

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

2016 Hazardous Liquid State Program Evaluation

for

MARYLAND 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 -- Accident Investigations
- F -- Damage Prevention
- G -- Field Inspections
- H -- Interstate Agent State (if applicable)
- I -- 60106 Agreement State (if applicable)



2016 Hazardous Liquid State Program Evaluation -- CY 2016
Hazardous Liquid

State Agency: Maryland
Agency Status:
Date of Visit: 06/26/2017 - 07/14/2017
Agency Representative: John J. Clementson, Assistant Chief Engineer
 Carlos Acosta, Pipeline Safety Engineer

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

PHMSA Representative: Glynn Blanton, US DOT/PHMSA State Evaluator
Commission Chairman to whom follow up letter is to be sent:

Name/Title: W. Kevin Hughes, Chairman
Agency: Maryland Public Service Commission
Address: 6 St. Paul Street, 19th Floor
City/State/Zip: Baltimore, MD 21202-6806

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 2016 (not the status of performance at the time of the evaluation). All items for which criteria have not been established should be answered based on the PHMSA representative's judgment. A deficiency in any one part of a multiple part question should be scored as needs improvement. Determine the answer to the question then select the appropriate point value. If a state receives less than the maximum points, include a brief explanation in the space provided for general comments/regional observations. If a question is not applicable to a state, select NA. Please ensure all responses are COMPLETE and ACCURATE, and OBJECTIVELY reflect state program performance. Increasing emphasis is being placed on performance. This evaluation together with selected factors reported in the state's annual progress report attachments provide the basis for determining the state's pipeline safety grant allocation.

Field Inspection (PART G):

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

Scoring Summary

PARTS	Possible Points	Points Scored
A Progress Report and Program Documentation Review	10	10
B Program Inspection Procedures	13	13
C Program Performance	41	41
D Compliance Activities	15	15
E Accident Investigations	7	7
F Damage Prevention	8	4
G Field Inspections	12	12
H Interstate Agent State (if applicable)	0	0
I 60106 Agreement State (if applicable)	0	0
TOTALS	106	102
State Rating		96.2

PART A - Progress Report and Program Documentation Review

Points(MAX) Score

1	Accuracy of Jurisdictional Authority and Operator/Inspection Units Data - Progress Report Attachment 1 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
A review of Attachment 1 found information correct. No issues of concern.

2	Review of Inspection Days for accuracy - Progress Report Attachment 2 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
No issues with Attachment 2. It was noted the number of inspection days were higher than in previous year.

3	Accuracy verification of Operators and Operators Inspection Units in State - Progress Report Attachment 3 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Attachment 3 is correct. No issues.

4	Were all federally reportable incident reports listed and information correct? - Progress Report Attachment 4 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
No incidents occurred on hazardous liquid facilities in CY2016.

5	Accuracy verification of Compliance Activities - Progress Report Attachment 5 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Attachment 5 was reviewed and found previous number of carryover violations have not been corrected. A check of files for calendar year 2017 found the seven violations have been corrected by the operator.

6	Were pipeline program files well-organized and accessible? - Progress Report Attachment 6 Yes = 2 No = 0 Needs Improvement = 1	2	2
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Evaluator Notes:
Yes, files were located in Program Manager's office and found to be well-organized and accessible.

7	Was employee listing and completed training accurate and complete? - Progress Report Attachment 7 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
Yes, verification of TQ records indicate Carlos Acosta, Negussie Tesfaye and John Clementson have completed all required courses for Liquid Inspector requirements. However, Negussie Tesfaye has not completed all the Liquid IM required courses.

8	Verification of Part 195,198,199 Rules and Amendments - Progress Report Attachment 8 Yes = 1 No = 0 Needs Improvement = .5	1	1
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Evaluator Notes:
MD PSC has automatic adoption of federal rules and regulations. MD PSC civil penalty amounts are the same as PHMSA. Civil penalties for damage prevention is listed in Maryland Public Utilities Articles and Related Laws, Title 12 Underground Facilities: 12-135. No issues.



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

Evaluator Notes:

No issues with Attachment 10. Information on planned and past performance was described.

10 General Comments: Info Only Info Only
Info Only = No Points

Evaluator Notes:

No loss of points occurred in the review of this section.

