvement ☐
- 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:

The MPSC's inspection procedures state that the factors above will be considered in the scheduling of inspections.

Comprehensive inspections of each operator will be completed once every two years. A risk assessment procedure is used. A risk score is updated upon the completion of each comprehensive inspection.

A review of the inspection units indicates that the units are appropriate.

**9** General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

The MPSC has generally complied with the requirements of Part B of this evaluation.

Question B.3 - OQ inspections are included in the inspection procedures. The frequency stated is on an as needed basis. It is recommended that the language be revised to show a maximum time interval. The Guidelines for States Participating in the Pipeline Safety Program will a maximum interval of five years beginning in 2015.

Total points scored for this section: 15  
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):  
632.00

B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):  
220 X 6.00 = 1320.00

Ratio: A / B  
632.00 / 1320.00 = 0.48

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

**Evaluator Notes:**

The MPSC's level of inspection person days resulted in a ratio of 0.48 which is greater than the minimum ratio.

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

- |    |  |                                      |                          |  |
|----|--|--------------------------------------|--------------------------|--|
| a. | Completion of Required OQ Training before conducting inspection as lead?                                     | Yes <input type="radio"/>            | No <input type="radio"/> | Needs Improvement <input checked="" 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:**

Lewis Davis has not completed all of the Required TQ training within five years. This finding was noted in the CY2012 Program Evaluation and no action was taken to correct it. There could be findings for CY2014 if action is not taken. In addition to the training issue with Mr. Davis, Neill Wood will exceed the five year timeframe in November, 2014 if PL3257 is not completed. Also Wiley Walker was the only inspector that had completed Root Cause training. Mr. Walker is no longer with the MPSC. The MPSC will need to one inspector on staff that has completed the Root Cause course.

- 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:**

Rickey Cotton returned to the program manager's position after working for a private distribution company the last 11 years. Rickey has retained a lot of the knowledge of the pipeline safety program. His experience in the private sector required him to be knowledgeable of pipeline safety regulations. There were no issues with his knowledge.

- 4** Did state respond to Chairman's letter on previous evaluation within 60 days and correct or address any noted deficiencies? (If necessary) Chapter 8.1 (A6-7) 2 2  
Yes = 2 No = 0 Needs Improvement = 1

**Evaluator Notes:**

The MPSC responded in 55 days to the CY2012 program evaluation letter.

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

**Evaluator Notes:**

The MPSC held the last seminar in 2012. The MPSC is conducting its next seminar in 2014. The MPSC conducts the seminars annually. PHMSA TQ did not participate in 2013 due to furloughs for federal employees at that time.

- 6** Did state inspect all types of operators and inspection units in accordance with time intervals established in written procedures? Chapter 5.1 (B3) 5 5

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

Evaluator Notes:

Attachment 1 of the 2013 Progress Report indicates that inspection unit inspection totals by operator type were adequate to meet the two year interval established in the MPSC's procedures. The maximum interval for inspection types appeared to be met but the data kept makes it difficult to verify this requirement.

- 
- |   |   |   |   |
|---|---|---|---|
| 7 | Did inspection form(s) cover all applicable code requirements addressed on Federal Inspection form(s)? Did State complete all applicable portions of inspection forms? Chapter 5.1 (B4-5) | 2 | 2 |
|---|---|---|---|

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The MPSC uses the federal inspection forms.

- 
- |   |  |   |   |
|---|--|---|---|
| 8 | Did the state review operator procedures for determining if exposed cast iron pipe was examined for evidence of graphitization and if necessary remedial action was taken? (NTSB) Chapter 5.1 (B7) | 1 | 1 |
|---|--|---|---|

Yes = 1 No = 0

Evaluator Notes:

The MSPC covers this issue by completing the federal form.

