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

COPY

1200 New Jersey Avenue SE
Washington DC 20590

Pipeline Safety

2010 Hazardous Liquid Certification

for

MN Office of Pipeline Safety

Please follow the directions listed below:

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign and date the following pages:
 1. Main application pages for Certification and/or Agreement, which follow this cover page
 2. Second to last page, Attachment 9
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
(202)366-4395**

**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**

FedSTAR Information

Electronic Submission Date: Feb 26 2010 11:05AM



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

HAZARDOUS LIQUID PIPELINE SAFETY PROGRAM CERTIFICATION FOR CALENDAR YEAR 2010

This certificate (including attachments) is submitted by the MN Office of Pipeline Safety (the state agency) to the secretary of Transportation (the Secretary) under Section 60105 of Title 49, United States Code.)

Pursuant to Section 60105(a) of this Title, the state agency hereby certifies to the secretary that:

1. Except as set forth in Attachment 1, under the Constitution and laws of Minnesota it has regulatory jurisdiction over the safety standards and practices of all intrastate pipeline transportation within Minnesota as summarized on Attachment 1.
2. It has adopted, as of the date of this certification, each federal safety standard established under this Title that is applicable to the intrastate pipeline transportation under its jurisdiction as set forth in paragraph 1, or, with respect to each such federal safety standard established within 120 days before the date of the certification, is taking steps pursuant to state law to adopt such standard. (The adoption by a state agency of a safety standard that is additional to or more stringent than the applicable federal standard is compatible with the federal standards [see Section 60102(a)(1) of this Title] does not prohibit that state agency from certifying to the actions described in this paragraph.)
3. It is enforcing each standard referred to in paragraph 2.
4. It is encouraging and promoting programs designed to prevent damage to pipeline facilities as a consequence of demolition, excavation, tunneling, or construction activity.
5. It has authority to require each person who engages in the transportation of Hazardous Liquid or who own or operates pipeline facilities subject to its jurisdiction as set forth in paragraph 1, to establish and maintain records, to make reports, and to provide information, and that this authority is substantially the same as the authority provided under Section 60117 of this Title.
6. It has authority to require each person who engages in the transportation of Hazardous Liquid who owns or operates intrastate pipeline transportation facilities, subject to its jurisdiction as set forth in paragraph 1, to file with it for approval a plan for inspection and maintenance substantially as described under Section 60108(a) and (b) of this Title.
7. The laws of Minnesota provide for the enforcement of the safety standards referred to in paragraph 2 by injunctive and monetary sanctions substantially the same as those provided under Sections 60120 and 60122(a)(1) and (b)-(f) of this Title.

The state agency furthermore agrees to cooperate fully in a system of federal monitoring of the state program to assure the program is being carried out in compliance with this certification. The terms intrastate pipeline transportation, pipeline facilities, transportation of Hazardous Liquid, and state, are used in certification as defined in this Title. This certification is subject to termination by the Secretary in accordance with Section 60105(f) of this Title if the Secretary Under Section 60105(f), the Secretary, on reasonable notice and after opportunity for hearing, may reject the certification or take such other action as deemed appropriate to achieve adequate enforcement including assertion of federal jurisdiction. Pipeline and Hazardous Materials Safety Administration, Pipeline Safety, 1200 New Jersey Ave, SE , Washington DC 20590.

In witness whereof, the hand and seal of the MN Office of Pipeline Safety is hereby affixed on Feb. 26, 2010

MN Office of Pipeline Safety

[Handwritten Signature]
Signature

Chief Engineer
Title

February 26, 2010
Date



[Handwritten Signature]
2-26-10



CERTIFICATION/AGREEMENT ATTACHMENTS (HAZARDOUS LIQUID)

OMB Control No. 2137-0584

INSTRUCTIONS:

These attachments request information either for the entire calendar year (CY 2009: January 1 through December 31, 2009) or as of (or on) December 31, 2009. 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 Hazardous Liquid 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 I. 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 2009 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: Hazardous Liquid Facility Subject to State Safety Jurisdiction.** States should only list the facilities that are jurisdictional under Part 192 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, 2009. Also indicate the operator type (e.g., intrastate transmission) consistent with the listing in Attachment I and include the number of inspection units in each operator's system.
- **Attachment 4: Hazardous Liquid 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 Hazardous Liquid Pipeline Safety Program.** This attachment requires a list by name and title of each employee directly involved in the Hazardous Liquid pipeline safety program. Be sure to include the percentage of time each employee has been involved in the Hazardous Liquid pipeline safety program during 2009. If an employee has not been in the Hazardous Liquid pipeline safety program the full year of 2009, 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 Hazardous Liquid pipeline safety program and the person-years devoted to Hazardous Liquid 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, 2009. 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 9: Certification Regarding Drug-Free Workplace Requirements.** This requires each state to certify that it will maintain a drug-free workplace as a precondition to receiving a federal grant. The certification requires signature by an authorized official.
- **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 HAZARDOUS LIQUID FACILITIES AS OF DECEMBER 31, 2009

Operator Type	State Agency Jurisdiction/ Agent Status		No. of Operators	Operators Inspected		No. of Inspection Units	Units Inspected	
	No ¹	Yes		#	%		#	%
Petroleum Products								
Intrastate Trunklines		60105/60106	2	2	100.0%	2	2	100.0%
Gathering Lines in Non-rural Areas		60105/60106	0	0	N/A	0	0	N/A
Offshore Facilities		60105/60106	0	0	N/A	0	0	N/A
Interstate		X/60106	9	8	88.9%	19	18	94.7%
Anhydrous Ammonia		X/60106	1	1	100.0%	1	1	100.0%
Carbon Dioxide		60105/60106	0	0	N/A	0	0	N/A
Total			12	11	91.7%	22	21	95.5%

¹Codes: 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)

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:

- 1) Gathering, offshore and Carbon dioxide facilities or pipelines are jurisdictional, but do not exist.
- 2) The interstate Anhydrous Ammonia operator is also an interstate petroleum products operator, but has its own OMB ID number.
3. Main offices of interstate operators are not considered inspection units by PHMSA Central Region.
4. Koch Pipelines has intrastate trunklines and interstate inspection units, which are count as one operator in each operator type, but only one line in Attachment #3.



Attachment 2 - State Inspection Activity

**TOTAL STATE FIELD INSPECTION ACTIVITY AS
OF DECEMBER 31, 2009**

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
Petroleum Products									
Intrastate Trunklines	3.93	0	0	0	0	0	0.4	0	4.33
Gathering Lines in Non-rural Areas	0	0	0	0	0	0	0	0	0
Offshore Facilities	0	0	0	0	0	0	0	0	0
Interstate	70.19	74.99	0	0.2	0	27.22	1.47	6.64	180.71
Anhydrous Ammonia	2.08	0	0	0	0	0	0	0	2.08
Carbon Dioxide	0	0	0	0	0	0	0	0	0
Total	76.2	74.99	0	0.2	0	27.22	1.87	6.64	187.12

Drug and Alcohol

Total Count of Drug and Alcohol Inspections	9
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Attachment 2 Notes

- Standard = 410, 415, 420 time sheet work code inspection types.
- IMP = 430 time sheet work code inspection types.
- Follow-up = 440 time sheet work code inspection types.
- Investigating Incidents = 460, 462, 464 time sheet work code inspection types.
- Design, Testing and Construction = 450 time sheet work code inspection types.
- Damage prevention activities were time sheet line items with 30, 31 or 32 as a support distribution code.
- On-site Operator Training = 470, 476 time sheet work code inspection types.
- Anhydrous Ammonia inspection conducted concurrently with the Enterprise's other HL inspection units in MN under the same OPS case 103224.
- Nine total cases with multiple parties were created that included Drug/Alcohol questions or the short form for submittal to Stan K. in PHMSA HQ.

