



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

1200 New Jersey Avenue SE  
Washington DC 20590

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# Pipeline Safety

## 2013 Natural Gas Base Grant Progress Report

for

**NORTH DAKOTA PUBLIC SERVICE COMMISSION**

**Please follow the directions listed below:**

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign and date page 2.
3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Gwendolyn M. Hill  
U.S. Department of Transportation  
Pipeline & Hazardous Materials Safety Administration  
Pipeline Safety, PHP-50  
1200 New Jersey Avenue, SE Second Floor E22-321  
Washington, D.C. 20590**



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Electronic Submission Date: 3/5/2014 11:50:50 AM



Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Avenue, SE  
Washington DC 20590

OFFICE OF PIPELINE SAFETY

2013 Natural Gas Base Grant Progress Report

Office: NORTH DAKOTA PUBLIC SERVICE COMMISSION

*Patrick Fahn*

Authorized Signature

PATRICK FAHN

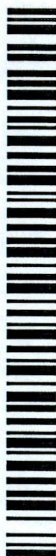
Printed Name

Director, Compliance and Competitive Markets

Title

March 5, 2014

Date



## PROGRESS REPORT ATTACHMENTS (NATURAL GAS )

PHMSA Form No. PHMSA F 999-92

### INSTRUCTIONS:

These attachments request information either for the entire calendar year (CY 2013: January 1 through December 31, 2013) or as of (or on) December 31, 2013. Please report actual as opposed to estimated numbers on the attachments. Be careful to provide complete and accurate information since the PHMSA State Programs will be validating the attachments during the state's next annual evaluation.

- **Attachment 1: State Jurisdiction and Agent Status Over Facilities.** Requires the state to indicate those pipeline operator types over which the state agency has jurisdiction under existing law. If the state does not have jurisdiction over an operator type, indicate why not in the column designated No, using the one alpha code (A or B) which best describes the reason. If the state agency has jurisdiction over an operator type, place an X in the column designated Yes and provide information on the number of operators, the number and percent of operators inspected, the number of inspection units, and the number and percent of inspection units inspected. If the jurisdiction over a type of operator is under a Section 60106 Agreement, indicate X/60106 in the column designated Yes. [If the same operator/inspection unit is visited more than once during the year, count only once under number of operators inspected/number of inspection units inspected on Attachment 1. The multiple visits would, however, be reflected under total inspection person-days in Attachment 2.]
- **Attachment 2: Total State Field Inspection Activity.** Requires the state to indicate by operator type the number of inspection person-days spent during CY 2013 on inspections; standard comprehensive; design, testing, and construction; on-site operator training; integrity management; operator qualification; investigating incidents or accidents; damage prevention activities; and compliance follow-up. Attachment 2 should include drug and alcohol inspections. Counting In Office Inspection Time - An inspector may choose to review pipeline company procedure manuals or records away from the company facility in order to effectively use onsite inspection time. The amount of time spent reviewing procedures and records may be counted as part of the inspection process. It is important that an inspector only record time for activities that normally would be completed as part of an onsite inspection. For example, an inspector may attribute the three hours he or she spent reviewing a pipeline operator's procedure manual and records prior to an on site inspection towards the total inspection time. Each supervisor must carefully review the reported time to ensure the time attributed is consistent with the activity completed and is carefully delineated from normal office duties.
- **Attachment 3: Facility Subject to State Safety Jurisdiction.** States should only list the facilities that are jurisdictional under Part 195 of which the state has safety authority over. This attachment requires the business name and address of each person subject to the pipeline safety jurisdiction of the state agency as of December 31, 2013. Also indicate the operator type (e.g., intrastate transmission) consistent with the listing in Attachment 1 and include the number of inspection units in each operator's system.
- **Attachment 4: Pipeline Incidents.** Requires a list of incidents investigated by or reported to the state agency that involved personal injury requiring hospitalization, a fatality, property damage exceeding \$50,000, and other incidents otherwise considered significant by the state agency. Please also make an effort to clearly identify the cause of the incident using the one most appropriate alpha code footnoted in the attachment. We summarize this information for Congress by classifying the cause into one of eight categories: (A) corrosion failure; (B) natural force damage; (C) excavation damage; (D) other outside force damage; (E) material failure of pipe or weld; (F) equipment failure; (G) incorrect operation; (H) other accident cause. Please provide a summary of incident investigations.



