



1200 New Jersey Avenue SE  
Washington DC 20590

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

# Pipeline and Hazardous Materials Safety Administration

## Pipeline Safety

2014 Hazardous Liquid Scoring Document

December 17, 2014



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

TO: STATE PIPELINE SAFETY PROGRAM MANAGERS IN STATE'S PARTICIPATING IN THE  
PIPELINE SAFETY GRANT PROGRAM

The Pipeline Safety Grant allocation for calendar year 2014 reflects a 100 percent performance-based formula and the performance criteria of 100 points. The Program Evaluation and the Progress Report scores will each represent 50 percent of the State's Allocation score as was done in the previous year. New state programs will automatically be funded at a score of 90 the first three years assuming they are making satisfactory progress in meeting Progress Report requirements-this will provide an adequate cushion for these programs to get established. Programs that are reinstated will be funded at a score of 90 for two years. Also as a general note, all indirect costs associated to a grant reimbursement shall be limited to 20% of the total direct costs.

The total allocation to states for the gas and liquid programs is \$47,601,368. The total amount assigned to the **Hazardous Liquid** program is \$3,882,742. The funding was allocated for CY2014 without consideration of the State performance scoring. In future grant allocations, if a performance element is found to be deficient for two years in a row it will be counted towards the grant scoring and affect funding. The scoring and subsequent allocation is designed to reflect the degree to which a state has met certain goals established by this office. Numeric Points are assigned for achieving specific levels of performance based on the information in the 2013 Base Grant Progress Report and the results of the Annual Program Evaluation. A list of the point criteria for the **Hazardous Liquid** program (Attachment 1) and a list of state point assignments for the **Hazardous Liquid** program (Attachment 2) are enclosed. A chart (Attachment 3) showing a list of the **Hazardous Liquid** request, state points, allocation (not based on performance points), and percentages of total program funding are enclosed.

The Payment Agreement (Notice of Award) will be generated by you through the FedSTAR process. Those states with an allocation of \$100,000 or more will also generate the "Certification Regarding Lobbying" form.

Thank You for your participation in the Pipeline Safety Grant Program.

Sincerely,

For Jeffrey D. Wiese, Associate Administrator for Pipeline Safety  
Enclosures

**CY 2014 PIPELINE SAFETY GRANT ALLOCATION FORMULA**  
**STATE PERFORMANCE CRITERIA (Hazardous Liquid)**

**I. RATING FROM STATE EVALUATION (50 PERCENT OF SCORE)**

**II. SELECTED INFORMATION FROM STATE PROGRESS REPORT/AGREEMENT (50 PERCENT OF SCORE)**

**A. Extent of Intrastate Safety Jurisdiction (12 Points)**

(Progress Report Attachment 1)

N = Number of operator types over which state has jurisdiction

M = Number of operator types located in state

60105 State:  $N/M \times 12$

60106 State:  $N/M \times 12 \times .5$

60105P State:  $N/M \times 12 \times .5$

1. Petroleum and Petroleum Products
2. Anhydrous Ammonia
3. Carbon Dioxide

**B. Inspector Qualifications (8 POINTS)**

(Progress Report Attachment 7, 7a)

- 8 - Highest percentage of inspectors in categories I and II
- 4 - Highest percentage of inspectors in categories I, II and III
- 0 - Highest percentage of inspectors in categories III, IV and V

**C. Number of Inspection Person-Days (9 POINTS)**

(Progress Report Attachment 2)

- 9 - Meets or exceeds the recommended number of inspection person-days.
- 5 - Comes within 25 percent of meeting the recommended number of inspection person-days (achieved 75 percent or above of recommended number).
- 3 - Meets less than 75 percent but at least 50 percent of the recommended number of inspection person-days (achieved 50 to 75 percent of recommended number).
- 0 - Meets less than 50 percent of recommended number of inspection person-days (achieved under 50 percent of recommended number).

**D. State Adoption of Maximum Civil Penalty Requirement (2 POINTS)**  
(Progress Report Attachment 8, Section I, Item 1)

- 2 -Adopted \$100,000/day; up to \$1,000,000 or Adopted but Different Amounts
- 1 -Taking steps to adopts (has filed draft legislation)
- 0 -Not Adopted

**E. State Adoption of Applicable Federal Regulations<sup>1</sup> (8 POINTS)**  
(Progress Report Attachment 8, Section I, Items 2, 3, 4, 5, and 6)

- 8 - Adopted within 24 months of effective date (or two general sessions of the state legislature, whichever is longer).
- 5 - Taking steps to adopt (has filed draft legislation).
- 3 - Adopted all regulations within required time frame except one -- where continuing opposition has blocked adoption and state is not presently attempting to adopt.
- 0 - Not Adopted within 36 months of effective date.