Attachment 3 - List of Operators

HAZARDOUS LIQUID FACILITIES SUBJECT TO STATE SAFETY JURISDICTION AS OF DECEMBER 31, 2009

Operator Business Name Operator ID Address	Petroleum Products (Operator type & Inspection Units)				Anhydrous Ammonia (Operator type & Inspection Units)	Carbon Dioxide (Operator type & Inspection Units)
	Intrastate Trunklines	Gathering Lines in non-rural areas	Off-shore Facilities (State Waters)	Interstate	Anhydrous Ammonia	Carbon Dioxide
BP Pipelines North America 31189 28100 Torch Parkway Warrenville, IL 60555-3938	0	0	0	1	0	0
ENBRIDGE ENERGY, LIMITED PARTNERSHIP 11169 119 North 25th Street East Superior, WI 54880	0	0	0	3	0	0
Enbridge Pipelines (North Dakota) 15774 2505 16th St. SW Minot, ND 58701-6974	0	0	0	1	0	0
Enterprise Products Partners 31618 1100 Louisiana Street PO Box 4324 Houston, TX 77210-4324	0	0	0	1	0	0
Kinder Morgan Cochin LLC 32258 2959 Sierra Court SW Iowa City, IA 52240	0	0	0	2	0	0
Koch - Koch Pipeline Co. LP 22855 PO Box 64596 St. Paul, MN 55164-0596	1	0	0	4	0	0
MAGELLAN AMMONIA PIPELINE, L.P. 12105 Iowa to Mankato (NH3) - IU 53133 2728 Patton Road Roseville, MN 55113	0	0	0	0	1	0
Magellan Pipeline Company, LP 22610 2728 Patton Road Roseville, MN 55113	0	0	0	5	0	0

MARATHON PIPE LINE LLC 31247 300 3rd Street PO Box 9St. Paul Park, MN 55701	0	0	0	1	0	0
NuStar Pipeline Operating Partnership LP (formally Valero-Kaneb Pipe Line) 10012 2288 W. County Road C Roseville, MN 55113	0	0	0	1	0	0
Xcel Energy DBA- Northern States Power of MN- Wescott LPG 31636 10326 South Robert Trail Inver Grove Heights, MN 55077	1	0	0	0	0	0



	Petroleum Products (Operator type & Inspection Units)				Anhydrous Ammonia (Operator type & Inspection Units)	Carbon Dioxide (Operator type & Inspection Units)
	Intrastate Trunklines	Gathering Lines in non-rural areas	Off-shore Facilities (State Waters)	Interstate	Anhydrous Ammonia	Carbon Dioxide
Inspection Unit totals by type	2	0	0	19	1	0

Total Operators

11

Attachment 3 Notes

1. Main offices of interstate operators are not considered inspection units by PHMSA Central Region.
2. Federal Operator IDs were obtained from the PHMSA web page library from annual reports, user fee listing and



Attachment 4 - Incidents/Accidents

SIGNIFICANT⁴ HAZARDOUS LIQUID INCIDENTS/ACCIDENTS JANUARY 1, THROUGH DECEMBER 31, 2009

Date of Incident	Location - City/County/etc.	Injuries #	Fatalities #	Property Damage ³ \$	Cause Code ¹
02/01/2009	Roseville Terminal: 2728 Patton Road, Roseville, Minnesota	0	0	\$62,300.00	B
Name of Operator: Magellan Midstream Partners LP					
Cause Reported by Operator (Describe) ² PHMSA ACCIDENT REPORT NUMBER 20090069 NARRATIVE: TANK FARM PERSONNEL DISCOVERED A CRACK IN A TANK PUMP BASE CAUSED BY FROST HEAVE, RESULTING IN THE PRODUCT RELEASE. THE PUMP BASE WILL BE REPLACED AND THE IMPACTED SOIL WILL BE REMEDIATED IN ACCORDANCE WITH COMPANY AND EPA GUIDELINES. (REFERENCE MNOPS CASE 8427)					
06/01/2009	Rosemount Terminal: 6541 150th Street West, Apple Valley, Minnesota	0	0	\$752,168.00	E
Name of Operator: Magellan Midstream Partners LP					
Cause Reported by Operator (Describe) ² PHMSA ACCIDENT REPORT NUMBER 20090193 NARRATIVE: LEAK DETECTED IN 2-INCH THREADED UNION ON PIPE FROM OIL SEPARATOR TO TANK MANIFOLD. THE PIPE WITH THREADED COUPLING WAS REPLACED WITH NEW, PRETESTED PIPE, ELIMINATING THE THREADED COUPLING. IMPACTED SOIL WAS REMEDIATED IN ACCORDANCE WITH COMPANY AND STATE EPA GUIDELINES. (REFERENCE MNOPS CASE 1111736)					
06/09/2009	SE NE Section 17 T50N R19W, Gowan Minnesota	0	0	\$43,975.00	E
Name of Operator: Enbridge Energy Company, Inc.					
Cause Reported by Operator (Describe) ² MNOPS CASE 1114011 SYNOPSIS: WHILE INVESTIGATING SUSPECTED 3RD PARTY ACTIVITY AT MP 1056.2 NEAR GOWAN MN, PERSONNEL NOTICED A SMALL POOL OF OIL ON THE GROUND. THE AREA WAS EXCAVATED AND UPON INVESTIGATION A CRACK IN A WELDMENT (BOLT SEAL WELD) ON A PLIDCO SPILT + SLEEVE WAS DISCOVERED.? THE REPAIR SLEEVE WAS INSTALLED TO REPAIR A PIPELINE LEAK THAT OCCURRED IN 1989.? IT IS ESTIMATED THAT APPROXIMATELY 5 BARRELS WAS RELEASED.? THE NRC AND MN STATE DUTY OFFICER WERE NOTIFIED.? MNOPS PERSONNEL VISITED THE SITE FOR INSPECTION.??? ALL THE WELDS ON THE SPLIT + SLEEVE WERE INSPECTED VIA MAGNETIC PARTICLE EXAMINATION AND WITH THE EXCEPTION OF ONE OTHER BOLT SEAL WELD WHICH HAD A SMALL CRACK (NOT LEAKING), ALL WERE FOUND TO BE GOOD.? TO REPAIR THE LEAKING PLUG WELDS, A? 2-INCH, 3000 LB SOCKET WELD END CAP WAS INSTALLED (WELDED) OVER EACH OF THE BOLT SEAL WELDS.? THE REPAIRS WERE THEN EXAMINED TWICE PER PROCEDURE (ONCE IMMEDIATELY FOLLOWING THE REPAIR, AND AGAIN 12 HOURS					