- 
- |   |   |   |   |
|---|---|---|---|
| 9 | Did the state review operator procedures for surveillance of cast iron pipelines, including appropriate action resulting from tracking circumferential cracking failures, study of leakage history, or other unusual operating maintenance condition? (Note: See GPTC Appendix G-18 for guidance) (NTSB) Chapter 5.1 (B8) | 1 | 1 |
|---|---|---|---|

Yes = 1 No = 0

Evaluator Notes:

The MSPC covers this issue by completing the federal form.

- 
- |    |  |   |   |
|----|--|---|---|
| 10 | Did the state review operator emergency response procedures for leaks caused by excavation damage near buildings and determine whether the procedures adequately address the possibility of multiple leaks and underground migration of gas into nearby buildings Refer to 4/12/01 letter from PHMSA in response to NTSB recommendation P-00-20 and P-00-21? (NTSB) Chapter 5.1 (B9) | 1 | 1 |
|----|--|---|---|

Yes = 1 No = 0

Evaluator Notes:

The MSPC covers this issue by completing the federal form.

- 
- |    |   |   |   |
|----|---|---|---|
| 11 | Did the state review operator records of previous accidents and failures including reported third party damage and leak response to ensure appropriate operator response as required by 192.617? Chapter 5.1 (B10,E5) | 1 | 1 |
|----|---|---|---|

Yes = 1 No = 0

Evaluator Notes:

The MSPC covers this issue by completing the federal form.

- 
- |    |   |   |   |
|----|---|---|---|
| 12 | Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues? Data Initiative (G6-9,G16) | 2 | 2 |
|----|---|---|---|

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

The MPSC reviews the annual reports and requests operator to submit revisions if discrepancies are found. The MPSC reviews data in the Pipeline Data Mart for trends and potential issues.

- 
- |    |  |   |   |
|----|--|---|---|
| 13 | Did state input all applicable OQ, IMP inspection results into federal database in a timely manner? This includes replies to Operator notifications into IMDB database. Chapter 5.1 (G10-12) | 2 | 1 |
|----|--|---|---|

Yes = 2 No = 0 Needs Improvement = 1



Evaluator Notes:

Operator Qualification Inspections that were conducted in CY2012 and CY2013 did not get uploaded into the OQ database during CY2013. One point is deducted.

A limited number of Transmission IMP inspections were conducted in 2013. These results should be uploaded into the database before CY2014 program evaluation to be considered timely.

---

- |           |   |   |   |
|-----------|---|---|---|
| <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:

As part of the MPSC's standard inspection, the MPSC reviews the operator's submission of pipeline data to the NPMS database. The MPSC has also accessed the database and reviewed the pipelines shown in the database to verify that intrastate transmission lines in Mississippi are included. The MPSC checks this requirement when completing the federal inspection form.

---

- |           |  |   |   |
|-----------|--|---|---|
| <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:

The MPSC conducted one full Drug and Alcohol Plan inspection in 2013 but verified testing results of Drug Plans during all Standard Inspections.

---

- |           |  |   |   |
|-----------|--|---|---|
| <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 | 2 |
|-----------|--|---|---|

Evaluator Notes:

The MPSC spent 19.5 inspection person days on Operator Qualification inspections in CY2013. The MPSC conducts Protocol 9 inspections during Standard Inspections.

---

- |           |  |   |   |
|-----------|--|---|---|
| <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 | 2 |
|-----------|--|---|---|

Evaluator Notes:

The focus has been to complete DIMP inspections. Some time was spent on transmission integrity management program inspections but time was limited due to DIMP inspections.

---

- |           |   |   |   |
|-----------|---|---|---|
| <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>DIMP ? First round of program inspections should be complete by December 2014<br><br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|

Evaluator Notes:

The MPSC has made progress in completing DIMP inspections. The MPSC is focusing on completing DIMP inspections by December 31, 2014.

