

10-0357

This document is made available electronically by the Minnesota Legislative Reference Library as part of an ongoing digital archiving project. <http://www.leg.state.mn.us/lrl/lrl.asp>



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

COPY

1200 New Jersey Avenue SE  
Washington DC 20590

## Pipeline Safety

### 2010 Natural Gas 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 10:55AM



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

## NATURAL GAS 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 Natural Gas 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 Natural Gas 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 Natural Gas, 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.

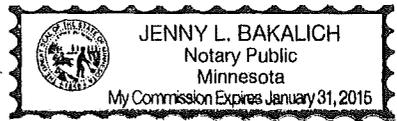
In witness whereof, the hand and seal of the MN Office of Pipeline Safety is hereby affixed on Feb. 26, 2010

MN Office of Pipeline Safety

*Jenny L. Bakalich*  
Signature

*Chief Engineer*  
Title

*February 26, 2010*  
Date



*J. Bakalich*  
*2-26-10*



## CERTIFICATION/AGREEMENT ATTACHMENTS (NATURAL GAS )

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 Natural Gas 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: Natural Gas 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: Natural Gas 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 Natural Gas Pipeline Safety Program.** This attachment requires a list by name and title of each employee directly involved in the Natural Gas pipeline safety program. Be sure to include the percentage of time each employee has been involved in the Natural Gas pipeline safety program during 2009. If an employee has not been in the Natural Gas 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 Natural Gas pipeline safety program and the person-years devoted to Natural Gas 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 NATURAL GAS 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 <sup>1</sup>	Yes		#	%		#	%
<b>Distribution</b>								
Private		60105/60106	11	11	100.0%	45	40	88.9%
Municipal		60105/60106	30	29	96.7%	33	31	93.9%
Master Meter		60105/60106	1	1	100.0%	2	2	100.0%
LPG		60105/60106	14	11	78.6%	24	18	75.0%
LNG		60105/60106	2	2	100.0%	2	2	100.0%
Other	A		0	0	N/A	0	0	N/A
<b>Transmission</b>								
Intrastate		60105/60106	10	9	90.0%	22	21	95.5%
Interstate		X/60106	8	4	50.0%	16	11	68.8%
Interstate LNG		X/60106	1	1	100.0%	1	1	100.0%
<b>Other</b>								
Gathering Lines		60105/60106	0	0	N/A	0	0	N/A
Offshore Facilities	A		0	0	N/A	0	0	N/A
<b>Total</b>			<b>77</b>	<b>68</b>	<b>88.3%</b>	<b>145</b>	<b>126</b>	<b>86.9%</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)

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:**

- Gathering facilities or pipelines are jurisdictional, but do not exist. Undefined "Other" distribution and Offshore Facilities do not exist physically nor by definition.
- Twelve of the twenty-two intrastate transmission inspection units are individual inspection units of private or municipal distribution operators.

## 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
<b>Distribution</b>									
Private	144.48	18.82	24.87	0	1.2	86.79	82.41	1.62	360.19
Municipal	67.14	0	16.33	0	3	2.13	11.67	0.76	101.03
Master Meter	1.93	0	0.99	0	0.1	0	0.65	0	3.67
LPG	19.46	0	11.38	0	1.4	0	7.51	0.62	40.37
LNG	5	0	0.99	0	0	0	0.78	0	6.77
Other	0	0	0	0	0	0	0	0	0
<b>Transmission</b>									
Intrastate	12.76	2.5	8.41	5.18	0	0	11.55	0	40.4
Interstate	21.9	7.67	0	1.47	0	4.17	0	0	35.21
Interstate LNG	6.37	0	0	0	0	2	0	0	8.37
<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>279.04</b>	<b>28.99</b>	<b>62.97</b>	<b>6.65</b>	<b>5.7</b>	<b>95.09</b>	<b>114.57</b>	<b>3</b>	<b>596.01</b>

#### **Drug and Alcohol**

Total Count of Drug and Alcohol Inspections

82

#### **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 and 32 as a support distribution code.

On-site Operator Training = 470, 476 time sheet work code inspection types.