- **Attachment 5: State Compliance Actions.** This requires a summary of state pipeline inspection and compliance actions. [In the Number of Compliance Actions Taken column, keep in mind one compliance action can cover multiple probable violations.]
- **Attachment 6: State Record Maintenance and Reporting.** Requires a list of records and reports maintained and required by the state agency.
- **Attachment 7: State Employees Directly Involved in the Pipeline Safety Program.** This attachment requires a list by name and title of each employee directly involved in the pipeline safety program. Be sure to include the percentage of time each employee has been involved in the pipeline safety program during 2013. If an employee has not been in the pipeline safety program the full year of 2013, please note the number of months working on the program. Indicate a Qualification Category for each of the state's inspectors (see Attachment 7a). The categories are shown in descending order of education and experience. Please enter the number of the highest description applicable to each inspector. For each inspector and supervisor, indicate the month and year he/she successfully completed the training courses at the Pipeline Safety Office of Training and Qualifications in Oklahoma City, OK. Finally, provide in summary form the number of all staff (supervisors, inspectors/investigator, damage prevention/technical and clerical/administrative) working on the pipeline safety program and the person-years devoted to pipeline safety. Person-years should be reported in hundreds (e.g., 3.25).
- **Attachment 8: State Compliance with Federal Requirements.** This requires the state to indicate whether it is in compliance with applicable federal requirements. If a particular requirement is not applicable to the state (e.g., offshore inspections), indicate NA in the column designated Y/N/NA. If a regulation has been adopted, indicate the date adopted (e.g., 05/01/04) in the appropriate column. If the regulation is applicable but has not been adopted, indicate N in the Y/N/NA column and explain why not in the appropriate column (e.g., requires legislative action). [If the state has not adopted the maximum please indicate civil penalty levels in effect in the state as of December 31, 2013. Note that at the end of Attachment 8 we are requesting each state to indicate the frequency its legislature meets in general session. This information will be taken into account when determining if applicable federal regulations have been adopted within 24 months of the effective date or two general sessions of the state legislature.
- **Attachment 10: Performance and Damage Prevention Questions.** This attachment requires a narrative of each states goals and accomplishments. In addition it requires a narrative on each states progress toward meeting the nine elements of an effective damage prevention program as described in the PIPES Act of 2006.



## DEFINITIONS

- **Inspection Unit.** An inspection unit is all or part of an operator's pipeline facilities that are under the control of an administrative unit that provides sufficient communication and controls to ensure uniform design, construction, operation, and maintenance procedures for the facilities. (See Glossary of Terms in Guidelines for States Participating in the Pipeline Safety Program for application of the inspection unit concept to transmission and hazardous liquid pipeline systems, distribution systems, liquefied natural gas systems, municipality, master meter system, regulated gathering pipeline systems, and propane-air systems/petroleum gas systems.)
- **Inspection Person-Day.** An inspection person-day is all or part of a day spent by a state agency representative including travel in an on site examination or evaluation of an operator or his system to determine if the operator is in compliance with federal or state pipeline safety regulations, in an on site investigation of a pipeline incident, or in job-site training of an operator. Time expended on such activities should be reported as one inspection person-day for each day devoted to safety issues, regardless of the number of operators visited during that day.
- **Probable Violation.** A probable violation is a non-compliance with any section or, where a section is divided into subsections (a), (b), (c), etc., any subsection of federal or state pipeline regulations. Each numbered section should be counted separately. Multiple non-compliances of a numbered section discovered on the same inspection should be counted as one probable violation with multiple pieces of evidence.
- **Compliance Action.** A compliance action is an action or series of sequential actions taken to enforce federal or state pipeline regulations. One compliance action can cover multiple probable violations. A compliance action may take the form of a letter warning of future penalties for continued violation, an administratively imposed monetary sanction or order directing compliance with the regulations, an order directing corrective action under hazardous conditions, a show-cause order, a criminal sanction, a court injunction, or a similar formal action.



## Attachment 1 - Stats on Operators

### STATE JURISDICTION AND AGENT STATUS OVER NATURAL GAS FACILITIES AS OF DECEMBER 31, 2013

Operator Type	State Agency Jurisdiction/ Agent Status		No. of Operators	Operators Inspected		No. of Inspection Units	Units Inspected	
	No <sup>1</sup>	Yes		#	%		#	%
<b>Distribution</b>								
Private		X/60105	3	3	100.0%	4	4	100.0%
Municipal		X/60105	1	1	100.0%	1	1	100.0%
Master Meter		X/60105	1	1	100.0%	1	1	100.0%
LPG		X/60105	2	1	50.0%	2	1	50.0%
LNG		X/60105	0	0	N/A	0	0	N/A
Other		X/60105	0	0	N/A	0	0	N/A
<b>Transmission</b>								
Intrastate		X/60105	7	7	100.0%	7	7	100.0%
Interstate	B		0	0	N/A	0	0	N/A
Interstate LNG	B		0	0	N/A	0	0	N/A
<b>Other</b>								
Gathering Lines		X/60105	2	2	100.0%	2	2	100.0%
Offshore Facilities		X/60105	0	0	N/A	0	0	N/A
<b>Total</b>			<b>16</b>	<b>15</b>	<b>93.8%</b>	<b>17</b>	<b>16</b>	<b>94.1%</b>

<sup>1</sup>Codes: A - None in state and does not have jurisdiction;

B - State does not have jurisdictional authority (Provide current status or action being taken to obtain authority in notes section below)

F - No, State is currently not an interstate agent.

