

# Tennessee Regulatory Authority



## Title VI

# Implementation Plan FY 2014-2015

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**OVERVIEW:**  
**TENNESSEE REGULATORY AUTHORITY**

The Tennessee Regulatory Authority's, ("TRA" or "Authority") primary mission is to provide regulatory oversight of Tennessee's privately held public utility companies. The TRA also has the authority to enforce state and federal safety requirements for Tennessee's intrastate gas pipelines and all natural gas distribution systems within the state, including private systems, utility districts, municipalities, and master meters.

Leadership of the TRA is appointed by the Governor, Lt. Governor and Speaker of the House and is comprised of five Directors and an Executive Director. Director Herbert H. Hilliard serves as agency Chairman along with Director David Jones (Vice Chairman), Director James Allison, Director Kenneth C. Hill and Director Robin Bennett. Additionally, Mr. Earl Taylor serves as the TRA's Executive Director as the appointee of the Governor, Lt. Governor, and Speaker of the House. An organizational chart of the agency is included as Attachment A.

The non-discrimination policy of the TRA states there shall be no discrimination on the basis of race, color, age, national origin, religion, disability, creed, or sex. The leadership of the TRA, by example and exercise of their authority, will continue to establish an atmosphere free of discrimination on the basis of religion, national origin, disability, sex, age, race, creed, or color.

## DEFINITIONS

<b>Cap-Tel:</b>	Captioned Telephone
<b>Complainant:</b>	A person, group, or company that makes a complaint, as in a legal action.
<b>Direct Sale:</b>	A pipeline that transports gas to a large volume customer such as a factory or power plant. This pipeline is upstream from a distribution center or directly off of a transmission line.
<b>GPSD:</b>	Gas Pipeline Safety Division
<b>Intrastate Pipeline:</b>	An inter-connected system of pipes that run within the specified boundaries of a state.
<b>LEP:</b>	Limited English Proficiency
<b>Lifeline:</b>	An assistance program that pays for a portion of a consumer's telephone bill.
<b>Master Meter:</b>	A pipeline system for distributing gas within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for resale through a gas distribution pipeline system. The gas distribution pipeline system supplies the ultimate consumer who either purchases the gas directly through a meter or by other means, such as by rents.
<b>Municipal System:</b>	A utility system operated by a city or county government.
<b>PHMSA:</b>	Pipeline and Hazardous Material Safety Administration
<b>Private System:</b>	A utility system operated by a group of private investors or a corporation.
<b>TRC:</b>	Tennessee Relay Center
<b>USDOT:</b>	United State Department of Transportation

## FEDERAL PROGRAMS OR ACTIVITIES

### Gas Pipeline Safety Inspections

The Gas Pipeline Safety Division (“GPSD”) of the TRA utilizes a grant from the United States Department of Transportation (“USDOT”) Pipeline and Hazardous Materials Safety Administration (“PHMSA”) for the purpose of performing safety inspections of Tennessee’s natural gas pipelines and natural gas distribution operators. The GPSD monitors compliance with federal and state safety regulations pertaining to the operation and maintenance requirements of natural gas transmission pipes, valves, and other hardware, as well as drug testing standards for all natural gas distribution systems. The grant is established under, 49 U.S.C. Section 60101, *et seq.* Federal funding allocated for TRA gas pipeline inspections during the past year amounted to approximately \$552,651.

The TRA has safety jurisdiction over operators including private, municipal systems and utility districts, and over gas distribution companies including two liquefied natural gas facilities. In the past fiscal year, the GSPD performed over 500 inspections on gas pipeline operators under its mandate.

Below is an Excel breakdown by operator type of the systems subject to safety inspections performed by the TRA.

<b>Federal Program: TRA Gas Pipeline Inspections FY13-14</b>	
<b>Operator Type</b>	<b>Number Represented</b>
Municipal Systems	71
Master Meter	28
Direct Sale	25
Intrastate Transmission	18
Private Systems	5
Liquefied Natural Gas (LNG)	2
<b>Total</b>	<b>148</b>
<b>Federal Funding Allocated for Inspections:</b>	<b>\$552,651</b>

\*The 2013 Natural Gas certification is included as **Attachment B**.

## **TRA's POLICY ON NON-DISCRIMINATION IN OTHER NON-FEDERAL PROGRAMS**

The TRA receives no federal funds to support the operation of the following programs. Nevertheless the TRA has taken steps to ensure that discrimination does not occur in the operation of these programs.