82 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

## NATURAL GAS FACILITIES SUBJECT TO STATE SAFETY JURISDICTION AS OF DECEMBER 31, 2009

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>Alliance Pipeline Ltd.</b> 31199 6385 Old Shady Oak, Suite 150 Eden Prairie, MN 55334	0	0	0	0	0	0	0	2	0	0	0
<b>Alliant Energy</b> 8170 100 North Broadway, Albert Lea, MN 56007	1	0	0	0	0	0	0	0	0	0	0
<b>Archer Daniels Midland Corn Pro</b> 31007 901 North Highway 59, Marshall, MN 56258-2744	0	0	0	0	0	0	1	0	0	0	0
<b>Argyle, City of</b> 585 703 Pacific Avenue, PO Box 288 Argyle, MN 56713	0	1	0	0	0	0	1	0	0	0	0
<b>Austin Public Utilities</b> 918 400 4 Street NE, Austin, MN 55912	0	2	0	0	0	0	0	0	0	0	0
<b>Bagley Utilities Commission</b> 31099 18 Main Avenue South, Box M Bagley, MN 56621	0	1	0	0	0	0	0	0	0	0	0
<b>Ballards Resort Inc.</b> N/A RR 1, Box 176, Hwy 172, Baudette, MN 56623	0	0	0	1	0	0	0	0	0	0	0
<b>Big Sandy Lodge and Resort</b> N/A 20534 487th St., McGregor, MN 55760	0	0	0	1	0	0	0	0	0	0	0
<b>Buffalo Lake Energy LLC-NWN Gas Contracted</b> 32381 1600 Broadway, Suite 2200 Denver, CO 80202	0	0	0	0	0	0	1	0	0	0	0

<b>Calpine Natural Gas LP.</b> 31477 60 River Road, Rio Vista, CA 94571	0	0	0	0	0	0	0	1	0	0	0	0
<b>Camp Ripley Master Meter Distribution</b> N/A Facility Management Office, 150000 HWY 115 Little Falls, MN 56345	0	0	2	0	0	0	0	0	0	0	0	0
<b>Cast Away Club</b> N/A 18978 County Highway 21, PO Box 558 Detroit Lakes, MN 56501	0	0	0	1	0	0	0	0	0	0	0	0
<b>Cenex Harvest States, Inc. - CHS</b> 31908 1830 130th Street, Fairmont, MN 56031	0	0	0	0	0	0	0	1	0	0	0	0
<b>Centennial Utilities</b> 2368 200 Civic Height Circle, Circle Pines, MN 55014	0	1	0	0	0	0	0	0	0	0	0	0
<b>CenterPoint Energy</b> 12350 700 West Linden Avenue, PO Box 1165 Minneapolis, MN 55440-1165	14	0	0	0	1	0	0	3	0	0	0	0
<b>Centra Pipeline Minnesota</b> 31024 2324 Main Street, London, Ontario, Canada, MN N6P 1A9	0	0	0	0	0	0	0	0	1	0	0	0
<b>Clarissa.Eagle Bend Util. Com.</b> 31071 108 Main Street West, PO Box 215 Eagle Bend, MN 56446	0	1	0	0	0	0	0	0	0	0	0	0
<b>Clearbrook, City of</b> 3198 Box 62, Clearbrook, MN 56634	0	1	0	0	0	0	0	0	0	0	0	0
<b>Cohasset Municipal NG System</b> 31014 305 NW 1 Avenue, Cohasset, MN 55721	0	1	0	0	0	0	0	0	0	0	0	0
<b>Como Oil Propane</b> N/A PO Box 16108, Duluth, MN 55816-0108	0	0	0	6	0	0	0	0	0	0	0	0
<b>Duluth Dept of Pub Works and Utilities</b> 3590 411 West 1st Street, Room 211 City Hall Duluth, MN 55802-9001	0	1	0	0	0	0	0	0	1	0	0	0
<b>Fairfax Municipal Gas Utilities</b> 31349 112 SE 1 Street, Fairfax, MN 55332	0	1	0	0	0	0	0	0	0	0	0	0
<b>Ferrellgas Inc.</b> N/A 33 Holler Hill, Winona, MN 55987	0	0	0	3	0	0	0	0	0	0	0	0