X/60105P = Yes, I have Section 60105 (Certification) over some of the operator type (meaning: I have 60105 authority over some, but not all of this operator type and do not have a 60106 agreement with PHMSA to inspect them). These operators are identified in the notes below.

X/IA - Yes I have Interstate Agent jurisdiction over this type of operator

Distribution "Other" - ie Co-ops, Public Utility Districts, etc.

States should explain any special circumstances

**General Instructions** - All above facilities should only include facilities as defined by federal pipeline regulations and should not include extended jurisdiction by state regulation.

#### Attachment 1 Notes:

Distribution Private Notes:

Montana-Dakota Utilities Co. (MDU) has two private distribution inspection units called Dakota Heartland and Badlands Unit.

Northern States Power Company (NSP) has one private distribution inspection unit called Red River Valley Unit. Great Plains Natural Gas has one private distribution unit.

**Distribution Municipal Notes:**

The City of Granville Municipal LP System is a municipal distribution operator with one inspection unit. There is a question whether the City of Fargo Municipal Methane Distribution System should be considered a municipal distribution operator. The City of Fargo Municipal Distribution System has an O&M Contract with MDU and is inspected as part of MDU's Dakota Heartland inspection unit.

**Distribution Master Meter Notes:**

NSP has one master meter unit called the NDSU Campus unit. There is a question whether the NDSU Campus unit is a Master Meter. NDSU Campus Housing Fargo has an O&M contract with NSP and is inspected as part of NSP's Red River Valley inspection unit.

**Distribution LPG Notes:**

The City of Granville Municipal LP System is a LPG distribution operator with one inspection unit. Montana-Dakota Utilities Co. has one LPG distribution system called the Hettinger unit.

**Transmission Intrastate Notes:**

Intrastate transmission operators include Aux Sable Midstream, Dakota Gasification Co., Great Plains Natural Gas Co., Hiland Partners, Montana-Dakota Utilities Co., ONEOK Rockies Midstream, LLC, and Whiting Oil and Gas. Archer Daniels Midland owns two transmission lines we call ADM-Velva and ADM-Enderlin. ADM has an O&M contract with MDU and is inspected as part of MDU's Dakota Heartland inspection unit. Great Plains Natural Gas Co owns, operates and maintains a transmission line called the Hankinson Line. Montana-Dakota Utilities Co. owns, operates and maintains a transmission line near Bismarck.

**Other Gathering Lines - Intrastate Notes:**

ONEOK Rockies Midstream, LLC, and Hiland Partners own, operate and maintain jurisdictional intrastate natural gas gathering pipelines.

After discussion with MDU and Leonard Steiner, we have determined that Archer Daniels Midland will be classified as an operator beginning CY2014.

A standard annual inspection of the Hettinger unit was scheduled several times in 2013 (October 21, November 18, November 19, December 10, December 30), however, the inspection was cancelled each time due to scheduling conflicts. Other inspections dates in December were planned but never materialized due to inclement weather.



## Attachment 2 - State Inspection Activity

### TOTAL STATE FIELD INSPECTION ACTIVITY AS OF DECEMBER 31, 2013

Operator Type	Standard Comprehensive	Design, Testing and Construction	On-Site Operator Training	Integrity Management	Operator Qualification	Investigating Incidents or Accidents	Damage Prevention Activities	Compliance Follow-up	Total
<b>Distribution</b>									
Private	64.5	19.5	0	0	1	2	0	9.5	96.5
Municipal	8.5	0	0	0	0	0	0	1.5	10
Master Meter	1	0	0	0	0	0	0	0	1
LPG	0	0	0	0	0	0	0	0	0
LNG	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
<b>Transmission</b>									
Intrastate	33	2	0	0	1.5	0	0	0	36.5
Interstate	0	0	0	0	0	0	0	0	0
Interstate LNG	0	0	0	0	0	0	0	0	0
<b>Other</b>									
Gathering Lines	0	0	0	0	0	0	0	0	0
Offshore Facilities	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>107</b>	<b>21.5</b>	<b>0</b>	<b>0</b>	<b>2.5</b>	<b>2</b>	<b>0</b>	<b>11</b>	<b>144</b>

#### **Drug and Alcohol**

Total Count of Drug and Alcohol Inspections	1
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#### **Attachment 2 Notes**

- Performed joint Control Room Management Program of NSP with SD, MI, MN, WI at St. Paul office and control room.
- Performed joint Drug and Alcohol audit of MDU with SD, WY, MT in April, at Rapid City, SD.