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



PART B - Program Inspection Procedures

Points(MAX) Score

-
- | | | | |
|----------|--|---|---|
| 1 | Standard Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 2 | 2 |
|----------|--|---|---|

Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Improvement was noted in a rewrite of MD PSC written procedures for pipeline safety. In this regard, standard inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section E, Record Inspection, page 11.

- | | | | |
|----------|---|---|---|
| 2 | IMP Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 1 |
|----------|---|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

IMP inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section O, Distribution Integrity Management Programs, page 17.

- | | | | |
|----------|--|---|---|
| 3 | OQ Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 1 |
|----------|--|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

OQ inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section H, Training and Operator Inspections, page 16.

- | | | | |
|----------|---|---|---|
| 4 | Damage Prevention Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 1 |
|----------|---|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Damage Prevention procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section L, Damager Prevention Activities, page 16.

- | | | | |
|----------|--|---|---|
| 5 | Any operator training conducted should be outlined and appropriately documented as needed. | 1 | 1 |
|----------|--|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, this is listed under V. Conducting Inspections, Section K. Operator Training on page 16.

- | | | | |
|----------|--|---|---|
| 6 | Construction Inspection procedures should give guidance to state inspectors that insure consistency in all inspections conducted by the state? The following elements should be addressed at a minimum - pre-inspection activities, inspection activities, post-inspection activities. | 1 | 1 |
|----------|--|---|---|

Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Construction inspection procedures for pre-inspection, inspection and post-inspection are listed under V. Conducting Inspections, Section G, Design, Testing and Construction Inspections, page 13.



- 7 Does inspection plan address inspection priorities of each operator, and if necessary each unit, based on the following elements? 6 6
 Yes = 6 No = 0 Needs Improvement = 1-5
- a. Length of time since last inspection (Within five year interval) Yes No Needs Improvement
 - b. Operating history of operator/unit and/or location (includes leakage, incident and compliance activities) Yes No Needs Improvement
 - c. Type of activity being undertaken by operators (i.e. construction) Yes No Needs Improvement
 - d. Locations of operators inspection units being inspected - (HCA's, Geographic area, 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:

Inspection Priorities are listed under IV. Inspection Planning, Section B. Inspection Priority, pages 8-9. A review of office records and files indicate inspection units are listed correctly. No issues.

8 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No loss of points occurred in the review of this section.

Total points scored for this section: 13
 Total possible points for this section: 13



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 5 5
 Yes = 5 No = 0
- A. Total Inspection Person Days (Attachment 2):
23.50
- B. Total Inspection Person Days Charged to the Program (220 X Inspection Person Years) (Attachment 7):
220 X 0.25 = 54.63
- Ratio: A / B
23.50 / 54.63 = 0.43
- If Ratio >= 0.38 Then Points = 5, If Ratio < 0.38 Then Points = 0
Points = 5

Evaluator Notes:

- A. Total Inspection Person Days (Attachment 2)= 23.5
- B. Total Inspection Person Days Charged to the program(220*Number of Inspection person years(Attachment 7)=54.63326
 Formula:- Ratio = A/B = 23.5/54.63326 = 0.43
 Rule:- (If Ratio >=.38 then points = 5 else Points = 0.)
 Thus Points = 5

- 2** Has each inspector and program manager fulfilled the T Q Training Requirements? (See Guidelines Appendix C for requirements) Chapter 4.4 5 5
 Yes = 5 No = 0 Needs Improvement = 1-4
- | | | | |
|---|--------------------------------------|--------------------------|---|
| a. Completion of Required OQ Training before conducting inspection as lead? | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| b. Completion of Required IMP Training before conducting inspection as lead | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |
| c. Root Cause Training by at least one inspector/prgram 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"/> |
| e. Verify inspector has obtained minimum qualifications to lead any applicable standard inspection as the lead inspector. | Yes <input checked="" type="radio"/> | No <input type="radio"/> | Needs Improvement <input type="radio"/> |

Evaluator Notes:

All inspectors including the two new inspectors have completed the OQ training before conducting an inspection as a lead. Three inspectors, Rick Miller, Negussie Tesfaye & Kobby Anyinam, have not completed the IMP training. John Clementson, Carlos Acosta, R.K. Amroliwala & Adesina Jaiyeola have completed the Root Cause training. Yes, Adesina Jaiyeola attended the Appalachian Underground Corrosion Short Course and Rick Miller, RK Amroliwala & Carlos Acosta attended the Greater Chesapeake Damage Prevention Training course in CY2016. All but two inspectors, RK Amroliwala & Negussie Tesfaye, are qualified to perform and lead a standard LIQ inspection.