<b>Fosston Utilities Commission</b> 31093 220 East 1 Street, PO Box 607 Fosston, MN 56542	0	1	0	0	0	0	0	1	0	0	0	0
<b>Gas Service Company</b> N/A 6916 State Highway 371, Walker, MN 56484	0	0	0	1	0	0	0	0	0	0	0	0
<b>Goodhue Public Utility Commission</b> 30961 405 N. Broadway, PO Box 126 Goodhue, MN 55027	0	1	0	0	0	0	0	0	0	0	0	0
<b>Grand Superior Lodge</b> N/A 600 East Superior Street, Suite 203 Duluth, MN 55802	0	0	0	1	0	0	0	0	0	0	0	0
<b>Great Lakes Gas Transmission</b> 6660 5250 Corporate Drive, Troy, MI 48098-2644	0	0	0	0	0	0	0	0	2	0	0	0
<b>Great Plains Natural Gas</b> 6690 105 West Lincoln Avenue, PO Box 176 Fergus Falls, MN 56537-0176	4	0	0	0	0	0	0	0	1	0	0	0
<b>Great River Energy</b> 13769 17845 E. Hwy 10, Elk River, MN 55330	0	0	0	0	0	0	0	1	0	0	0	0
<b>Greater Minnesota Gas Transmission</b> 32315 315 1/2 Minnesota Avenue South, Suite 201 St. Peter, MN 56082	0	0	0	0	0	0	0	1	0	0	0	0
<b>Greater Minnesota Gas, Inc.</b> 30967 315 1/2 Minnesota Avenue, Suite 201 St. Peter, MN 56082	1	0	0	0	0	0	0	0	0	0	0	0
<b>Hallock, City of</b> 7020 163 3 Street South, PO Box 336 Hallock, MN 56728	0	1	0	0	0	0	0	1	0	0	0	0
<b>Hawley Public Utilities Commission</b> 7180 PO Box 69, Hawley, MN 56549	0	1	0	0	0	0	0	0	0	0	0	0
<b>Henning, City of</b> 31433 PO Box 55, Henning, MN 56551	0	1	0	0	0	0	0	0	0	0	0	0
<b>Hibbing Public Utilities</b> 7250 1832 6 Avenue East, PO Box 249 Hibbing, MN 55746	0	2	0	0	0	0	0	0	0	0	0	0
<b>High Plains Cooperative</b> N/A 240 West Broadway, PO Box 636 Plainview, MN 55964-0636	0	0	0	1	0	0	0	0	0	0	0	0
<b>Hutchinson Utilities Commission</b> 7695 225 Michigan Street SE, Hutchinson, MN 55350	0	1	0	0	0	0	0	1	0	0	0	0

<b>Inergy Propane / Caledonia Tru-Gas / Midwest Gas Company</b> N/A Caledonia St. and Hwy 44, PO Box 327 Caledonia, MN 55921	0	0	0	1	0	0	0	0	0	0	0
<b>Lake Park Public Utilities</b> 11128 401 Lake Street, PO Box 239 Lake Park, MN 56554	0	1	0	0	0	0	0	0	0	0	0
<b>Lakes Gas Company</b> N/A 655 South Lake Street, PO Box 400 Forest Lake, MN 55025	0	0	0	4	0	0	0	0	0	0	0
<b>Minnesota Energy Resources</b> 32198 2665 145 Street West, PO Box 455 Rosemount, MN 55068-0455	7	0	0	0	0	0	1	0	0	0	0
<b>Minnesota Power</b> Pending 30 W. Superior Street, Duluth, MN 55802	0	0	0	0	0	0	1	0	0	0	0
<b>Minnesota Soybean Processors</b>  121 Zeh Avenue, P.O. Box 100 Brewster, MN 56119-0100	0	0	0	0	0	0	1	0	0	0	0
<b>Morgan, City of</b> 31070 , PO Box 27 Morgan, MN 56266	0	1	0	0	0	0	0	0	0	0	0
<b>New Ulm Public Utilities</b> 13400 310 First North Street, New Ulm, MN 56073	0	1	0	0	0	0	0	0	0	0	0
<b>New York Mills Municipal Gas</b> 13410 102 N. Boardman Ave., New York Mills, MN 56567	0	1	0	0	0	0	0	0	0	0	0
<b>Northern Minnesota Utilities-MERC</b> 13707 2665 145th Street West, PO Box 455 Rosemount, MN 55068-0455	1	0	0	0	0	0	1	0	0	0	0
<b>Northern Natural Gas Co.</b> 13750 1111 South 103rd Street, Omaha, NE 68103-0330	0	0	0	0	0	0	0	6	1	0	0
<b>Northern States Power - Xcel</b> 31636 825 Rice Street, St. Paul, MN 55117	10	0	0	0	1	0	1	0	0	0	0
<b>Northwest Gas</b> N/A 1608 4 Street NW, Grand Rapids, MN 55744	0	0	0	1	0	0	0	0	0	0	0
<b>Northwest Gas Cass Lake</b> 31292 1608 4 Street NW, Grand Rapids, MN 55744	1	0	0	0	0	0	0	0	0	0	0