### **Tennessee Relay Center**

As a service to Tennessee's deaf, deaf-blind, hard-of-hearing, and hearing and speech-impaired community, the TRA and AT&T entered into a contract in March 2012 for the provision of relay services and operation of the Tennessee Relay Center in Tennessee. Regulated by the TRA, the Tennessee Relay Service (TRC) provides free, statewide assisted telephone service to those with speech, hearing, and visual impairments by linking conversations between people who use text telephones (TTY's) or telebraille (TB) devices and people who use standard phones.

The contract embodies the TRA's policy of non-discrimination. Section D.7, assures that "no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract or in the employment practices of the Contractor on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination." **The TRA does not receive Federal funds to operate the TRC.**

### **Tennessee CapTel Services**

A contract for CapTel services was awarded to Hamilton Telecommunications for a five-year term beginning September 1, 2010 to August 31, 2015, and it includes the same contractual provision prohibiting discrimination on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. **The TRA does not receive Federal funds to provide CapTel Service.**

The contract embodies the TRA's policy of non-discrimination. Section D.7, assures that "no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract or in the employment practices of the Contractor (Sprint Corporation) on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination."

## **Lifeline Phone Assistance Programs**

The Lifeline phone assistance program enables qualified low-income households to obtain phone service by providing financial assistance toward the cost of maintaining phone service. Under the Lifeline program a monthly discount is credited towards the local service portion of the recipient's telephone bill. Long distance service is excluded.

Although **no federal funds are received by the TRA for the Lifeline program**, the TRA promotes the existence of the program with numerous community partners and government agencies for the purpose of informing all qualified consumers of the program. The Authority follows and implements its policy of non-discrimination in reaching out to recipients and potential recipients regardless of disability, age, race, color, religion, sex, national origin, or any other protected classification.

## **Recording of TRA hearings**

By Tennessee statute, the TRA is required to maintain a record of all TRA hearings and conferences. These services are provided through a State of Tennessee-approved court reporting service. At the request of the TRA, a qualified court reporter provides a written transcript of the TRA's hearings and conferences pursuant to all applicable rules and procedures of the TRA. **No federal funds are received or expended for court reporter services.**

## **TITLE VI COORDINATOR**

The Title VI coordinator for the TRA is Greg Mitchell. The coordinator is responsible for resolving findings of non-compliance, resolutions of complaints, and assisting in any other areas of support needed. The Title VI coordinator has the primary responsibility for policy development, oversight, coordination of training activities, and the resolution of all Title VI compliance matters.

In addition to his Title VI duties, Mr. Mitchell serves in the Office of Communications & External Affairs Division within the TRA. Mr. Mitchell can be reached at (615) 770-6883 or by email at [greg.mitchell@tn.gov](mailto:greg.mitchell@tn.gov).

### **Duties of the Title VI coordinator includes:**

- 1) Preparing the TRA's Title VI implementation plan and plan updates.
- 2) Establishing an appropriate Limited English Proficiency (LEP) policy.
- 3) Verifying that all aspects of the Title VI plan are being implemented.
- 4) Reviewing complaint reports and other documentation to determine if additional compliance efforts are needed.
- 5) Consulting with the TRA's Directors to resolve complaints and findings of non-compliance with Title VI.
- 6) Serving as a liaison with other state personnel on Title VI issues and concerns.
- 7) Functioning as an information resource person to help the TRA comply with applicable statutes and regulations.

## DATA COLLECTION AND ANALYSIS

The TRA is comprised of 54 individuals performing various professional functions. As supplied by the TRA’s Personnel Manager, approximately 75% of the TRA’s personnel are Executive Service and 25% are Civil Service. The racial or national origin the staff consists of:

<b>Racial and National Origin of TRA Staff</b>	
Asian	1 (1%)
Black	10 (20%)
White	43 (79%)
<b>Total</b>	<b>54 (100%)</b>

For the state fiscal year July 1, 2013 to June 30, 2014, there were no complaints or lawsuits filed against the TRA alleging discrimination on the basis of race, color or national origin under any federally funded program or activity.