---

- |    |  |   |   |
|----|--|---|---|
| 19 | Is state verifying operators Public Awareness programs are up to date and being followed. State should also verify operators have evaluated Public Awareness programs for effectiveness as described in RP1162. 49 CFR 192.616 (I13-16)<br>PAPEI Effectiveness Inspections should be complete by December 2013 | 2 | 1 |
|----|--|---|---|

Yes = 2 No = 0 Needs Improvement = 1

**Evaluator Notes:**

The MPSC reviews Public Awareness requirements as part of Standard Inspections. The MPSC did not complete all Public Awareness Program Effectiveness Inspections by December 31, 2013. One point is deducted for failing to complete PAPEI by December 31, 2013.

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

**Evaluator Notes:**

The Commission's website contains a site for pipeline safety where announcements can be placed. The Commission has an online docket system where show cause cases can be accessed.

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

**Evaluator Notes:**

There were no Safety Related Condition Reports in CY2013. One SRCR in CY2012 was closed out in June, 2013.

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

**Evaluator Notes:**

The MPSC has participated on the Plastic Pipe Database Committee in the past. The issue has been stressed to operators during inspections and seminars.

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

**Evaluator Notes:**

No information was provided that indicated the MPSC did not respond or participate.

- |    |  |           |           |
|----|--|-----------|-----------|
| 24 | If the State has issued any waivers/special permits for any operator, has the state verified conditions of those waivers/special permits are being met? This should include having the operator amend procedures where appropriate.<br>Info Only = No Points | Info Only | Info Only |
|----|--|-----------|-----------|

**Evaluator Notes:**

The MPSC has two active waivers on file. The MPSC is following up one of the waivers and determining if the other waiver is still valid. No issues at this time.

- |    |  |           |           |
|----|--|-----------|-----------|
| 25 | General Comments:<br>Info Only = No Points | Info Only | Info Only |
|----|--|-----------|-----------|

**Evaluator Notes:**

The MPSC has generally complied with the requirements of Part C of this evaluation; however, the findings below are noted:

Question C.2 - Lewis Davis has not completed all of the Required TQ training within five years. This finding was noted in the CY2012 Program Evaluation and no action was taken to correct it. Three points were deducted. There could be findings for CY2014 if action is not taken. In addition to the training issue with Mr. Davis, Neill Wood will exceed the five year

timeframe in November, 2014 if PL3257 is not completed. Also Wiley Walker was the only inspector that had completed Root Cause training. Mr. Walker is no longer with the MPSC. The MPSC will need to one inspector on staff that has completed the Root Cause course.

Question C.13 - Operator Qualification Inspections that were conducted in CY2012 and CY2013 did not get uploaded into the OQ database during CY2013. One point is deducted.

Question C.19 - The MPSC reviews Public Awareness requirements as part of Standard Inspections. The MPSC did not complete all Public Awareness Program Effectiveness Inspections by December 31, 2013. One point is deducted for failing to complete PAPEI by December 31, 2013.

---

Total points scored for this section: 41  
Total possible points for this section: 46

**PART D - Compliance Activities****Points(MAX) Score**

- |          |   |   |   |
|----------|---|---|---|
| <b>1</b> | 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)<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Procedures to notify an operator (company officer) when a noncompliance is identified   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Procedures to routinely review progress of compliance actions to prevent delays or breakdowns   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

**Evaluator Notes:**

The MPSC office procedures describe the steps to be taken until the probable violations are corrected. The MPSC issues a non-compliance notification to an operator when a probable violation is found. An operator is given 30 days to respond to the notice. Followup inspections are conducted to monitor the progress of corrective actions. Operators are given the opportunity to provide information showing that a probable violation did not occur or an opportunity to request a hearing before the Commissioners to argue that a probable violation did not occur. The MPSC maintains a database that shows the number of probable violations found in each inspection and the status of corrective action.

- |          |  |   |   |
|----------|--|---|---|
| <b>2</b> | 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)<br>Yes = 4 No = 0 Needs Improvement = 1-3 | 4   | 4                                       |
| a.       | Were compliance actions sent to company officer or manager/board member if municipal/government system?  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b.       | Were probable violations documented?   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c.       | Were probable violations resolved?   | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| d.       | Was the progress of probable violations routinely reviewed?  | Yes <input checked="" type="radio"/> No <input type="radio"/> | Needs Improvement <input type="radio"/> |

**Evaluator Notes:**

Upon a review of randomly selected inspection files all probable violations were documented and were followed up. No issues found with the requirements based upon the inspection files reviewed.