<b>Northwest Natural Gas</b> 31906 314 Main Street NE, PO Box 721 Mapleton, MN 56065-0721	1	0	0	0	0	0	0	0	0	0	0
<b>Northwest Natural Gas</b> 31907 , PO Box 721 Mapleton, MN 56065-0721	1	0	0	0	0	0	0	0	0	0	0
<b>Owatonna Public Utilities</b>  208 South Walnut Street, PO Box 800 Owatonna, MN 55060	0	2	0	0	0	0	1	0	0	0	0
<b>Perham Municipal Gas System</b> 15371 125 Second Avenue NE, PO Box 130 Perham, MN 56573-0130	0	1	0	0	0	0	0	0	0	0	0
<b>Plymouth Christian Youth</b> N/A 12477 Gunflint Trail, Grand Marais, MN 55604	0	0	0	1	0	0	0	0	0	0	0
<b>POET Biorefining - Bingham Lake</b> 32046 40212 510th Avenue, Bingham Lake, MN 56118	0	0	0	0	0	0	1	0	0	0	0
<b>Racine Community Utilities</b> 888 104 East Main, PO Box 37 Racine, MN 55967-0037	1	0	0	0	0	0	0	0	0	0	0
<b>Randall Municipal Gas Utilities</b> 30893 501 PACIFIC AVENUE, PO Box 206 Randall, MN 56475	0	1	0	0	0	0	0	0	0	0	0
<b>Round Lake, City of</b> 30566 98 Main Street, PO Box 72 Round Lake, MN 56167	0	1	0	0	0	0	0	0	0	0	0
<b>Sheehan Gas</b> 18249 106 Main Street, PO Box 306 Bird Island, MN 55310	1	0	0	0	0	0	0	0	0	0	0
<b>Stephen, City of</b> 18636 PO Box 630, Stephen, MN 56757	0	1	0	0	0	0	1	0	0	0	0
<b>Thistledeew Camp (Dept. of Corrections)</b> N/A 62741 County Rd 551, Togo, MN 55723	0	0	0	1	0	0	0	0	0	0	0
<b>TransCanada Northern Border Inc.</b> 13769 1370 FNB Parkway, Omaha, NE 68154	0	0	0	0	0	0	0	1	0	0	0
<b>Two Harbors Mun. Gas System</b> 12903 522 First Avenue, Two Harbors, MN 55616-1504	0	1	0	0	0	0	0	0	0	0	0
<b>Tyler, City of</b> 31222 230 North Tyler Street, PO Box C Tyler, MN 56178	0	1	0	0	0	0	0	0	0	0	0

<b>Viking Gas Transmission Co.</b> 21252 3140 Neil Armstrong Blvd., Eagan, MN 55121	0	0	0	0	0	0	0	2	0	0	0
<b>Virginia Public Utilities</b> 21340 618 Second Street South, PO Box 1048 Virginia, MN 55792	0	1	0	0	0	0	0	0	0	0	0
<b>Warren, City of</b> 22168 120 East Bridge Avenue, Warren, MN 56762-1197	0	1	0	0	0	0	1	0	0	0	0
<b>Westbrook Municipal Utilities</b> 883 556 1 Avenue, PO Box 308 Westbrook, MN 56183	0	1	0	0	0	0	0	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	43	33	2	23	2	0	22	16	1	0	0

## Total Operators

71

### 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 the Central Region inspection plan.
3. The natural gas operator training and damage prevention inspection person days that were not specifically charged to an operator or operator group type were proportionally allocated based upon the ratio of the number of CY2009 inspection units in each group type to the total number of inspection units for intrastate operators only.