## TENNESSEE CENSUS DATA

According to 2010 Census, data for Tennessee shows that the five most populous incorporated places across the state are:

<b>Tennessee’s Five Most Populous Incorporated Areas</b>	
Location	Population
Memphis	646,889
Nashville-Davidson	626,681
Knoxville	178,874
Chattanooga	167,674
Clarksville	132,929

Memphis decreased by 0.5 percent since the 2000 Census while Nashville-Davidson grew by 10.0 percent; Knoxville grew by 2.9 percent; Chattanooga grew by 7.8 percent, and Clarksville grew by 28.5 percent.

The largest county in Tennessee is Shelby, with a population of 927,644. Its population grew by 3.4 percent since 2000. The other counties in the top five include Davidson, with a population of 626,681 (increase of 10.0 percent); Knox, 432,226 (increase of 13.1 percent); Hamilton, 336,463 (increase of 9.3 percent); and Rutherford, 262,604 (increase of 44.3 percent). The state’s racial make-up consists of:

**Total population: 6,346,105** (Source: US Census Bureau)

<b>Tennessee's Racial Breakdown</b>	
<b>Location</b>	<b>Population</b>
White persons	77.6%
Black persons	16.7%
Persons of Hispanic or Latino origin	4.6%
Asian	1.4%
American Indian/Alaska Natives	0.3%
Native Hawaiian or Pacific Islander	0.1%

## DISCRIMINATORY PRACTICES

### Statement of Title VI Policy

The TRA affirms its intention to comply with Title VI of the Civil Rights Act of 1964, which states that:

*No person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.*

Therefore, the TRA acknowledges that Title VI of the Civil Rights Act of 1964:

- 1) Prohibits entities from denying services or benefits based on race, color, or national origin.
- 2) Prohibits providing services or benefits to some individuals that are different or inferior (either in quantity or quality) to those provided to others.
- 3) Prohibits segregation or separate treatment in any manner related to receiving services or benefits.
- 4) Prohibits requiring different standards or conditions as prerequisites for serving individuals.
- 5) Prohibits methods of administration which directly, or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination practices.
- 6) Encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds.
- 7) Prohibits discriminatory activity in a facility built in whole or in part with federal funds.
- 8) Requires information and services to be provided in languages other than in English when significant numbers of beneficiaries are of limited English speaking ability.

An example of a hypothetical discriminatory practice within the scope of the TRA's business functions would consist of the TRA failing to provide access to assistive communications equipment to an individual who is hearing impaired on the basis of their race, color or national origin, but showing bias towards individual who is vision impaired and is part of the state's majority racial populations.

- 9) Requires notification to the eligible population about applicable programs.
- 10) Prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit.
- 11) Requires assurance of nondiscrimination in purchasing.

The TRA upholds the principles of Title VI in its activities and there have been no situations in which such discriminatory practices have occurred in relation to the TRA's activities.

## LIMITED ENGLISH PROFICIENCY (LEP)

### **Tennessee Regulatory Authority Title VI Limited English Proficiency (LEP) Policy**

The Tennessee Regulatory Authority (TRA) is committed to ensuring that Tennessee citizens with Limited English Proficiency (LEP) are provided with the means and opportunity to participate fully in the services and information that the Tennessee Regulatory Authority provides. As such, we set forth the following policy directives to maintain this standard.

- The **Tennessee Regulatory Authority** will take the necessary actions and steps to ensure that persons with LEP will have an equal opportunity and purposeful access to the information and services made available by the TRA.
- The **Tennessee Regulatory Authority** will endeavor to maintain an established means of communication to persons with LEP by means of an established language translation service provider.
- The translators, interpreters and other aids needed to comply with the **Tennessee Regulatory Authority's** policy will be offered free of charged to the LEP population being served.
- Such provided services will be made available through the use of bilingual translators, available to translate from a large number of foreign languages.
- **Tennessee Regulatory Authority** staff shall be provided with translation services contact information, such as service provider information cards and informational posters, and kept current on new updates to translation services provided and new languages offered.
- The **Tennessee Regulatory Authority** will maintain a record of LEP interactions that shall be available for review by the public upon request.
- If requested, translations of **Tennessee Regulatory Authority** documents will be made and provided to persons with LEP.
- The **Tennessee Regulatory Authority** on an ongoing basis will review, assess and revise these policies with respect to serving Tennessee consumers with LEP to ensure continued compliance with the Title VI law.