### Attachment 3 - List of Operators

## NATURAL GAS FACILITIES SUBJECT TO STATE SAFETY JURISDICTION AS OF DECEMBER 31, 2013

Operator  Business Name Operator ID Address	Distribution (Operator type & Inspection Units)						Transmission (Operator type & Inspection Units)			Other (Operator type & Inspection Units)	
	Private	Municipal	Master Meter	LPG	LNG	Other	Intrastate	Interstate	Interstate LNG	Gathering Lines (Juris- dictional)	Offshore Facilities (State Waters)
<b>Archer Daniels Midland (ADM)</b> 4666 Faries Parkway, PO Box 1470 Decatur, IL 62525	0	0	0	0	0	0	0	0	0	0	0
<b>Aux Sable Midstream</b> 32641 6138 74th Ave. NW, Palermo, ND 58769	0	0	0	0	0	0	1	0	0	0	0
<b>City of Granville</b> 6601 Box 39, 0 Granville, ND 58741	0	1	0	1	0	0	0	0	0	0	0
<b>Dakota Gasification Co.</b> 515 420 County Road 26, Beulah, ND	0	0	0	0	0	0	1	0	0	0	0
<b>Great Plains Natural Gas Co.</b> 6690 Box 845, 213 Dakota Avenue Wahpeton, ND 58074-0845	1	0	0	0	0	0	1	0	0	0	0
<b>Hiland Partners</b> 31719 10370 88th Street NW, McGregor, ND 58755	0	0	0	0	0	0	1	0	0	1	0
<b>Montana-Dakota Utilities Co. (MDU)</b> 12684 400 North 4th Street, Bismarck, ND 58501	2	0	1	1	0	0	1	0	0	0	0
<b>Northern States Power Co. (NSP)</b> 31636 2302 Great Northern Drive, Box 2747 Fargo, ND 58102	1	0	1	0	0	0	0	0	0	0	0
<b>Oneok Rockies Midstream, LLC</b> 31582 HC 56 - Box 6070, Sidney, MT 59270	0	0	0	0	0	0	1	0	0	1	0

**Whiting Oil Gas**

31352

Robinson Lake Gas Plant, 4498 Highway No. 8 New Town, ND 58763

0

0

0

0

0

0

1

0

0

0

0



	Distribution (Operator type & Inspection Units)					Transmission (Operator type & Inspection Units)			Other (Operator type & Inspection Units)		
	Private	Municipal	Master Meter	LPG	LNG	Other	Intrastate	Interstate	Interstate LNG	Gathering Lines (Juris- dictional)	Offshore Facilities (State Waters)
Inspection Unit totals by type	4	1	2	2	0	0	7	0	0	2	0

**Total Operators**

**10**

**Attachment 3 Notes:**

MDU has an O & M contract with Archer Daniels Midland (ADM) and ADM is inspected with MDU's Heartland inspection unit. We will be listing ADM as an operator in CY2014.



## Attachment 4 - Incidents/Accidents

### SIGNIFICANT<sup>4</sup> NATURAL GAS INCIDENTS/ACCIDENTS JANUARY 1, THROUGH DECEMBER 31, 2013

Date of Incident	Location - City/County/etc.	Injuries #	Fatalities #	Property Damage <sup>3</sup> \$	Cause Code <sup>1</sup>
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Name of Operator:

Cause Reported by Operator (Describe)<sup>2</sup>

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<sup>1</sup>Cause Codes: A - Corrosion failure; B - Natural Force Damage; C - Excavation Damage; D - Other Outside Force Damage; E - Pipe, Weld or Joint Failure; F - Equipment Failure; G - Incorrect Operation; H - Other Incident Cause

<sup>2</sup>Please attach a summary or report of the state agency's investigation of each of the above incidents.

<sup>3</sup>Interstate agents should use the 191.3 Incident definition for listing incidents investigated on interstate facilities.

<sup>4</sup>Significant: Investigated by or reported to the state agency, involving personal injury requiring hospitalization, fatality, property damage exceeding \$50,000 and other incidents otherwise considered significant which involved jurisdictional facilities.

#### Attachment 4 Notes

No significant Natural Gas Incidents in CY2013.