LATER) USING MAGNETIC PARTICLE. BOTH REPAIR WELDS WERE ACCEPTABLE.???
ONCE THE REPAIR WAS COMPLETED, THE CONTAMINATED SOIL WAS REMOVED
FROM THE AREA AND BACKFILLED WITH CLEAN IMPORTED SOIL.

06/26/2009	On Hwy 14 about 3.5 Miles West of I-35, Owatonna, Minnesota	0	0	\$25,025.00	E
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Name of Operator: Magellan Midstream Partners LP

Cause Reported by Operator (Describe)²

MNOPS CASE 1120718 SYNOPSIS: THE PIPELINE WAS BEING RELOCATED TO MAKE ROOM FOR A HIGHWAY RELOCATION. THE PROJECT REQUIRED THE LINE TO BE CUT OPEN IN ORDER TO MOVE IT. PRODUCT HAD BEEN DRAINED OUT OF THE LINE. HOWEVER, WHILE THE LINE WAS BEING CUT OPEN THE BOTTOM PORTION OF THE LINE BROKE OPEN AND THE PIPE DROOPED INTO A "V" SHAPE WITH A DEFLECTION OF APPROXIMATELY 3 INCHES, ALLOWING PRODUCT TO FLOW OUT FASTER THAN THE VACUUM TRUCK INTO WHICH PRODUCT WAS BEING DRAINED-UP COULD HANDLE. RELEASED PRODUCT WAS ISOLATED IN THE PIPELINE DITCH AND RECOVERED. IMPACTED SOIL WAS REMEDIATED FOLLOWING COMPANY AND STATE APPROVED ENVIRONMENTAL PRACTICES. THE LINE WAS REPAIRED WITH PRETESTED PIPE AND THE RELOCATION PROJECT WAS SUCCESSFULLY COMPLETED.

12/04/2009	8 miles south of Staples, Minnesota south of 470th Street	0	0	\$321,000.00	E
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Name of Operator: Koch - Minnesota Pipeline

Cause Reported by Operator (Describe)²

MNOPS CASE 1145212 SYNOPSIS: Dec. 23, 2009 Incident Report: POOR WORKMANSHIP - THE RELEASE OCCURRED WHILE PERFORMING AN IN-SERVICE PIPE REPLACEMENT USING DOUBLE STOPPLES, ONE STOPPLE OF EACH SIDE OF THE PIPE TO BE REPLACED.? THE SOURCE OF THE RELEASE WAS THE FLANGED CONNECTION BETWEEN THE STOPPLE TEE AND THE SANDWICH VALVE ON THE UPSTREAM STOPPLE LOCATION.? PRIOR TO THE RELEASE THE STOPPLE TEES WERE WELDED ONTO THE PIPELINE AND THE PIPE HOT TAPS COMPLETED ON BOTH SIDES OF THE PIPE SECTION.? THE PIPE WAS TO BE REPLACED THE NEXT DAY.? THE FAILURE OF THE FLANGED CONNECTION IS STILL UNDER INVESTIGATION. CAUSES INDICATED IN H5-16A THROUGH 16G ARE PRELIMINARY ONLY.?? TEST PRESSURE IS BELIEVE TO BE HELD FOR 10 TO 20 MINUTES IN H-5 16F .