- TRA staff is advised to contact the agency's Title VI coordinator, Greg Mitchell, if additional LEP resources are needed.
- Language translation will be provided through the State of Tennessee's contract service provider, Avaza Language Service Corporation, or through another State of Tennessee approved vendor of such services.
- Language Translation Service Contact information: Avaza Translation Service, 5209 Linbar Drive, Suite 603, Nashville, TN 37211.

During the fiscal year period of July 1, 2013 through June 30, 2014, the Tennessee Regulatory Authority provided a total of (51) telephone encounters totaling (451) minutes of LEP services provided. The languages encountered were: Spanish and Arabic. Moreover, the documents that are translated include those related to the Telecommunications Devices Access Program (non-Federal), Lifeline Telephone Assistance Program form and our online consumer complaint form.

# COMPLAINT PROCEDURES

## Timeline for Filing

Any person alleging discrimination based on race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with the appropriate federal agency, the TRA, or the Tennessee Human Rights Commission. These procedures comply with Tenn. Code Ann. § 4-21-905 (2005).

## Receipt of Complaints

All complaints, written or verbal, are accepted. In the event that a complainant sets forth allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made will reduce the elements of the complaint to writing. It will not be necessary to know the identity of the complainant as long as the information is sufficient to determine the applicability of the complaint to the programs of the TRA and indicates the possibility of a violation.

## Elements of a Complaint

The TRA will obtain the following information from the complainant:

- 1) Name (optional), address and telephone number.
- 2) The location and name of the entity delivering the service.
- 3) The nature of the incident that led the complainant to feel discrimination was a factor.
- 4) The basis of the complaint, i.e. race, color, or national origin.
- 5) Names, addresses, and telephone numbers of individuals who may have knowledge of the event.
- 6) The date(s) on which the alleged discriminatory event(s) occurred.

## Complaint Resolution

- 1) Complaints will be reviewed by the TRA's Title VI coordinator. The coordinator will determine whether the complaint will be referred to an appropriate federal agency or will be investigated by the Authority.
- 2) Complaints to be investigated by the TRA will be handled within 90 days of receipt.
- 3) A letter will be sent to acknowledge receipt of the complaint and to request a time and date the complainant can be reached by telephone to discuss the complaint.

- 4) Complainants will not be parties to the Title VI investigation and will not enjoy a status different from other persons interviewed.
- 5) A preliminary review will be conducted on all complaints to substantiate or refute the allegations.
- 6) If the preliminary review indicates that there may be a problem, then a full complaint investigation will be initiated. A letter will be sent to the complainant explaining that an investigation will be started and that the complainant's assistance will be needed in the future.
- 7) If appropriate, the Authority will coordinate with other agencies on matters involving interdepartmental issues and reviews.
- 8) If the allegations are not substantiated, a letter containing a description of the investigated allegations, the scope of the investigation, the facts learned, and a closing statement summarizing the basis on which the determination was made will be sent to the complainant. The complainant will be advised of his/her right to file a complaint with other applicable governmental entities if dissatisfied with the resolution of the complaint.
- 9) If the complaint is substantiated, a letter will be sent notifying the complainant that the complaint has been investigated and substantiated and that efforts are being made to correct the deficiency.

**The Tennessee Regulatory Authority received no complaints during the prior fiscal year.**

## COMPLIANCE REVIEWS

**Awards: Not applicable.** There are no sub-recipient relationships that exist with entities outside the TRA.

## COMPLIANCE / NONCOMPLIANCE REPORTING

Federal or state departments/agencies to which the TRA furnishes or shares Title VI compliance reports: **Not applicable.**

There exist no sub-recipient relationships with entities outside the TRA. Title VI federal compliance reporting is not applicable. There are no Federal codes or regulations promulgated pursuant to 49 U.S.C. Section 60101 regarding compliance with Title VI. However, in the application for the gas pipeline safety grant, the TRA must certify its assurance regarding non-discrimination. The only Title VI-related document produced by the USDOT related to Title VI is its LEP Guidance, which was issued December 14, 2005 in the Federal Register (Vol. 70, No. 239).

## TITLE VI TRAINING

The TRA Title VI coordinator has attended all scheduled Title VI meetings, workshops, and informational sessions that have been sponsored by the Tennessee Human Rights Commission. The agency has in previous terms attended Title VI sessions spearheaded by the Legislative Black Caucus of the Tennessee General Assembly as well as the Tennessee Urban League. As the TRA's Title VI coordinator, Mr. Mitchell is committed to attending additional Title VI training opportunities, both within Tennessee and outside, as they become available.