## Attachment 5 - Stats on Compliance Actions

### STATE COMPLIANCE ACTIONS -- CALENDAR YEAR (CY) 2013

Probable Violation Categories	Intrastate	Interstate
Number Carried over from previous CY (including carryover and long term)	8	0
Number Found During CY	0	0
Number submitted for DOT action [60106 Agreement agent only]	0	0
Number corrected during CY (including carry over from previous year)	8	0
Number to be corrected at end of CY (including carry over and long-term)	0	0

**Number of Compliance Actions Taken <sup>1</sup>**

(see definition) 0

**Civil Penalties**

Number assessed during CY	0
Dollars assessed during CY	\$0.00
Number collected during CY	8
Dollars collected during CY	\$4,500.00

<sup>1</sup>Do not double count for a related series of actions.

**Attachment 5 Notes**

There were 8 NOPV's carried over from CY2012, all 8 for the City of Granville. All 8 were corrected during CY2013.



## Attachment 6 - List of Records Kept

### NATURAL GAS STATE RECORD MAINTENANCE AND REPORTING DURING CY 2013

#### Records Maintained by the State Agency

- Incoming and outgoing correspondence
- Inspection Reports and associated attachments
- Incident Reports and associated photos, correspondence, enforcement action, and field notes.
- Electronic tallies of gas safety inspections by operator by year
- Gas safety personnel and seminar TQ training Records
- Gas safety enforcement dockets containing NOPVs, transmittal letters, commission orders, motions, evidence, and final case dispositions.
- Copies of written warning letters and their responses from operators
- Gas Pipeline Safety Inspection Plan
- Damage Prevention Plan

#### Reports Required from Operators

- Copies of USDOT Safety Related Condition Reports
- Copies of USDOT Incident Reports
- Electronic copies of all operator plans (O&M, Emergency, Drug & Alcohol, IMP and OQ) and updates
- Copies of USDOT Annual Reports

#### Attachment 6 Notes



## Attachment 7 - Staffing and TQ Training

### STATE EMPLOYEES DIRECTLY INVOLVED IN THE NATURAL GAS PIPELINE SAFETY PROGRAM DURING CY 2013

Name/Title	% Time	# Months	Qual. Cat.
<b>Supervisor</b>			
<b>Patrick Fahn</b> Director, Compliance and competitive Markets	13	12	III
<b>Aaron Morman</b> Inspector/Program Manager	23	12	III
<b>Inspector/Investigator</b>			
<b>Clint Thomas</b> Inspector/Investigator	100	5	III
<b>Aaron Morman</b> Inspector/Program Manager	70	12	III
<b>Damage Prevention/Technical</b>			
<b>Aaron Morman</b> Inspector/Program Manager	7	12	III

#### Summary

<u>Employee Type</u>	<u>No. of Staff</u>	<u>Person-Years</u>
Supervisor	2	0.36
Inspectors/Investigators	2	1.12
Damage Prevention/Technical	1	0.07
Clerical/Administrative	0	
<b>Total</b>	<b>5</b>	<b>1.55</b>

Last Name	First Name	Course	Completion Date
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FAHN	PATRICK	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	1978-12-08 00:00:00
FAHN	PATRICK	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	1980-04-18 00:00:00
FAHN	PATRICK	PHMSA-PL3251 Safety Evaluation of Pipeline Corrosion Control Systems I	1979-04-06 00:00:00
FAHN	PATRICK	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	1991-02-08 00:00:00
FAHN	PATRICK	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2009-07-24 00:00:00
FAHN	PATRICK	PHMSA-PL3600 Root Cause/Incident Investigation Course	2010-03-12 00:00:00
MORMAN	AARON	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2013-02-01 00:00:00
MORMAN	AARON	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2013-09-19 00:00:00
MORMAN	AARON	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	2013-07-19 20:48:39
MORMAN	AARON	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2013-03-15 00:00:00
MORMAN	AARON	PHMSA-PL3291 Fundamentals of (SCADA) System Technology and Operation Course	2013-11-08 20:09:07
MORMAN	AARON	PHMSA-PL3365 Public Awareness Program Effectiveness Evaluation (PAPEE) Seminar	2013-02-25 00:00:00
MORMAN	AARON	PHMSA-PL3600 Root Cause/Incident Investigation Course	2013-08-23 00:00:00
MORMAN	AARON	PHMSA-PL30Q Operator Qualification WBT Course	2012-08-16 15:12:15
THOMAS	CLINT	PHMSA-PL3IC - Investigating and Managing Internal Corrosion of Pipelines WBT Course	2013-08-21 22:03:13
THOMAS	CLINT	PHMSA-PL30Q Operator Qualification WBT Course	2013-08-23 20:41:24

**Attachment 7 Notes**

Clint Thomas' first day as Inspector/Investigator was August 5, 2013.