¹Cause 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

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

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

⁴Significant: 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

Attachment 5 - Stats on Compliance Actions

STATE COMPLIANCE ACTIONS -- CALENDAR YEAR (CY) 2009

Probable Violation Categories	Intrastate	Interstate
Number Carried over from previous CY (including carryover and long term)	0	0
Number Found During CY	3	0
Number submitted for DOT action [60106 Agreement agent only]	0	0
Number corrected during CY (including carry over from previous year)	3	0
Number to be corrected at end of CY (including carry over and long-term)	0	0

Number of Compliance Actions Taken ¹

(see definition) 1

Civil Penalties

Number assessed during CY	0
Dollars assessed during CY	\$0.00
Number collected during CY	0
Dollars collected during CY	\$0.00

¹Do not double count for a related series of actions.

Attachment 5 Notes

1) The one compliance action was on an intrastate operator and represented an inspection case 7852 from CY2008 with resolution by emails and verification in CY 2009 with inspection case 1118470 was satisfactory on the issues.



Attachment 6 - List of Records Kept

HAZARDOUS LIQUID STATE RECORD MAINTENANCE AND REPORTING DURING CY 2009

Records Maintained by the State Agency

1. Operator file. Contains incident reports from telephonic notices, inspection and investigation results, annual reports
2. Operation and Maintenance Plan from each intrastate operator.
3. Computer database. Identifies vital information on each of the operators under the jurisdiction of this office. Sorts the

Reports Required from Operators

1. Telephonic Notice of Certain Accidents (195.50 and 195.52) through the State Duty Officer notification system.
2. Accident Reports - DOT Form 7000.1 (195.50, and 195.54)
3. Safety-Related Condition Reports and Filings (195.56)
4. Annual Report - DOT Form 7000.1.1 (195.49)

Attachment 6 Notes



Attachment 7 - Staffing and TQ Training

STATE EMPLOYEES DIRECTLY INVOLVED IN THE HAZARDOUS LIQUID PIPELINE SAFETY PROGRAM DURING CY 2009

Name/Title	% Time	# Months	Qual. Cat.	MM/YYYY Successfully Completed TQ Course											
				PL3254	PL3256	PL3257	PL2258	PL2284	PL2288	PL3291	PL3292	PL3293	PL3294	PL300Q	PL00305
Supervisor															
Skalnek, Elizabeth Administrative Chief Engineer	35	12	I	03/2002	05/2003	07/2004	09/2002	11/2009	03/2003	06/2003	12/2001	03/2003	09/2002	12/2003	
Wiest, Ron J Principal Engineer	10	12	I												
Munthe, Dan Outreach / Enforcement Supervisor	10	12	II												
Inspector/Investigator															
Wiest, Ron Principal Engineer	17	12	I	02/1997	04/2000	07/1998	07/1994	10/2008	11/2006	07/2007	06/2006		11/2002	12/2003	
Ardner, Brad Senior Engineering Specialist	35	12	I	02/1998	08/1997	07/1998	05/1997	12/2008	08/2008	08/2005	12/2003		08/2002	12/2003	
Livshutz, Vica Engineering Specialist	20	12	I	06/2001	05/2003	05/2004	06/1998	12/2009			06/2009		05/2005	12/2003	
Pierzina, Brian Senior Engineer	33	2	I	09/1999	03/2002	06/2000	09/2000	12/2008	10/2005	04/2004	06/2003		10/2002	12/2003	
Donovan, Patrick Engineering Specialist	5	12	II	08/1997	06/1996	06/1997	05/1997	10/2008			08/2006	06/2005	10/2002	11/2003	