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

Evaluator Notes:

Yes, John Clementson has completed all training courses for Gas & Hazardous Liquid Inspector training requirements. He has over twenty years experience in pipeline safety inspection work.

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

Evaluator Notes:

John Clementson requested an extension of time be granted to submit the Chairman's response letter on August 26, 2016 due



to the Silver Springs, Maryland accident. Zach Barrett granted the extension until September 5, 2016. Chairman Hughes' response letter was received on August 31, 2016 and within the required extension date.

5 Did State conduct or participate in pipeline safety training session or seminar in Past 3 Years? Chapter 8.5
Yes = 1 No = 0

Evaluator Notes:

Yes, MD PSC and TQ staff conducted a pipeline safety training seminar in April, 2016 at Linthicum Heights, MD. The three days seminar was attended by operators from distribution, master meter and LPG systems. Total number of attendees from LDC was 88 and Master Meter 25.

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

Evaluator Notes:

Yes, conducted a review of files, inspection reports and found the one operator type and inspection unit was inspected in accordance to written procedures. Program Manager has developed a tracking system to monitor all inspections performed by inspectors and due date when the inspection was performed on the time interval schedule.

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
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, they use the Federal Inspection forms.

8 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 195.402(c)(5)?
Yes = 1 No = 0

Evaluator Notes:

NA. No accidents or failures in CY2016.

9 Has the state reviewed Operator Annual reports, along with Incident/Accident reports, for accuracy and analyzed data for trends and operator issues?
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, staff members review operator's annual reports when reports are filed. Data in the reports are entered into a spreadsheet and reviewed for trends and operator issues.

10 Did state input all applicable OQ, LIMP inspection results into federal database in a timely manner? This includes replies to Operator notifications into IMDB database. Chapter 5.1
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, MD PSC is using the IA program to meet this requirement. Program Manager demonstrated how the data was entered into the IA program during this evaluation review.

11 Has state confirmed intrastate operators have submitted information into NPMS database along with changes made after original submission?
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, this is accomplished in a separate letter from the Program Manager to the intrastate operator representative requesting a copy of the e-mail from NPMS confirming any changes or updates. Reviewed files and confirmed this is being performed.



- | | | | |
|-----------|---|---|---|
| 12 | 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
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|

Evaluator Notes:

Yes, they use MD PSC Form EN #10, Drug & Alcohol which includes information on verification of positive tests.

- | | | | |
|-----------|---|---|---|
| 13 | 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 195 Part G
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|---|---|---|

Evaluator Notes:

Yes, this is being accomplished by all inspectors using the Federal Program IA.

- | | | | |
|-----------|--|---|---|
| 14 | Is state verifying operator's hazardous liquid integrity management (L IMP) Programs are up to date? This should include a previous review of LIMP 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). (Are the State's largest operators programs being contacted or reviewed annually?). 49 CFR 195.452 Appendix C
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|

Evaluator Notes:

Yes, a review of inspection report dated May 5, 2016 found Form EN53 was used to monitor the operator's LIMP program. Additionally, the operator's plan and action to monitor tests and remedial work was reviewed.

- | | | | |
|-----------|--|---|---|
| 15 | 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. PAPEI Effectiveness Inspections should have been completed by December 2013. PAPEI Effectiveness Inspections should be conducted every four years by operators. 49 CFR 195.440
Yes = 2 No = 0 Needs Improvement = 1 | 2 | 2 |
|-----------|--|---|---|

Evaluator Notes:

Yes, MD PSC is using the Federal Program IA to verify this information. Program Manager demonstrated access to the IA program and provided results of the Public Awareness Inspections.

- | | | | |
|-----------|--|---|---|
| 16 | 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).
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

Yes, MD PSC staff members continue to meet with operators on a quarterly schedule at the Gas Operator Advisory Committee meetings to discuss issues pertaining to damage prevention or enforcement action for non-compliance.

- | | | | |
|-----------|---|---|----|
| 17 | Did state execute appropriate follow-up actions to Safety Related Condition (SRC) Reports? Chapter 6.3
Yes = 1 No = 0 Needs Improvement = .5 | 1 | NA |
|-----------|---|---|----|

Evaluator Notes:

NA. No safety related condition reports in CY2016.