## Attachment 8 - Compliance with Federal Regulations

### STATE COMPLIANCE WITH FEDERAL REQUIREMENTS AS OF DECEMBER 31, 2013

No.	Effective Date	Impact	Adoption Date	Adoption Status
1		<b>Maximum Penalties Substantially Same as DOT (\$100,000/\$1,000,000); Indicate actual amount in note.</b>	08/2013	Adopted but different Dollar amounts
Note <sup>1</sup>		\$200,000 /\$2,000,000		
2		<b>191.23 and 191.25 Safety-Related Conditions(through current amendment 191-14)</b>	01/1990	Adopted
Note <sup>1</sup>				
3		<b>Part 192 Amendments</b>		
01-90	Pre 2002	[All applicable amendments prior to and including 2002]	11/2003	Adopted
Note <sup>1</sup>		First adoption date is: 01/1979. Subsequent effective dates are: 06/1984 through 04/2012		
91	4/23/2004	Definition of high consequence areas for gas transmission lines	11/2003	Adopted
Note <sup>1</sup>				
92	9/4/2003	Procedures for Producer-operated outer continental shelf natural pipelines that cross directly into state waters	05/2005	Adopted
Note <sup>1</sup>				
93	10/15/2003	various changes to gas pipeline safety standards from NAPSR recommendations	05/2005	Adopted
Note <sup>1</sup>				
94	5/6/2005	Modification to the definition of a Transmission Line	05/2005	Adopted
Note <sup>1</sup>				
95	5/26/2004	Pipeline integrity management for transmission lines in HCAs	05/2005	Adopted
Note <sup>1</sup>				

96 Note <sup>1</sup>	9/14/2004	Pressure limiting and regulating stations	05/2005	Adopted
97 Note <sup>1</sup>	7/28/2004	Passage of internal inspection devices on new and retrofitted transmission pipelines	05/2005	Adopted
98 Note <sup>1</sup>	9/9/2004	Performance of periodic underwater inspections	07/2006	Adopted
99 Note <sup>1</sup>	6/20/2005	API RP 1162 Public awareness campaign	07/2006	Adopted
100 Note <sup>1</sup>	7/15/2005	PSIA Statuory changes to Operator Qualification Program	07/2006	Adopted
101 Note <sup>1</sup>	11/25/2005	Adoption of NACE Standard as a direct assesment standard	04/2008	Adopted
102 Note <sup>1</sup>	4/14/2006	Definition of a Gathering Line	04/2008	Adopted
103 Note <sup>1</sup>	7/10/2006	Incorporate by Reference various Standards	04/2008	Adopted
103a Note <sup>1</sup>	2/1/2007	Update Incorporated by Reference and Correction	04/2008	Adopted
72 FR 20055 Note <sup>1</sup>	4/23/2007	Design and Construction Standards to Reduce Internal Corrosion in Gas Transmission Pipelines	01/2010	Adopted
104 Note <sup>1</sup>	5/23/2007	Integrity Management Program Modifications and Clarifications	01/2010	Adopted
105 Note <sup>1</sup>	12/13/2007	Applicability of Public Awareness Regulations to Certain Gas Distribution Operators	01/2010	Adopted

106-73 FR 16562 Note <sup>1</sup>	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	01/2010	Adopted
107-73 FR 62147 Note <sup>1</sup>	10/17/2008	Standards for Increasing the Maximum Allowable Operating Pressure for Gas Transmission Pipelines (73 FR 62147)	01/2010	Adopted
108-73 FR 79002 Note <sup>1</sup>	12/24/2008	PA-11 Design Pressures (73 FR 79005)	01/2010	Adopted
109-74 FR 2889 Note <sup>1</sup>	1/16/2009	Administrative Procedures, Address Updates , and Technical Amendments	04/2012	Adopted
110-74 FR 17099 Note <sup>1</sup>	4/14/2009	Incorporation by Reference Update: American Petroleum Institute (API) Standards 5L and 1104	04/2012	Adopted
111-74 FR 62503 Note <sup>1</sup>	11/30/2009	Editorial Amendments to Pipeline Safety Regulations	04/2012	Adopted
112-74 FR 63310 Note <sup>1</sup>	12/3/2009	Control Room Management/Human Factors	04/2012	Adopted
113-74 FR 63906 Note <sup>1</sup>	12/4/2009	Integrity Management Program for Gas Distribution Pipelines	04/2012	Adopted
114 - 75 FR 48593 Note <sup>1</sup>	8/11/2010	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	04/2012	Adopted
115 - 75 FR 72878 Note <sup>1</sup>	11/26/2010	Updates to Pipeline and Liquefied Natural Gas Reporting Requirements	04/2012	Adopted
116 - 76 FR 5494 Note <sup>1</sup>	4/4/2011	Mechanical Fitting Failure Reporting Requirements	04/2012	Adopted