Skalnek, Elizabeth Chief Engineer	20	12	I	03/2002	05/2003	07/2004	09/2002	11/2009	03/2003	06/2003	12/2001	03/2003	09/2002	12/2003
Murray, Jeff T Senior Engineer	15	8	III											07/2009
Stansbury, Todd D Senior Engineer	30	8	III											
Wolfgram, Jonathan C. Senior Engineer	20	8	III											

Damage Prevention/Technical

Munthe, Dan Outreach/ Enforcement Supervisor	10	12	II	03/2002	03/2002	07/2001	09/2003	12/2008		01/2008	12/2006	03/2003		12/2003
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Clerical and Administrative Support

Mangan, Sean Research Analyst	20	12												
Voyer, Andrew Clerical Support	20	12												
Dumroese, Lynn Clerical Support	20	12												
Brommer, Susan Clerical Support	20	12												

Name/Title	% Time	# Months	Qual. Cat.	MM/YYYY Successfully Completed TQ Course											
				PL1250	PL3251	PL3252	PL4253	PL1255	PL3275	PL3295	PL3296	PL1297	PL3306	PL31C	PL00311

Supervisor

Skalnek, Elizabeth Administrative Chief Engineer	35	12	I	01/2002			01/2003	06/2002	11/2008	06/2002	06/2002			
Wiest, Ron J Principal Engineer	10	12	I											

Munthe, Dan Outreach / Enforcement Supervisor	10	12	II														
Inspector/Investigator																	
Wiest, Ron Principal Engineer	17	12	I	08/2003	05/1989	04/1995	01/2001	02/1989					05/2005				
Ardner, Brad Senior Engineering Specialist	35	12	I	12/1997	02/1999	04/1999	01/2000	04/1998				09/2007	04/2006				
Livshutz, Vica Engineering Specialist	20	12	I	08/2001	02/1998	05/1991	01/1991	02/1991					10/2007				
Pierzina, Brian Senior Engineer	33	2	I	08/2001	02/1998	05/1991	01/1999	02/1991		07/2002	07/2002	05/2005					
Donovan, Patrick, Engineering Specialist	5	12	II	08/2003	02/1997	03/1997	01/1997	04/1997				06/2009	10/2007	03/2009			
Skalnek, Elizabeth Chief Engineer	20	12	I	01/2002			01/2003	06/2002	11/2008	06/2002	06/2002						
Murray, Jeff T Senior Engineer	15	8	III	11/2009						06/2009						10/2009	
Stansbury, Todd D Senior Engineer	30	8	III	11/2009						06/2009							
Wolfgram, Jonathan C. Senior Engineer	20	8	III	11/2009						06/2009							
Damage Prevention/Technical																	
Munthe, Dan Outreach/ Enforcement Supervisor	10	12	II	01/2001				04/2003					01/2009				
Clerical and Administrative Support																	

Mangan, Sean Research Analyst	20	12													
Voyer, Andrew Clerical Support	20	12													
Dumroese, Lynn Clerical Support	20	12													
Brommer, Susan Clerical Support	20	12													

Name/Title	% Time	# Months	Qual. Cat.	MM/YYYY Successfully Completed TQ Course											
				PL3600											
Supervisor															
Skalnek, Elizabth Administrative Chief Engineer	35	12	I												
Wiest, Ron J Principal Engineer	10	12	I												
Munthe, Dan Outreach / Enforcement Supervisor	10	12	II												
Inspector/Investigator															
Wiest, Ron Principal Engineer	17	12	I												
Ardner, Brad Senior Engineering Specialist	35	12	I												
Livshutz, Vica Engineering Specialist	20	12	I												
Pierzina, Brian Senior Engineer	33	2	I												



Donovan, Patrick, Engineering Specialist	5	12	II														
Skalnek, Elizabeth Chief Engineer	20	12	I														
Murray, Jeff T Senior Engineer	15	8	III														
Stansbury, Todd D Senior Engineer	30	8	III														
Wolfgram, Jonathan C. Senior Engineer	20	8	III														
Damage Prevention/Technical																	
Munthe, Dan Outreach/ Enforcement Supervisor	10	12	II														
Clerical and Administrative Support																	
Mangan, Sean Research Analyst	20	12															
Voyer, Andrew Clerical Support	20	12															
Dumroese, Lynn Clerical Support	20	12															
Brommer, Susan Clerical Support	20	12															

Summary

<u>Employee Type</u>	<u>No. of Staff</u>	<u>Person-Years</u>
Supervisor	3	0.55
Inspector	9	1.46
Damage Prevention/Technical	1	0.10
Clerical/Administrative	4	0.80
Total	17	2.91

Attachment 7 Notes

- 1) 40% of Dan Munthe's salary is from the One-Call Grant or other sources not involving the base federal pipeline safety grants.