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

**Evaluator Notes:**

Upon a review of randomly selected 2013 inspection files written notification was provided to the operator(s). The notice of probable violation states the code section(s) that the operator did not comply.

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

**Evaluator Notes:**

Operators are provided with the opportunity to provide information that shows that a probable violation did not occur. If resolution can not be achieved at this point, operators can petition the Commissioners for a "show cause" hearing.

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

**Evaluator Notes:**

The MPSC program manager provided a verbal description of the process for imposing civil penalties. The process has not been used in a number of years. Civil penalties for repeat violations are a consideration but have not been assessed within recent years.

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

**Evaluator Notes:**

No. The MPSC has not issued a civil penalty for many years.

---

**7**      General Comments:

Info OnlyInfo Only

Info Only = No Points

Evaluator Notes:

The MPSC generally complied with the requirements of Part D of this evaluation; however an issue was found as noted below:

Question D.6 - The MPSC has not issued a civil penalty for many years. This issue was a finding in CY2012 Program Evaluation. One point was deducted.

---

Total points scored for this section: 14

Total possible points for this section: 15

## 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:

Yes. The program manager exhibited knowledge of the MOU and Appendix E information regarding cooperation between PHMSA and a state program in the investigation of incidents.

- |          |   |   |    |
|----------|---|---|----|
| <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 | NA |
|----------|---|---|----|

Evaluator Notes:

There were no reportable incidents in Mississippi during CY2013.

- |          |  |                                      |  |
|----------|--|--------------------------------------|--|
| <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 checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b.       | Contributing Factors   | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c.       | Recommendations to prevent recurrences when appropriate  | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

There were no reportable incidents in Mississippi during CY2013.

- |          |  |   |    |
|----------|--|---|----|
| <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:

There were no reportable incidents in Mississippi during CY2013.

- |          |  |   |   |
|----------|--|---|---|
| <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 | 1 |
|----------|--|---|---|

Evaluator Notes:

No issues were communicated to the evaluator.

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

Evaluator Notes:

The MPSC has communicated this information in NAPSR meetings and seminars in the past.

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

Evaluator Notes:

There were no reportable incidents in Mississippi during CY2013. The MPSC has generally complied with the requirements of Part E of this evaluation.

---

Total points scored for this section: 4  
Total possible points for this section: 4

## 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:

The MPSC covers this issue while using the federal inspection form during its standard inspection.

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

The MPSC verifies the operator is complying with this requirement while completing the federal inspection form.

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

The MPSC has promoted the CGA Best Practices with operators during seminars and has participated in an effort to propose legislation to incorporate the 9 elements into Mississippi damage prevention laws.

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

The MPSC's database contains the damage information from operators' annual reports for three calendar years. It was recommended that an additional data field be created to capture the damages per 1000 tickets performance measure.

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

Evaluator Notes:

The MPSC has generally complied with the requirements of Part F of this evaluation.

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



## PART G - Field Inspections

Points(MAX) Score

- |          |   |                    |
|----------|---|--------------------|
| <b>1</b> | Operator, Inspector, Location, Date and PHMSA Representative<br>Info Only = No Points | Info OnlyInfo Only |
|----------|---|--------------------|

Name of Operator Inspected:

City of Vicksburg Utilities

Name of State Inspector(s) Observed:

Neal Wood

Location of Inspection:

Vicksburg, MS

Date of Inspection:

10/2/2014

Name of PHMSA Representative:

Don Martin

Evaluator Notes:

The inspection observed included one day of a standard inspection. This only a portion of the full inspection that the MPSC inspector will complete. Over pressure protection facilities were inspected and cathodic protection test point readings were taken.