- | | | | |
|-----------|--|---|---|
| 18 | Did the state participate in/respond to surveys or information requests from NAPSAR or PHMSA?
Yes = 1 No = 0 Needs Improvement = .5 | 1 | 1 |
|-----------|--|---|---|

Evaluator Notes:

Yes, John Clementson responded to sixteen NAPSAR monkey surveys in CY 2016. This was confirmed by reviewing emails to Robert Clarillos, NAPSAR Administrative Manager.

- 19 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. 1 1
Needs Improvement = .5 No = 0 Yes = 1

Evaluator Notes:

No waivers/special permits have been issued in CY2016.

- 20 Did the state attend the National NAPS Board of Directors Meeting in CY being evaluated? 1 1
Needs Improvement = .5 No = 0 Yes = 1

Evaluator Notes:

John Clementson, Program Manager, was unable to attend the 2016 NAPS Board of Directors Meeting in Indianapolis, IN. However, with the approval of Zach Barrett, PHMSA Director State Programs, he allowed Carlos Acosta, MD PSC Pipeline Safety Engineer, to attend in John's absence.

- 21 Discussion on State Program Performance Metrics found on Stakeholder Communication site ? <http://primis.phmsa.dot.gov/comm/states.htm> 2 2
Needs Improvement = 1 No = 0 Yes = 2

- a. Discussion of Potential Accelerated Actions (AA's) based on any negative trends Yes No Needs Improvement
- b. NTSB P-11-20 Meaningful Metrics Yes No Needs Improvement

Evaluator Notes:

Reviewed requested data from operators on leaks and the cause of leaks referred to in Chairman's response letter dated August 31, 2016. MD PSC is tracking leaks and causes for both services and mains over a three-year period. Results show overall leaks for mains were trending downward and services upward. The upward trend on service lines is due to equipment failure. MD PSC will continue to monitoring these trends during their review of the operator's annual reports and field inspections.

CGA recently released information on CY2016 Gas Distribution Damages Per State. The results show Maryland has the lowest damages rate of 1.11 in the Nation. The highest damage rate was Hawaii at 20.01.

- 22 Discussion with State on accuracy of inspection day information submitted into State Inspection Day Calculation Tool. (No points) Info Only Info Only
Info Only = No Points

Evaluator Notes:

Reviewed the State Inspection Day Calculation Tool with John Clementson the inspection person days and number of days to perform the inspections match the current needs for the program.

- 23 Did the State verify Operators took appropriate action regarding Pipeline Flow Reversals, Info Only Info Only Product Changes and Conversions to Service? See ADP-2014-04 (No Points)
Info Only = No Points

Evaluator Notes:

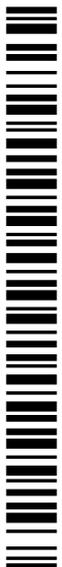
Reviewed and discussed the Advisory Bulletin with Program Manager. It was agreed this item would be added to the future inspection audit document.

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

Evaluator Notes:

No loss of points occurred in this section of the review.

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



PART D - Compliance Activities

Points(MAX) Score

- | | | | |
|----------|--|--------------------------------------|--|
| 1 | Does the state have written procedures to identify steps to be taken from the discovery to resolution of a probable violation? Chapter 5.1
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"/> |
| c. | Procedures regarding closing outstanding probable violations | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

- a. Yes, this is listed in Section V. CONDUCTING INSPECTIONS, Subsection P. Notice of Probable Violations (NOPV) and/or Warning Letters (WARN) of MD PSC INSPECTION, ENFORCEMENT AND INCIDENT INVESTIGATION PROCEDURES, page 17.
- b. Yes, same location as listed above.
- c. Yes, this information is described in Subsection R. Notice of Probable Violation Tracking.