Attachment 8 - Compliance with Federal Regulations

STATE COMPLIANCE WITH FEDERAL REQUIREMENTS AS OF DECEMBER 31, 2009

No.	Effective Date	Impact	Adoption Date	AdoptionStatus
1		Maximum Penalties Substantially Same as DOT (\$100,000/\$1,000,000); Indicate actual amount in note.	08/2008	Adopted \$100,000 /day upto \$1,000,000
Note ¹		299J.16, subdivision 1, is amended to read: Subdivision 1. Civil penalty. (a) A pipeline operator who violates section 299J.07, subdivision 1, or 299J.15, or the rules of the commissioner implementing those sections, shall forfeit and pay to the state a civil penalty in an amount to be determined by the court, up to \$100,000 for each day that the operator remains in violation, subject to a maximum of \$1,000,000 for a related series of violations. (b) The penalty provided under this subdivision may be recovered by an action brought by the attorney general at the request of the commissioner, in the name of the state, in connection with an action to recover expenses of the director under section 299J.13, subdivision 4: (1) in the District Court of Ramsey County; or (2) in the county of the defendant's residence. EFFECTIVE DATE. This section is effective August 1, 2008, and applies to violations committed on or after that date.		
2		Part 195 Amendments		
01-76A	Pre 2002	[All applicable amendments prior to and including 2002]	02/2002	Adopted
Note ¹		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
77	9/4/2003	Procedure for Producer-Operated outer continental shelf Hazardous Liquid Pipelines that cross directly into State Waters	09/2003	Adopted
Note ¹		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
78	10/14/2003	Various changes to liquid pipeline Safety standards from NAPSRS recommendations	10/2003	Adopted
Note ¹		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
80	2/5/2004	New Annual reporting requirement for operators	02/2004	Adopted
Note ¹		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
81	7/14/2003	Corrections from periodic update to pipeline safety regulations and subsequent corrections	07/2003	Adopted
Note ¹		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		

82	9/9/2004	Performance of periodic underwater inspections	09/2004	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
83	6/20/2005	API RP 1162 Public awareness campaign	06/2005	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
84	7/15/2005	PSIA Statuory changes to operator qualification program	07/2005	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
85	11/25/2005	Adoption of NACE Standard as direct assesment standard	11/2005	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
86	7/10/2006	Incorporate by reference various standards	07/2006	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
87	7/17/2007	Integrity Management Program Modifications and Clarifications	07/2007	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
88-73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
89-73 FR 31634	6/3/2008	Protecting Unusually Sensitive Areas From Rural Onshore Hazardous Liquid Gathering Lines and Low-Stress Lines (73 FR 61634)	06/2008	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
90-74 FR 2889	1/16/2009	Administrative Procedures, Address Updates and Technical Amendments	01/2009	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
91-74 FR 17099	4/14/2009	Incorporation by reference update: American Petroleum Institute Standards 5L and 1104	04/2009	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
92-74 FR 62503	11/30/2009	Editorial Amendments to Pipeline Safety Regulations	11/2009	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			

93 - 74 FR 63310	12/3/2009	Control Room Management Factors	12/2009	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
3	Part 199 - Drug Testing		04/1991	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
4	Part 199 Amendments			
01-19	Pre 2002	[All applicable amendments prior to and including 2002]	09/2001	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
20	3/12/2003	Definition of Administrator	03/2003	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
21	12/31/2003	Instructions for Single Use Form for MIS	12/2003	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
22	7/14/2004	New address for reporting	07/2004	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
23	3/8/2005	Administration name change	03/2005	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
24 - 73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
25 - 74 FR 2889	1/16/2009	Administration name change	01/2009	Adopted
Note ¹	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
5	State Adoption of Part 198			
a.	Mandatory coverage of areas having pipeline facilities		08/1987	Adopted
Note ¹	Note 3 M.S. 216D effective 08/01/1987.			
b.	Qualification for operation of one-call system		08/1987	Adopted
Note ¹	Note 3 M.S. 216D effective 08/01/1987.			