## Attachment 4 - Incidents/Accidents

### SIGNIFICANT<sup>4</sup> NATURAL GAS INCIDENTS/ACCIDENTS JANUARY 1, THROUGH DECEMBER 31, 2009

Date of Incident	Location - City/County/etc.	Injuries #	Fatalities #	Property Damage <sup>3</sup> \$	Cause Code <sup>1</sup>
03/03/2009	1065 Desota St.	0	0	\$81,000.00	H
Name of Operator: Northern States Power dba Xcel Energy					
Cause Reported by Operator (Describe) <sup>2</sup> Xcel Energy reported that there was a house fire at 1065 Desoto Street In St. Paul which occurred at 11:58 PM on 3-3-09. The house was severely damaged by the fire, and Xcel Energy reported the event to the National Response Center. According to the report, the home owner put a torpedo heater in the basement, next to opening in the wall where he planed to install an egress window on the next day. The heater melted a 5/8" PE natural gas service line resulting in a release of gas which ignited. The fire involved the gas meter set and damaged it badly. Nobody was injured in the fire. Xcel employees squeezed off the line and stopped the gas flow. The fire was extinguished by the Fire Department at 12:20 A.M on 3-4-09. Results of the field investigation and pictures from the site are stored in MNOPS Case #102512.					
08/04/2009	Strip Mall: 11th Ave NW & 7th St NW, Rochester, Minnesota	0	0	\$61,500.00	C
Name of Operator: Minnesota Energy Resources					
Cause Reported by Operator (Describe) <sup>2</sup> MNOPS CASE 1130718 Synopsis: On August 4, 2009 at 2:39 PM, Rochester Sand and Gravel (parent company is Mathy Construction) breached a six (6) inch, steel 72 pound natural gas main near 11th Ave NW and 7th Street NW, in Rochester, MN. This excavation was being done without a valid One-Call ticket.					

<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

## 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)	94	0
Number Found During CY	147	0
Number submitted for DOT action [60106 Agreement agent only]	0	0
Number corrected during CY (including carry over from previous year)	138	0
Number to be corrected at end of CY (including carry over and long-term)	103	0

**Number of Compliance Actions Taken <sup>1</sup>**  
 (see definition) 34

**Civil Penalties**

Number assessed during CY	16
Dollars assessed during CY	\$44,500.00
Number collected during CY	6
Dollars collected during CY	\$7,000.00

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

**Attachment 5 Notes**

- 1) Three additional Probable Violations (PV) were added to the 91 Probable Violations (PV) carried over from 2008 on Attachment 5, due to the AOC or RSI type issues being unknown at the end of the CY 2008, but later in CY2009 were found to be unsatisfactory.
- 2) The 94 carried over Intrastate PV's are comprised of 91 CFR codes and 3 MS216D (One-Call).
- 3) The 147 Intrastate PV's found during CY are comprised of 121 CFR codes and 26 MS216D (One-Call).
- 4) The 138 Intrastate PV's corrected during CY are comprised of 121 CFR codes and 17 MS216D (One-Call).
- 5) The 103 Intrastate PV's to be corrected at end of CY are comprised of 91 CFR codes and 12 MS216D (One-Call).
- 6) The 34 compliance actions are comprised of 17 CFR codes and 17 MS216D (One-Call).
- 7) The 16 civil penalties (CP) assessed are comprised of 5 CFR codes and 11 MS216D (One-Call).
- 8) The \$44,500 CP assessed are comprised of \$35,000 CFR codes and \$9,500 MS216D (One-Call).
- 9) The 6 CP's collected are comprised of 2 CFR codes and 4 MS216D (One-Call).
- 10) The \$7,000 CP collected are comprised of \$3,000 CFR codes and \$4,000 MS216D (One-Call).