- | | | | |
|----------|--|--------------------------------------|--|
| 2 | Did the state follow compliance procedures (from discovery to resolution) and adequately document all probable violations, including what resolution or further course of action is needed to gain compliance? Chapter 5.1
Yes = 4 No = 0 Needs Improvement = 1-3 | 4 | 4 |
| a. | Were compliance actions sent to company officer or manager/board director if municipal/government system? | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| b. | Document probable violations | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| c. | Resolve probable violations | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| d. | Routinely review progress of probable violations | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |
| e. | Were applicable civil penalties outlined in correspondence with operator(s) | Yes <input checked="" type="radio"/> | No <input type="radio"/> Needs Improvement <input type="radio"/> |

Evaluator Notes:

Yes, reviewed office spreadsheet and found letter to hazardous liquid operator was sent to company officer. The letter contained civil penalty amounts or action the operator could take to correct the violation(s) or request a meeting to resolve the violation(s).

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

Evaluator Notes:

Yes. No compliance action was taken against the hazardous liquid operator. However, twenty-eight compliance actions were taken in CY2016 against gas operators for non-compliance with the regulations.

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

Evaluator Notes:

Yes, compliance action to natural gas operator were provided in the letters. No compliance action against Hazardous Liquid operators.

- | | | | |
|----------|---|---|---|
| 5 | Is the program manager familiar with state process for imposing civil penalties? Were civil penalties considered for repeat violations (with severity consideration) or violations resulting in incidents/accidents? (describe any actions taken)
Yes = 2 No = 0 | 2 | 2 |
|----------|---|---|---|

Evaluator Notes:

Yes, Program Manager is familiar with imposing civil penalties, In CY2016 two civil penalties were assessed against Baltimore Gas & Electric in the amount of \$30,000, one penalty against Glen Manor Apts. for \$500 and one penalty against Deep Creek Mountain Utilities for \$500. The penalty amount for Glen Manor Apts. was paid on 3/31/17.

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

Evaluator Notes:

Yes, the civil penalties assessed and collected in CY2016 clearly demonstrates the State's enforcement action.

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

Evaluator Notes:

No loss of points occurred in the review of this section.

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



PART E - Accident Investigations

Points(MAX) Score

- 1 Does the state have written procedures to address state actions in the event of an incident/accident? 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

Yes, this is listed in MD PSC written procedures, Section VI. Investigation of Incidents, page 20.

- 2 Does state have adequate mechanism to receive and respond to operator reports of accidents, including after-hours reports? And did state keep adequate records of Incident/Accident notifications received? Chapter 6 2 2
 Yes = 2 No = 0 Needs Improvement = 1

- a. Acknowledgement of MOU between NTSB and PHMSA (Appendix D) Yes No Needs Improvement
 b. Acknowledgement of Federal/State Cooperation in case of incident/accident (Appendix E) Yes No Needs Improvement

Evaluator Notes:

Yes, Program Manager and Pipeline Safety Engineers are familiar with the MOU's between NTSB and PHMSA. The natural gas accident that occurred in Silver Springs, MD in CY2016 clearly demonstrates the awareness of these items between MD PSC and the federal agencies.

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

Evaluator Notes:

Yes, this is listed in MD PSC written procedures, Section VI. Investigation of Incidents, page 22.

- 4 Were all accidents investigated, thoroughly documented, and with conclusions and recommendations? 3 NA
 Yes = 3 No = 0 Needs Improvement = 1-2

- 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

Evaluator Notes:

No accidents occurred on hazardous liquid pipeline facilities in CY2016.

- 5 Did the state initiate compliance action for violations found during any incident/accident investigation? 1 NA
 Yes = 1 No = 0

Evaluator Notes:

No accidents occurred on hazardous liquid pipeline facilities in CY2016.

- 6 Did the state assist region office by taking appropriate follow-up actions related to the operator accident 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 1 1
 Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

Yes, follow up information was provided to NTSB and PHMSA Eastern Region on the natural gas incident that occurred on Washington Gas Light Company in CY2016.

- 7 Does state share lessons learned from incidents/accidents? (sharing information, such as: at NAPS Region meetings, state seminars, etc) 1 1



Yes = 1 No = 0

Evaluator Notes:

Yes, information about the Silver Springs, MD natural gas incident will be presented at the NAPSR Eastern Region meeting.

8 General Comments:

Info Only Info Only

Info Only = No Points

Evaluator Notes:

No loss of points occurred in the review of this section.

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



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? 2 0
Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:

A review of inspection reports and files determined this item could not be documented that it was covered with the operator during the inspection audits. Therefore, a loss of two points occurred.

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

Evaluator Notes:

Yes, this item and question is listed on the MD PSC construction activity form. The inspector is required to check and verify the locate request ticket number.