During the prior fiscal year the TRA conducted its annual Title VI training for all of its (54) employees. **The training was conducted and completed by TRA staff between June 15 and June 30 of 2014,** and consisted of an interactive web-based method of engagement, through which staff was informed and trained on the Title VI law and reminded of the TRA's commitment to the law. The training covered the critical areas of the TRA's commitment to providing its services without partiality to one's race, color or national origin and the agency's dedication to serving Tennessee's citizens with Limited English Proficiency (LEP). Staff participation and completion of the training was recorded and monitored by the Title VI coordinator to ensure that 100% involvement and completion was achieved. We are pleased to report that our goal was achieved with all (54) staff members.

The TRA's Title VI training for fiscal year July 1st 2014 – June 30th, 2015 will be conducted in the 2<sup>nd</sup> quarter of 2015.

## **PUBLIC NOTICE AND OUTREACH**

The TRA participates in state-wide outreach programs to inform diverse groups about the services provided by and through the Authority. Notices of the programs are published through several media outlets, including, but not limited to, local radio and television stations through press releases, public service announcements, Facebook, and the TRA website.

The TRA's Title VI implementation plan will be available upon request to any interested group and minority members of these groups may review the plan and provide suggestions and recommendations for future plans.

There are no sub-recipient relationships with entities beyond the TRA. Therefore, there are no planning boards or advisory bodies for the federal grants the Authority receives from the U.S. Department of Transportation/PHMSA and U.S. Department of Energy.

## **EVALUATION PROCEDURES**

As a condition of receipt of the federal grant from the USDOT/PHMSA, the TRA has certified that it will comply with the requirements set forth in Title VI. As such, the TRA maintains that it will administer in a nondiscriminatory manner its statutory duties as a condition of receiving the federal funds from the grantor. **There are no TRA sub-recipients in the administration of the federal grant from the USDOT/PHMSA as all pipeline inspections are performed by the TRA's Gas Pipeline Safety Division.**

## RESPONSIBLE OFFICIALS

Responsibility for the TRA's implementation, coordination, and monitoring of Title VI of the Civil Rights Act of 1964 will rest with the Chairman's office. The Chairman's office will be responsible for appointing a member of the staff as the Title VI Coordinator and delegating all authority necessary to ensure implementation and compliance.

Contact information: Tennessee Regulatory Authority, 502 Deaderick Street, 4<sup>th</sup> floor, Nashville, TN 37243

*Greg Mitchell*

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Greg Mitchell, Coordinator  
[Greg.Mitchell@tn.gov](mailto:Greg.Mitchell@tn.gov)

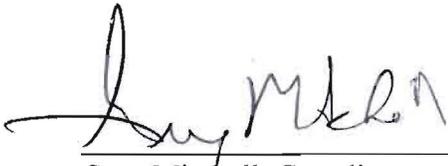
*Herb Hilliard*

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Herb Hilliard, Chairman  
[Herb.Hilliard@tn.gov](mailto:Herb.Hilliard@tn.gov)