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

Evaluator Notes:

Yes. The operator was notified on September 17, 2014 of the MPSC's visit scheduled for October 2, 2014.

- |          |  |   |   |
|----------|--|---|---|
| <b>3</b> | 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)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|--|---|---|

Evaluator Notes:

The Federal Form 2 was utilized during the inspection.

- |          |   |   |   |
|----------|---|---|---|
| <b>4</b> | Did the inspector thoroughly document results of the inspection? (F4)<br>Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

Yes. The inspector entered results of the portion inspected onto the form.

- |          |   |   |   |
|----------|---|---|---|
| <b>5</b> | 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)<br>Yes = 1 No = 0 | 1 | 1 |
|----------|---|---|---|

Evaluator Notes:

Yes. Cathodic protection testing equipment was checked for its appropriateness and proper working order.

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

Evaluator Notes:

The scope of the inspection on October 2, 2014 was related testing in the field. Procedures and records were to be completed at another date.

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

Evaluator Notes:

Mr. Wood exhibited a good working knowledge of the pipeline safety regulations and the inspection form.

8	Did the inspector conduct an exit interview? (If inspection is not totally complete the interview should be based on areas covered during time of field evaluation) (F9) Yes = 1 No = 0	1	1
---	--	---	---

Evaluator Notes:

Yes. For the items covered during October 2, 2014.

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

Evaluator Notes:

The inspector notified the operator of low cathodic protection readings that must be corrected.

10	General Comments: What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) Other. Info Only = No Points	Info Only	Info Only
----	--	-----------	-----------

- |    |                                   |                                     |
|----|-----------------------------------|-------------------------------------|
| a. | Abandonment                       | <input type="checkbox"/>            |
| b. | Abnormal Operations               | <input type="checkbox"/>            |
| c. | Break-Out Tanks                   | <input type="checkbox"/>            |
| d. | Compressor or Pump Stations       | <input type="checkbox"/>            |
| e. | Change in Class Location          | <input type="checkbox"/>            |
| f. | Casings                           | <input type="checkbox"/>            |
| g. | Cathodic Protection               | <input checked="" type="checkbox"/> |
| h. | Cast-iron Replacement             | <input checked="" 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 checked="" type="checkbox"/> |
| m. | Line Markers                      | <input checked="" type="checkbox"/> |
| n. | Liaison with Public Officials     | <input type="checkbox"/>            |
| o. | Leak Surveys                      | <input type="checkbox"/>            |
| p. | MOP                               | <input type="checkbox"/>            |
| q. | MAOP                              | <input checked="" type="checkbox"/> |
| r. | Moving Pipe                       | <input type="checkbox"/>            |
| s. | New Construction                  | <input type="checkbox"/>            |
| t. | Navigable Waterway Crossings      | <input type="checkbox"/>            |
| u. | Odorization                       | <input 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 checked="" type="checkbox"/> |
| C. | Tapping                           | <input type="checkbox"/>            |
| D. | Valve Maintenance                 | <input type="checkbox"/>            |

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

Evaluator Notes:

The inspection was focused on overpressure protection facilities and cathodic protection systems. Other items such as OQ, signs, markers were inspected while conducting the inspection.

---

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

**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:

The MPSC is not an interstate agent.

- 
- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC is not an interstate agent.

- 
- |          |   |   |    |
|----------|---|---|----|
| <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:

The MPSC is not an interstate agent.

- 
- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC is not an interstate agent.

- 
- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC is not an interstate agent.

- 
- |          |   |   |    |
|----------|---|---|----|
| <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:

The MPSC is not an interstate agent.

- 
- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC is not an interstate agent.

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

Evaluator Notes:

The MPSC is not an interstate agent.

---

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

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

- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

- |          |   |   |    |
|----------|---|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

- |          |   |   |    |
|----------|---|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

- |          |  |   |    |
|----------|--|---|----|
| <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:

The MPSC does not have a Section 60106 agreement with PHMSA.

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

Evaluator Notes:

The MPSC does not have a Section 60106 agreement with PHMSA.

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