117-76 FR 35130 Note <sup>1</sup>	8/15/2011	Control Room Management/Human Factors	Taking Steps to Adopt
118 - 78 FR 58897 Note <sup>1</sup>	9/28/2013	Administrative Procedures, Updates, and Technical Corrections	Taking Steps to Adopt
<b>4</b>	<b>Part 193 Amendments (applicable only where state has jurisdiction over LNG)</b>		
01-17 Note <sup>1</sup>	Pre 2002	[All applicable amendments prior to and including 2002]	Not Adopted
18 Note <sup>1</sup>	4/9/2004	Updated LNG standards by section	Not Adopted
19 Note <sup>1</sup>	7/10/2006	Incorporate by Reference various Standards	Not Adopted
20-73 FR 16562 Note <sup>1</sup>	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	Not Adopted
21-74 FR 2889 Note <sup>1</sup>	1/16/2009	Administrative Procedures , Address Updates and Technical Amendments	Not Adopted
22 - 75 FR 48593 Note <sup>1</sup>	8/11/2010	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	Not Adopted
23 - 75 FR 72878 Note <sup>1</sup>	11/26/2010	Updates to Pipeline and Liquefied Natural Gas Reporting Requirements	Not Adopted
24 - 78 FR 58897 Note <sup>1</sup>	9/28/2013	Administrative Procedures, Updates, and Technical Corrections	Not Adopted
<b>5</b> Note <sup>1</sup>	<b>Part 199 - Drug Testing</b>		<b>03/1990</b> Adopted
<b>6</b>	<b>Part 199 Amendments</b>		

01-19 Note <sup>1</sup>	Pre 2002	[All applicable amendments prior to and including 2002]	11/2003	Adopted
20 Note <sup>1</sup>	3/12/2003	Definition of Administrator	11/2003	Adopted
21 Note <sup>1</sup>	12/31/2003	Instructions for Single Use Form for MIS	05/2005	Adopted
22 Note <sup>1</sup>	7/14/2004	New address for reporting	05/2005	Adopted
23 Note <sup>1</sup>	3/8/2005	Administration name change	07/2006	Adopted
24-73 FR 16562 Note <sup>1</sup>	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	01/2010	Adopted
25 - 78 FR58897 Note <sup>1</sup>	9/28/2013	Administrative Procedures, Updates, and Technical Corrections		Taking Steps to Adopt
<b>7</b>	<b>State Adoption of Part 198 State One-Call Damage Prevention Program</b>			
a. Note <sup>1</sup>		Mandatory coverage of areas having pipeline facilities	08/1995	Adopted
b. Note <sup>1</sup>		Qualification for operation of one-call system	08/1995	Adopted
c. Note <sup>1</sup>		Mandatory excavator notification of one-call center	08/1995	Adopted
d. Note <sup>1</sup>		State determination whether calls to center are toll free	08/1995	Adopted
e. Note <sup>1</sup>		Mandatory intrastate pipeline operator participation	08/1995	Adopted

f. Note <sup>1</sup>	Mandatory operator response to notification	08/1995	Adopted
g. Note <sup>1</sup>	Mandatory notification of excavators/public	08/1995	Adopted
h. Note <sup>1</sup>	Civil penalties/injunctive relief substantially same as DOT	08/1995	Adopted

**<sup>1</sup>If Adoption Status is No, Please provide an explanation**

State Attendance at 2013 NAPS R Regional Meeting:  
 Frequency of General Legislative Session: Biennially

Attended full time (Lead rep or alternative pipeline staff)

**Attachment 8 Notes**

The 2013 North Dakota legislative session adopted the new levels of \$200,000/\$2,000,000 effective August 1, 2013.

The Commission has adopted Part 191 amendments in effect as of June 22, 2011. Those amendments are adopted under North Dakota Administrative Code section 69-09-03-02.

The Commission has adopted Part 192 amendments in effect as of June 22, 2011. Those amendments are adopted under North Dakota Administrative Code section 69-09-03-02 by rulemaking.

No LNG in North Dakota.

The Commission has adopted Part 199 amendments in effect as of June 22, 2011. Those amendments are adopted under North Dakota Administrative Code section 69-09-03-02 by rulemaking.

The Commission has adopted Part 199 amendments in effect as of June 22, 2011. Those amendments are adopted under North Dakota Administrative Code section 69-09-03-02 by rulemaking.