c. Note ¹	Mandatory excavator notification of one call center Note 3 M.S. 216D effective 08/01/1987.	08/1987	Adopted
d. Note ¹	State determination whether calls to center are toll free Note 3 M.S. 216D effective 08/01/1987.	08/1987	Adopted
e. Note ¹	Mandatory intrastate pipeline operator participation Note 3 M.S. 216D effective 08/01/1987.	08/1987	Adopted
f. Note ¹	Mandatory operator response to notification Note 3 M.S. 216D effective 08/01/1987.	08/1987	Adopted
g. Note ¹	Mandatory notifications of excavators/public Note 3 M.S. 216D effective 08/01/1987.	08/1987	Adopted
h. Note ¹	Civil penalties/injunctive relief substantially same as DOT (\$25000/ \$500000) Note 3 M.S. 216D effective 08/01/1987. Increase to \$1,000 in 1998.	08/1987	Adopted

'If Adoption Status is No, Please provide an explanation

State Attendance at 2009 NAPS Regional Meeting:
Frequency of General Legislative Session: Biennially

Attended full time (Lead rep or alternative pipeline staff)

Attachment 8 Notes

Attachment 9 - Drug Free Workplace

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

INSTRUCTIONS FOR CERTIFICATION

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance was placed when the agency determined to award the grant. If it is later determined that the grantee knowingly rendered a false certification or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

A. The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantees workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about—
 - (1)The danger of drug abuse in the workplace;
 - (2)The grantees policy of maintaining a drug-free workplace;
 - (3)Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4)The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - (1)Abide by the terms of the statement; and
 - (2)Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions within 30 days of receiving notice under subparagraph (d) (2) with respect to any employee who is so convicted—
 - (1) Taking appropriate personnel action against such an employee up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street address, city, county, state, zip code).

SIGNATURE

TITLE

DATE

MN Office of Pipeline Safety

444 Cedar St., Suite 147
St. Paul, MN 55101-5147

Attachment 9 Notes

Attachment 10 - Performance and Damage Prevention Questions

CALENDAR YEAR (CY) 2009

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

MNOPS mission: To protect lives, property, and the environment through the implementation of a program of gas and hazardous liquid pipeline inspections, enforcement, investigations, and education.

*Annual Goals

- o Perform routine pipeline safety inspections
- o Accident/incident investigation
- o Pipeline Safety and Damage prevention Enforcement
- o Damage prevention education presentations
- o Hold Pipeline Safety/Damage Prevention educational conference
- o Hire 3 licensed professional engineers in 2009
- o Pipeline Safety Spring Conference
- o Locate Rodeo/Damage Prevention Track
- o Closed Grand Rapids, MN field office
- o Sign up MN pipeline safety engineers to take all TQ courses

*Long-term Goals

- o Adhere to mission statement
- o Develop highly qualified/trained workforce to address pipeline safety and damage prevention issues in Minnesota
- o Equip highly trained staff with tools to maximize effectiveness
- o Implement consistent inspection and enforcement program
- o Identify root cause of incidents/accidents and minimize possibility of recurrence
- o Communicate best practices to all stakeholders in Minnesota
- o Develop/nurture relationships to improve pipeline and buried utility safety

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?

* Annual accomplishments

- o Inspection of intrastate pipelines - inspected most intrastate pipeline operators in 2009
- o Inspection of interstate pipelines - including Enbridge construction (every spread every other week)
- o Damage prevention initiatives - enforcement, education and best practices (CGA, MUCA, GSOC, etc.)
- o Program specific:
 - Hazardous Liquid
 - Natural Gas
 - * Atmospheric Corrosion
 - * Copper
 - * Sewer laterals (renewed focus in 2010)

*Long Term accomplishments

- o Co-locate engineers to facilitate cross training and communication

*OPS System 2008 - efficient program management

- o enhancements
- o license distribution

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.

MNOPS considers the nine elements fully implemented. Improvements are a continuous process and will be incorporated as resources allow. The characterization tool was utilized in January, 2010 with participants from MNOPS, Elizabeth Skalneki and Dan Munthe, Mark Palma of Gopher State One Call and Harold Winnie, Community Assistance and Technical Services Project Manager, PHMSA. The draft review was electronically transferred to AnneMarie Robertson on January 29, 2010. The 19 page report is too large to attach to this submittal.

Attachment 10 Notes