## RESPONSIBLE OFFICIALS

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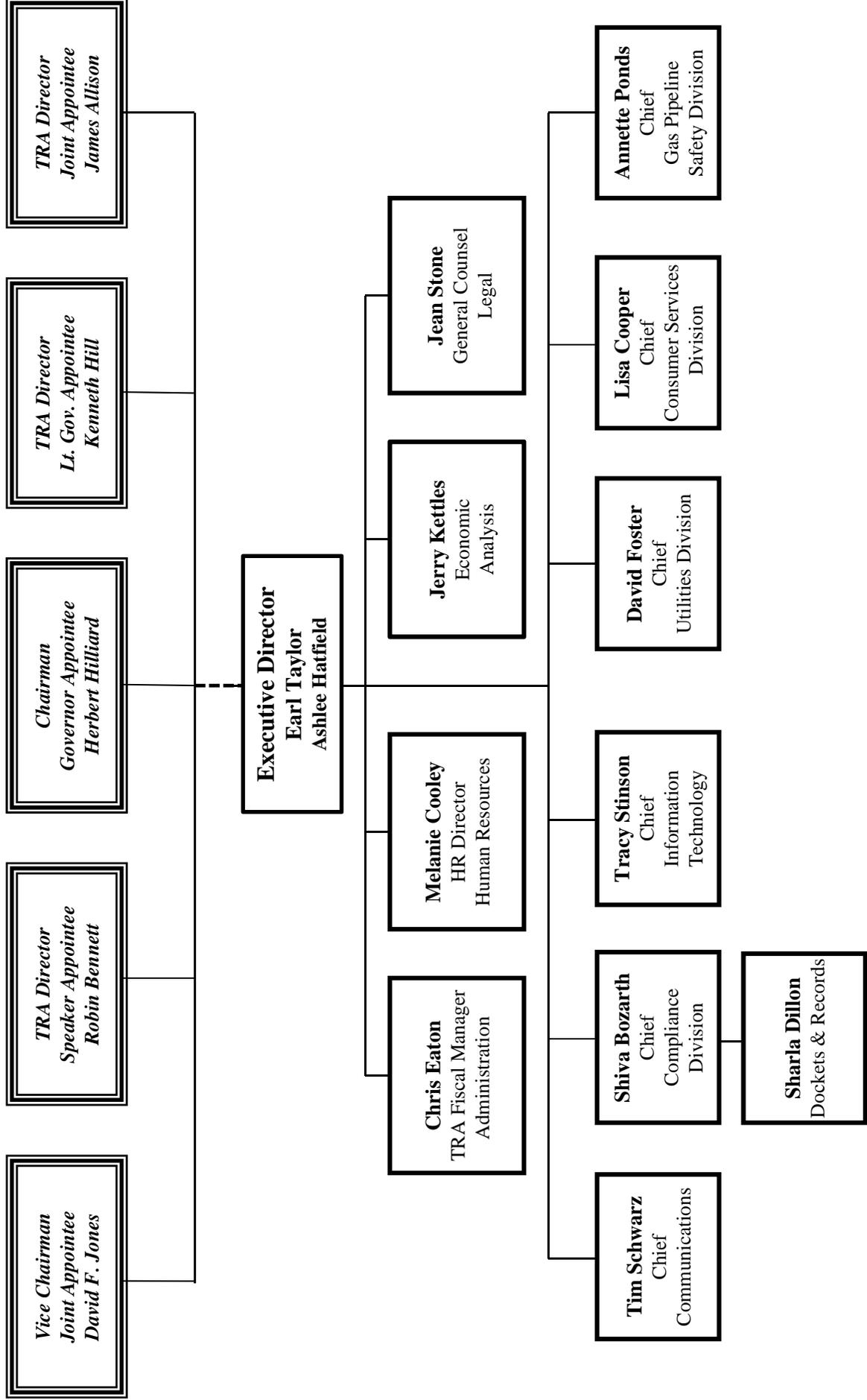
Greg Mitchell, Coordinator  
[Greg.Mitchell@tn.gov](mailto:Greg.Mitchell@tn.gov)



Herb Hilliard, Chairman  
[Herb.Hilliard@tn.gov](mailto:Herb.Hilliard@tn.gov)

# TENNESSEE REGULATORY AUTHORITY

## Organization Chart





1200 New Jersey Avenue SE  
Washington DC 20590

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

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2137-0584. Public reporting for this collection of information is estimated to be approximately 58.5 hours per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Pipeline and Hazardous Materials Safety Administration (PHMSA), PHP-30, 1200 New Jersey Ave SE, Washington, D.C. 20590