**F. One Call System Minimum Requirements under Part 198<sup>2</sup> (8 POINTS)**  
(Progress Report Attachment 8 Section III)

- 1.5 - Mandatory coverage of areas having pipeline facilities
- 0.5 - Qualification for operation of one-call system
- 1.5 - Mandatory excavator notification of one-call center
- 0.5 - State determination whether calls to center are toll free
- 1.5 - Mandatory intrastate pipeline operator participation
- 1.0 - Mandatory operator response to notification
- 1.0 - Mandatory notification of excavators/public
- 0.5 - Civil penalties/injunctive relief substantially same as DOT

**G. State Attendance at NAPS Regional Meeting (3 POINTS)**  
(Progress Report Attachment 8, Section III)

- 3 - Attended full time (lead rep or alternate pipeline program staff)
- 1 - Attended less than full time
- 0 - No one attended

**H. Penalty Points**

- 2 - State CY Progress Report not received at PHMSA HQ by due date
- 4 - points assigned if over 1 month late

1 Applicable Federal regulation for five year period will be listed in Progress Report attachments

2 Established under state law by statute, regulation, license, Progress Report, order, or any combination of these legal means

<b>STATE SCORES</b>			
<b>(FROM PERFORMANCE EVALUATION AND PROGRESS REPORT ATTACHMENTS)</b>			
<b>STATE</b>	<b>PROGRAM EVALUATION</b>	<b>PROGRESS REPORT ATTACHMENTS</b>	<b>TOTAL SCORE</b>
ALABAMA	99.00	48.00	97.50
ARIZONA	99.50	50.00	99.75
CALIFORNIA_SFM	93.80	46.00	92.90
INDIANA	97.90	49.00	97.95
LOUISIANA	100.00	48.00	98.00
MARYLAND	94.70	50.00	97.35
MINNESOTA	100.00	50.00	100.00
NEW MEXICO	99.50	40.00	89.75
NEW YORK	99.10	50.00	99.55
OKLAHOMA	100.00	48.00	98.00
TEXAS	96.40	50.00	98.20
VIRGINIA <sup>1</sup>	100.00	50.00	100.00
WASHINGTON	100.00	50.00	100.00
WEST VIRGINIA	79.20	49.50	89.10

## Notes:

1 State Programs that have both a 60105 and a 60106 program. These states have had their 60105 and 60106 funding combined and shown as the figure represented in the table, therefore budget, request and allocation figures represent funding for both programs.

2 Within the first 3 years of a new program a minimum score of 90% shall be given, and will not be subject to the 3-year average spending requirement.

<b>STATE SCORES</b>									
<b>(FROM PROGRESS REPORT ATTACHMENTS)</b>									
<b>STATE</b>	<b>JURISDICTION (12)</b>	<b>INSPECTOR QUAL. (8)</b>	<b>NUMBER OF INSPECTION PERSON DAYS (9)</b>	<b>STATE ADOPTION OF MAX CIVIL PENALTY REGS. (2)</b>	<b>STATE ADOPTION OF APPLICABL E FED REGS. (8)</b>	<b>ONE-CALL NOTIF. REQMNTS. (8)</b>	<b>ATTENDANCE AT FEDS/ STATE MEETING (3)</b>	<b>PENALTY POINTS (-)</b>	<b>TOTAL</b>
ALABAMA	12	8	9	0	8	8	3	0	48
ARIZONA	12	8	9	2	8	8	3	0	50
CALIFORNIA_SFM	12	8	5	2	8	8	3	0	46
INDIANA	12	8	9	1	8	8	3	0	49
LOUISIANA	12	8	9	0	8	8	3	0	48
MARYLAND	12	8	9	2	8	8	3	0	50
MINNESOTA	12	8	9	2	8	8	3	0	50
NEW MEXICO	12	8	0	1	8	8	3	0	40
NEW YORK	12	8	9	2	8	8	3	0	50
OKLAHOMA	12	8	9	0	8	8	3	0	48
TEXAS	12	8	9	2	8	8	3	0	50
VIRGINIA	12	8	9	2	8	8	3	0	50
WASHINGTON	12	8	9	2	8	8	3	0	50
WEST VIRGINIA	12	8	9	2	8	7.5	3	0	49.5

**PIPELINE SAFETY GRANT ALLOCATION**

<b>STATE</b>	<b>REQUEST</b>	<b>STATE POINTS</b>	<b>ALLOCATION</b>	<b>PERCENT OF FUNDING</b>	<b>WITHOUT SUSPENSION OF STATE FUNDING REQUIREMENT</b>
ALABAMA	\$53,817	97.50	\$38,613	71.75%	\$35,651
ARIZONA	\$85,698	99.75	\$61,488	71.75%	\$61,488
CALIFORNIA_SFM	\$1,909,460	92.90	\$1,370,022	71.75%	\$971,492
INDIANA	\$31,668	97.95	\$22,722	71.75%	\$22,722
LOUISIANA	\$398,636	98.00	\$286,018	71.75%	\$286,018
MARYLAND	\$21,799	97.35	\$15,641	71.75%	\$0
MINNESOTA	\$491,948	100.00	\$352,969	71.75%	\$352,969
NEW MEXICO	\$81,697	89.75	\$58,617	71.75%	\$58,617
NEW YORK	\$302,500	99.55	\$217,041	71.75%	\$217,041
OKLAHOMA	\$407,857	98.00	\$292,634	71.75%	\$292,634
TEXAS	\$1,217,267	98.20	\$873,379	71.75%	\$873,379
VIRGINIA	\$147,835	100.00	\$106,070	71.75%	\$106,070
WASHINGTON	\$230,665	100.00	\$165,500	71.75%	\$136,605
WEST VIRGINIA	\$30,700	89.10	\$22,027	71.75%	\$22,027

Note: Without Suspension of State Funding Requirement the State must spend at least their 3-Year average CY2011-CY2013

1 State Programs that have both a 60105 and a 60106 program. These states have had their 60105 and 60106 funding combined and shown as the figure represented in the table, therefore budget, request and allocation figures represent funding for both programs.

2 Within the first 3 years of a new program a minimum score of 90% shall be given, and will not be subject to the 3-year average spending requirement.