## Attachment 6 - List of Records Kept

### NATURAL GAS 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

- Transmission and gathering systems: Incident form: 7100.2 (191.15)
- Transmission and gathering systems: Annual Report Form: 7100.2-1 (191.17)
- Safety: Related Condition Reports and Filings: (191.25)
- Telephonic Notice of Certain Accidents (191.5) through the State Duty Officer notification system.
- Distribution Incident Report Form: Form 7100.1 (191.9)
- Distribution Annual Report Form: 7100.1-1 (191.11). Form 7100.1-1 or 7100.2-1 (191.13)

#### Attachment 6 Notes



**Attachment 7 - Staffing and TQ Training**

**STATE EMPLOYEES DIRECTLY INVOLVED IN THE NATURAL GAS PIPELINE  
SAFETY PROGRAM DURING CY 2009**

Name/Title	% Time	# Months	Qual. Cat.	MM/YYYY Successfully Completed TQ Course										
				PL1250	PL4253	PL3254	PL1255	PL3256	PL3257	PL2284	PL3291	PL3292	PL3293	PL30Q
<b>Supervisor</b>														
<b>Skalnek, Elizabeth</b> Adiministrative Chief Engineer	30	12	I	01/2002	01/2003	03/2002	06/2002	05/2003	07/2004	11/2009	06/2003	12/2001	03/2003	12/2003
<b>Munthe, Daniel</b> Outreach/ Enforcement Supervisor	40	12	II	01/2001		03/2002	04/2003	03/2002	07/2001	12/2008	01/2008	12/2006	03/2003	12/2003
<b>Wiest, Ronald J</b> Principal Engineer	25	12	I											
<b>Inspector/Investigator</b>														
<b>Wiest, Ron</b> Principal Engineer	48	12	I	08/2003	01/2001	02/1997	02/1989	04/2000	07/1998	10/2008	07/2007	06/2006		12/2003
<b>Munthe, Daniel</b> Senior Engineering Specialist	40	12	II	01/2001		03/2002	04/2003	03/2002	07/2001		01/2008	12/2006	03/2003	12/2003
<b>Pierzina, Brian</b> Senior Engineer	67	3	I	08/2001	01/1999	09/1999	02/1991	03/2002	06/2000		04/2004	06/2003		12/2003
<b>Livshutz, Vica</b> Engineering Specialist	80	12	I	08/2001	01/1991	06/2001	02/1991	05/2003	05/2004	12/2009		06/2009		12/2003
<b>Kallberg, Lisa</b> Engineering Specialist	100	2	II	12/1997	01/1998	02/1997	04/1998	08/1997	12/1997	03/2007	07/2007	12/2006		12/2003

<b>Donovan, Patrick</b> Engineering Specialist	95	12	II	08/2003	01/1997	08/1997	04/1997	06/1996	06/1997	10/2008	08/2006	06/2005		12/2003	03/2009
<b>Ardner, Brad</b> Senior Engineering Specialist	60	12	I	12/1997	01/2000	02/1998	04/1998	08/1997	07/1998	12/2009	08/2005	12/2003	04/1999	12/2003	03/2009
<b>Skalnek, Elizabeth</b> Chief Engineer	15	12	I	01/2002	01/2003	03/2002	06/2002	05/2003	07/2004	11/2009	06/2003	12/2001	03/2003	12/2003	
<b>Wolfram, Jonathan C</b> Senior Engineer	80	8	III	11/2009											
<b>Murray, Jeff T</b> Senior Engineer	85	8	III	11/2009										07/2009	
<b>Stansbury, Todd D</b> Senior Engineer	70	8	III	11/2009											
<b>Clerical and Administrative Support</b>															
<b>Sullivan, Corrine</b> Office Supervisor	100	0													
<b>Mangan, Sean</b> Research Analyst	80	12													
<b>Voyer, Andrew</b> Clerical Support	80	12													
<b>Dumroese, Lynn</b> Clerical Support	80	12													
<b>Brommer, Susan</b> Clerical Support	80	12													

Name/Title	% Time	# Months	Qual. Cat.	MM/YYYY Successfully Completed TQ Course											
				PL3251	PL3252	PL2258	PL3275	PL2288	PL2294	PL3295	PL3296	PL1297	PL00305	PL31C	PL00311
Supervisor															