# Pipeline Safety

## 2013 Natural Gas Base Grant Progress Report

for

Tennessee Regulatory Authority

**Please follow the directions listed below:**

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

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



**FedSTAR Information**

Electronic Submission Date: 2/13/2014 2:52:29 PM



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

OFFICE OF PIPELINE SAFETY

2013 Natural Gas Base Grant Progress Report

Office: Tennessee Regulatory Authority

*Annette J. Ponds*

Authorized Signature

ANNETTE J. PONDS

Printed Name

*Chief Gas Pipeline Safety Division*

Title

*February 13, 2014*

Date



## PROGRESS REPORT ATTACHMENTS (NATURAL GAS )

PHMSA Form No. PHMSA F 999-92

### INSTRUCTIONS:

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

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

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



## DEFINITIONS

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



## Attachment 1 - Stats on Operators

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

Operator Type	State Agency Jurisdiction/ Agent Status		No. of Operators	Operators Inspected		No. of Inspection Units	Units Inspected	
	No <sup>1</sup>	Yes		#	%		#	%
<b>Distribution</b>								
Private		X/60105	5	5	100.0%	17	17	100.0%
Municipal		X/60105	71	71	100.0%	72	72	100.0%
Master Meter		X/60105	28	28	100.0%	29	29	100.0%
LPG		X/60105	0	0	N/A	0	0	N/A
LNG		X/60105	2	2	100.0%	2	2	100.0%
Other		X/60105	25	25	100.0%	29	29	100.0%
<b>Transmission</b>								
Intrastate		X/60105	17	17	100.0%	18	17	94.4%
Interstate	F		0	0	N/A	0	0	N/A
Interstate LNG	F		0	0	N/A	0	0	N/A
<b>Other</b>								
Gathering Lines		X/60105	0	0	N/A	0	0	N/A
Offshore Facilities	A		0	0	N/A	0	0	N/A
<b>Total</b>			<b>148</b>	<b>148</b>	<b>100.0%</b>	<b>167</b>	<b>166</b>	<b>99.4%</b>

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

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

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

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

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

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

States should explain any special circumstances

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

**Attachment 1 Notes:**

On previous reports Public Utility Districts had been included in the totals for Municipal. For this report we understand that Public Utility Districts are to be included in the "Other" category and we have reported the totals to reflect this change.

## Attachment 2 - State Inspection Activity

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

Operator Type	Standard Comprehensive	Design, Testing and Construction	On-Site Operator Training	Integrity Management	Operator Qualification	Investigating Incidents or Accidents	Damage Prevention Activities	Compliance Follow-up	Total
<b>Distribution</b>									
Private	41	18	0	0	0	3	0	1	63
Municipal	109	107	2	25	0	7	0	20	270
Master Meter	29	0	0	2	0	0	0	4	35
LPG	0	0	0	0	0	0	0	0	0
LNG	3	0	0	0	0	0	0	0	3
Other	45	35	0	3	0	0	0	1	84
<b>Transmission</b>									
Intrastate	33	7	0	12	0	0	0	9	61
Interstate	0	0	0	0	0	0	0	0	0
Interstate LNG	0	0	0	0	0	0	0	0	0
<b>Other</b>									
Gathering Lines	0	0	0	0	0	0	0	0	0
Offshore Facilities	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>260</b>	<b>167</b>	<b>2</b>	<b>42</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>35</b>	<b>516</b>

#### Drug and Alcohol

Total Count of Drug and Alcohol Inspections	0
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#### Attachment 2 Notes

### Attachment 3 - List of Operators

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

Operator Business Name Operator ID Address	Distribution (Operator type & Inspection Units)						Transmission (Operator type & Inspection Units)			Other (Operator type & Inspection Units)	
	Private	Municipal	Master Meter	LPG	LNG	Other	Intrastate	Interstate	Interstate LNG	Gathering Lines (Juris- dictional)	Offshore Facilities (State Waters)
<b>Adamsville Gas Department</b> 49 Box 301, Adamsville, TN 38310	0	1	0	0	0	0	0	0	0	0	0
<b>AGL Resources</b> 2288 2207 Olan Mills Drive, Chattanooga, TN 37421	1	0	0	0	0	0	1	0	0	0	0
<b>Alexian Village of Tennessee</b> 35982 100 James Boulevard, Signal Mountain, TN 37377	0	0	1	0	0	0	0	0	0	0	0
<b>Asashi Glass Company</b> 32188 P. O. Box 929, Kingsport, TN 37662	0	0	0	0	0	0	2	0	0	0	0
<b>Athens Utilities (Ardmore)</b> 766 P O Box 1089, Athens, AL 35612	0	1	0	0	0	0	0	0	0	0	0
<b>Athens Utilities Board</b> 774 P. O. Box 689, Athens, TN 37303	0	1	0	0	0	0	0	0	0	0	0
<b>Atlas Energy</b> 38884 106 Ridge View Way, Clinton, TN 37716	0	0	0	0	0	0	1	0	0	0	0
<b>Atmos Energy</b> 20211 810 Crescent Centre Drive Ste. 600, Franklin, TN 37067	11	0	0	0	0	0	1	0	0	0	0
<b>Avalon West Apartments</b> 35983 309 Broome Road, Knoxville, TN 37923	0	0	1	0	0	0	0	0	0	0	0