Legal experts have determined that the ND PSC adopted this provision in 1995, and that the Commission has jurisdiction to impose civil penalties on any entity that violates the ND One Call Laws under Chapter 49, N.D.C.C. Maximum amount is \$25000.00 for each violation.

Current Program Manager/Inspector attended 2013 NAPS R Central Region Meeting full time.

# Attachment 10 - Performance and Damage Prevention Questions

## CALENDAR YEAR (CY) 2013

### **Planned Performance: What are your Planned Annual and Long-term goals for your Pipeline Safety Program?**

The current North Dakota Gas Pipeline Safety Inspector/Program Manager assumed the roles of the Commission position on August, 2012. He has completed the PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems, PL3257 Pipeline Safety Regulation Application and Compliance Procedures, PL3256 Pipeline Failure Investigation Techniques, PL3291 Fundamentals of (SCADA) System Technology and Operation, PL1255 Gas Pressure Regulation and Overpressure Protection, PL3600 Root Cause/Incident Investigation, PL3242 Welding and Welding Inspection of Pipeline Materials, PL3365 Public Awareness Program Effectiveness Evaluation (PAPEE).

For 2014, he is currently enrolled in the PL1245 Safety Evaluation of Distribution Integrity Management Programs (DIMP), PL1297 Gas Integrity Management (IM) Protocol, PL1310 Plastic and Composite Materials, PL3267 Fundamentals of Integrity Management, PL3293 Corrosion Control of Pipeline Systems, PL3355 Safety Evaluation of Control Room Management Programs, PL5342 Safety Evaluation of Liquefied Petroleum Gas (LPG), PL3292 Safety Evaluation of Inline Inspection (ILI)/Pigging Programs. Assuming no changes in the course schedule, the Inspector/Program Manager is expected to complete all required courses during the next 1 to 1 1/2 years.

The new North Dakota Gas Pipeline Safety Inspector assumed the roles of the Commission position on August 5, 2013. He is enrolled in the PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems, PL1255 Gas Pressure Regulation and Overpressure Protection and Operation, PL1310 Plastics and Composite Materials, PL3256 Pipeline Failure Investigation Techniques, PL3257 Pipeline Safety Regulation Application and Compliance Procedures, PL3267 Fundamentals of Integrity Management, PL3292 Safety Evaluation of Inline Inspection (ILI)/Pigging Programs, PL3293 Corrosion Control of Pipeline Systems, PL3600 Root Cause/Incident Investigation, PL5342 Safety Evaluation of Liquefied Petroleum Gas (LPG). Assuming TQ confirmation of enrollment in the courses, the new Inspector is expected to complete all required courses during the next 2 to 2 1/2 years.

The new Inspector has completed the following WBT courses. PL3WELD on 8-30-13, PL3SCCDA on 8-28-13, PLSCADA on 8-28-13, PL3REG on 8-26-13, PL3PP on 8-26-13, PL3PIG on 8-26-13, PL3PAP on 8-26-13, PL3HIP on 8-21-13, PL3ELEC on 8-21-13, PL3ECDA on 8-20-13, PL3CP on 8-19-13, PL1RA on 8-19-13, PL1PRESS on 8-19-13, PL192 on 8-19-13, PL1ODOR on 8-19-13, PL1PROC on 8-19-13.

### **Past Performance: What did the Pipeline Safety Program accomplish during the subject year (to this document) to contribute toward the program's annual and long-term goals?**

The Commission ensured that the current Gas Pipeline Inspector/Program Manager has completed all required scheduled training courses offered to date and has registered him for all necessary courses for participation as they become available.

The new Gas Pipeline Inspector has also been registered for all necessary courses for participation as they become available.

#### **1. Has the state or agency reviewed the Damage Prevention Assistance Program (DPAP) document in the last twelve months?**

Yes

#### **2. Has the state or agency developed or is in the process of developing a plan to address the nine elements contained in the PIPES Act of 2006 for an effective State Damage Prevention Program?**

Yes

**If yes to question 2, where does the state or agency stand on implementation of the nine elements contained in the PIPES Act of 2006? Please provide a description of how the state or agency has or will meet each element. If not, please provide a brief passage explaining the reasons why the state or agency has not.**

The Commission adopted the minimum requirements of the PIPES Act of 2006 in mid 2009 in the Commission's Damage Prevention Plan. The Gas Pipeline Safety Inspector/Program Manager is responsible for the full implementation of the Commission's Damage Prevention Plan while performing safety inspections/audits and through Liaison with the North Dakota Pipeline Association, the North

Dakota One Call Board, and the Operators and stakeholders.

**Attachment 10 Notes**