<b>Skalnek, Elizabeth</b> Administrative Chief Engineer	30	12	I			09/2002	11/2008	03/2003	09/2002	06/2002	06/2002				
<b>Munthe, Daniel</b> Outreach/ Enforcement Supervisor	40	12	II			09/2003						01/2009			
<b>Wiest, Ronald J</b> Principal Engineer	25	12	I												
<b>Inspector/Investigator</b>															
<b>Wiest, Ron</b> Principal Engineer	48	12	I	05/1989	04/1995	07/1994		11/2006	11/2002			05/2005			
<b>Munthe, Daniel</b> Senior Engineering Specialist	40	12	II			09/2003						01/2009			
<b>Pierzina, Brian</b> Senior Engineer	67	3	I	02/1998	05/1991	09/2000		10/2005	10/2002	07/2002	07/2002	05/2005			
<b>Livshutz, Vica</b> Engineering Specialist	80	12	I	02/1998	05/1991	06/1998			05/2005			10/2007			
<b>Kallberg, Lisa</b> Engineering Specialist	100	2	II	02/1998	03/1998	05/1997			05/2005		01/2004	01/2006			
<b>Donovan, Patrick</b> Engineering Specialist	95	12	II	02/1997	03/1997	05/1997			10/2002		06/2009	10/2007			
<b>Ardner, Brad</b> Senior Engineering Specialist	60	12	I	02/1999	04/1999	05/1997		08/2008	08/2002		09/2007	04/2006			
<b>Skalnek, Elizabeth</b> Chief Engineer	15	12	I			09/2002	11/2008	03/2003	09/2002						





<b>Wiest, Ron</b> Principal Engineer	48	12	I																
<b>Munthe, Daniel</b> Senior Engineering Specialist	40	12	II																
<b>Pierzina, Brian</b> Senior Engineer	67	3	I																
<b>Livshutz, Vica</b> Engineering Specialist	80	12	I																
<b>Kallberg, Lisa</b> Engineering Specialist	100	2	II																
<b>Donovan, Patrick</b> Engineering Specialist	95	12	II																
<b>Ardner, Brad</b> Senior Engineering Specialist	60	12	I																
<b>Skalnek, Elizabeth</b> Chief Engineer	15	12	I																
<b>Wolfgram, Jonathan C</b> Senior Engineer	80	8	III																
<b>Murray, Jeff T</b> Senior Engineer	85	8	III																
<b>Stansbury, Todd D</b> Senior Engineer	70	8	III																
<b>Clerical and Administrative Support</b>																			
<b>Sullivan, Corrine</b> Office Supervisor	100	0																	
<b>Mangan, Sean</b> Research Analyst	80	12																	

<b>Voyer, Andrew</b> Clerical Support	80	12													
<b>Dumroese, Lynn</b> Clerical Support	80	12													
<b>Brommer, Susan</b> Clerical Support	80	12													

**Summary**

<u>Employee Type</u>	<u>No. of Staff</u>	<u>Person-Years</u>
Supervisor	3	0.95
Inspectors/Investigators	11	5.28
Damage Prevention/Technical	0	
Clerical/Administrative	5	3.20
<b>Total</b>	<b>19</b>	<b>9.43</b>

**Attachment 7 Notes**



## Attachment 8 - Compliance with Federal Regulations

### STATE COMPLIANCE WITH FEDERAL REQUIREMENTS AS OF DECEMBER 31, 2009

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>	08/2008	Adopted \$100,000 /day upto \$1,000,000
Note <sup>1</sup>		Minnesota Statutes 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		<b>191.23 and 191.25 Safety-Related Conditions(through current amendment 191-14)</b>	08/1989	Adopted
Note <sup>1</sup>		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
3		<b>Part 192 Amendments</b>		
01-90	Pre 2002	[All applicable amendments prior to and including 2002]	07/2001	Adopted
Note <sup>1</sup>		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
91	4/23/2004	Definition of high consequence areas for gas transmission lines	04/2004	Adopted
Note <sup>1</sup>		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
92	9/4/2003	Procedures for Producer-operated outer continental shelf natural pipelines that cross directly into state waters	09/2003	Adopted
Note <sup>1</sup>		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		
93	10/15/2003	various changes to gas pipeline safety standards from NAPS recommendations	10/2003	Adopted
Note <sup>1</sup>		Note #2 MN State laws automatically adopt the amendments of the Federal Standards.		