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

Evaluator Notes:

No, verification that this item was discussed at the damage prevention committee meetings via an agenda could not be confirmed. Therefore, improvement is needed and a loss of two points occurred.

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

Evaluator Notes:

Yes, MD PSC collects data and evaluate trends on the number of damages and presents the results to operators at the quarterly Gas Operator Advisory Committee meetings. This information was verified by reviewing the reports presented.

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

Evaluator Notes:

A loss of four points occurred in this section of the review.

Total points scored for this section: 4
Total possible points for this section: 8



PART G - Field Inspections

Points(MAX) Score

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

Name of Operator Inspected:
 Petroleum Fuel & Terminal Company
 Name of State Inspector(s) Observed:
 Carlos Acosta, Pipeline Safety Engineer & John Clementson
 Location of Inspection:
 Baltimore, MD
 Date of Inspection:
 July 13, 2017
 Name of PHMSA Representative:
 Glynn Blanton

Evaluator Notes:
 This was a standard inspection performed in the office of Bill Blevins, Petroleum Fuel & Terminal Company, Compliance Officer. A field review was conducted on the pipeline from the SCADA control room to the tanks. No areas of concern were noted during the field review.

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

Evaluator Notes:
 Yes, Bill Blevins was notified of the inspection prior to July 17th by Carlos Acosta.

3 Did the inspector use an appropriate inspection form/checklist and was the form/checklist used as a guide for the inspection? (New regulations shall be incorporated) 2 2
 Yes = 2 No = 0 Needs Improvement = 1

Evaluator Notes:
 Yes, Carlos Acosta used MD PSC form EN53 in recording down the answers to the questions asked and information provided by the operator.

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

Evaluator Notes:
 Yes, Carlos Acosta asked a lot of questions and verified information provided by the operator. He was very thorough and conducted a very professional inspection.

5 Did the inspector check to see if the operator had necessary equipment during inspection to conduct tasks viewed? (Maps, valve keys, half cells, etc) 1 1
 Yes = 1 No = 0

Evaluator Notes:
 Yes, records, maps and operator qualification information was available to verify compliance to the pipeline safety regulations.

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

- a. Procedures
- b. Records
- c. Field Activities
- d. Other (please comment)

Evaluator Notes:



Yes, Carlos Acosta reviewed the company's written procedure, maps, cathodic protection records and operator qualifications. No areas of concern or violations were found or noted.

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

Evaluator Notes:

Yes, Carlos Acosta has completed all hazardous liquid courses at TQ.

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) 1 1
 Yes = 1 No = 0

Evaluator Notes:

Yes, Carlos was unable to complete the standard inspection on the day of this observation but an exit interview was conducted with Billy Blevins. The remaining portion of the inspection will be conducted the following week.

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

Evaluator Notes:

No violations or areas of concern were found.

10 General Comments: 1) What did the inspector observe in the field? (Narrative description of field observations and how inspector performed) 2) Best Practices to Share with Other States - (Field - could be from operator visited or state inspector practices) 3) Other 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

Evaluator Notes:

A review of records, cathodic protection readings, operator qualifications and company procedures were reviewed and checked. Excellent inspection was conducted by Carlos Acosta.

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



PART H - Interstate Agent State (if applicable)

Points(MAX) Score

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

Evaluator Notes:

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

Evaluator Notes:

3 Did the state submit documentation of the inspections within 60 days as stated in its latest Interstate Agent Agreement form? 1 NA
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

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

Evaluator Notes:

8 General Comments: Info OnlyInfo Only
Info Only = No Points

Evaluator Notes:

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



PART I - 60106 Agreement State (if applicable)

Points(MAX) Score

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

Evaluator Notes:
N/A

2 Are results documented demonstrating inspection units were reviewed in accordance with state inspection plan? **1 NA**
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
N/A

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

Evaluator Notes:
N/A

4 Did the state immediately report to PHMSA conditions which may pose an imminent safety hazard to the public or to the environment? **1 NA**
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
N/A

5 Did the state give written notice to PHMSA within 60 days of all probable violations found? **1 NA**
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
N/A

6 Did the state initially submit adequate documentation to support compliance action by PHMSA on probable violations? **1 NA**
Yes = 1 No = 0 Needs Improvement = .5

Evaluator Notes:
N/A

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

Evaluator Notes:
N/A

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