94	5/6/2005	Modification to the definition of a Transmission Line	05/2005	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
95	5/26/2004	Pipeline integrity management for transmission lines in HCAs	05/2004	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
96	9/14/2004	Pressure limiting and regulating stations	09/2004	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
97	7/28/2004	Passage of internal inspection devices on new and retrofitted transmission pipelines	07/2004	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
98	9/9/2004	Performance of periodic underwater inspections	09/2004	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
99	6/20/2005	API RP 1162 Public awareness campaign	06/2005	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
100	7/15/2005	PSIA Statutory changes to Operator Qualification Program	07/2005	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
101	11/25/2005	Adoption of NACE Standard as a direct assesment standard	11/2005	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
102	4/14/2006	Definition of a Gathering Line	04/2006	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
103	7/10/2006	Incorporate by Reference various Standards	07/2006	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
103a	2/1/2007	Update Incorporated by Reference and Correction	02/2007	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
72 FR 20055	4/23/2007	Design and Construction Standards to Reduce Internal Corrosion in Gas Transmission Pipelines	04/2007	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			

104 Note <sup>1</sup>	5/23/2007	Integrity Management Program Modifications and Clarifications	05/2007	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
105 Note <sup>1</sup>	12/13/2007	Applicability of Public Awareness Regulations to Certain Gas Distribution Operators	12/2007	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
106-73 FR 16562 Note <sup>1</sup>	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
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)	10/2008	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
108-73 FR 79002 Note <sup>1</sup>	12/24/2008	PA-11 Design Pressures (73 FR 79005)	12/2008	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
109-74 FR 2889 Note <sup>1</sup>	1/16/2009	Administrative Procedures, Address Updates , and Technical Amendments	01/2009	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
110-74 FR 17099 Note <sup>1</sup>	4/14/2009	Incorporation by Reference Update: American Petroleum Institute(API) Standards 5L and 1104	04/2009	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
111-74 FR 62503 Note <sup>1</sup>	11/30/2009	Editorial Amendments to Pipeline Safety Regulations	11/2009	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
112-74 FR 63310 Note <sup>1</sup>	12/3/2009	Control Room Management/Human Factors	12/2009	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
113-74 FR 63906 Note <sup>1</sup>	12/4/2009	Integrity Management Program for Gas Distribution Pipelines	12/2009	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
<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]	03/2000	Adopted
	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			

18	4/9/2004	Updated LNG standards by section	04/2004	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
19	7/10/2006	Incorporate by Reference various Standards	07/2006	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
20-73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
21-74 FR 2889	1/16/2009	Administrative Procedures , Address Updates and Technical Amendments	01/2009	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
<b>5</b>	<b>Part 199 - Drug Testing</b>		<b>04/1991</b>	<b>Adopted</b>
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
<b>6</b>	<b>Part 199 Amendments</b>			
01-19	Pre 2002	[All applicable amendments prior to and including 2002]	09/2001	Adopted
Note <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
20	3/12/2003	Definition of Administrator	03/2003	Adopted
Note <sup>1</sup>	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 <sup>1</sup>	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 <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
23	3/8/2005	Administration name change	03/2005	Adopted
Note <sup>1</sup>	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 <sup>1</sup>	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 <sup>1</sup>	Note #2 MN State laws automatically adopt the amendments of the Federal Standards.			
<b>7</b>	<b>State Adoption of Part 198 State One-Call Damage Prevention Program</b>			
a.		Mandatory coverage of areas having pipeline facilities	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
b.		Qualification for operation of one-call system	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
c.		Mandatory excavator notification of one-call center	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
d.		State determination whether calls to center are toll free	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
e.		Mandatory intrastate pipeline operator participation	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
f.		Mandatory operator response to notification	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
g.		Mandatory notification of excavators/public	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987.			
h.		Civil penalties/injunctive relief substantially same as DOT (\$25000/ \$500000)	08/1987	Adopted
Note <sup>1</sup>	Note #3 M.S. 216D effective 08/01/1987. Increased to \$1,000 in 1998.			

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

State Attendance at 2009 NAPSR Regional Meeting: Attended full time (Lead rep or alternative pipeline staff)  
 Frequency of General Legislative Session: Biennially

**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

*Chief Engineer*  
TITLE

*February 26, 2010*  
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 Skalnek 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**