<b>B W Pipeline</b> 32659 728 South Jefferson, Cookeville, TN 38501	0	0	0	0	0	0	0	1	0	0	0	0
<b>Bedford County Utility District</b> 31694 214 Bethany Lane, Shelbyville, TN 37160	0	0	0	0	0	0	1	0	0	0	0	0
<b>Bells Gas Water</b> 30618 P O Box 760, Bells, TN 38006	0	1	0	0	0	0	0	0	0	0	0	0
<b>Bolivar Gas Department</b> 1616 115 North Washington Street. Bolivar, TN 38008	0	1	0	0	0	0	0	0	0	0	0	0
<b>Brownsville Utilities</b> 1840 P. O. Box 424, Brownsville, TN 38012	0	1	0	0	0	0	0	0	0	0	0	0
<b>Centerville Gas Department</b> 2176 Box 238, Centerville, TN 37033	0	1	0	0	0	0	0	0	0	0	0	0
<b>Citizens Gas Utility District</b> 2412 P. O. Box 320, Helenwood, TN 37755	0	0	0	0	0	0	1	0	0	0	0	0
<b>City of Clifton Gas Department</b> 972 P. O. Box 192, Clifton, TN 38425	0	1	0	0	0	0	0	0	0	0	0	0
<b>City of South Fulton Gas Department</b> 18432 P. O. Box 639, South Fulton, TN 38257	0	1	0	0	0	0	0	0	0	0	0	0
<b>Claiborne County Utility District</b> 31498 P O Box 606, New Tazewell, TN 37825	0	0	0	0	0	0	1	0	0	0	0	0
<b>Clarksville Gas Department</b> 2460 2215 Madison Street, Clarksville, TN 37041-0387	0	2	0	0	0	0	0	0	0	0	0	0
<b>Clay Gas Utility District</b> 31315 P.O. Box 307, Celina, TN 38551-0307	0	0	0	0	0	0	1	0	0	0	0	0
<b>Coalfield Pipeline Division of Knox Energy</b> 31725 132 Mitchell Road, Oak Ridge, TN 37830-7918	0	0	0	0	0	0	0	1	0	0	0	0
<b>Collinwood Gas Department</b> 2556 Box 98, Collinwood, TN 38450	0	1	0	0	0	0	0	0	0	0	0	0
<b>Columbia Housing Authority</b> 35797 P. O. Box 15, Columbia, TN 38401	0	0	1	0	0	0	0	0	0	0	0	0

<b>Cookeville Gas Department</b> 2764 Box 998, Cookeville, TN 38501	0	1	0	0	0	0	0	0	0	0	0	0
<b>Counce Natural Gas System</b> 30863 P O Box 285, Burnesville, MS 38833-0285	1	0	0	0	0	0	0	0	0	0	0	0
<b>Covington Gas Department</b> 2853 Box 768, Covington, TN 38019	0	1	0	0	0	0	0	0	0	0	0	0
<b>Covington Housing Authority</b> 35798 P. O. Box 88, Covington, TN 38019	0	0	0	0	0	0	0	0	0	0	0	0
<b>Crockett Public Utility District</b> 2880 82 No. Bells Street, Alamo, TN 38001	0	0	0	0	0	1	0	0	0	0	0	0
<b>Domtar Paper</b>  100 Clinchfield Street, Kingsport, TN 37660	0	0	0	0	0	0	1	0	0	0	0	0
<b>Dunlap Gas System</b> 3610 P. O. Box 145, Dunlap, TN 37327	0	1	0	0	0	0	0	0	0	0	0	0
<b>Dyersburg Gas Department</b> 3660 119 S. Mill Avenue, Dyersburg, TN 38024	0	1	0	0	0	0	0	0	0	0	0	0
<b>Elk River Public Utility District</b> 4370 P O Box 970, Tullahoma, TN 37388-0970	0	0	0	0	0	1	0	0	0	0	0	0
<b>Englewood Gas Department</b> 4480 P. O. Box 150, Englewood, TN 37329	0	1	0	0	0	0	0	0	0	0	0	0
<b>ESG Pipeline</b> 32298 4655 Rosebud Lane, Newburgh, IN 47630	0	0	0	0	0	0	1	0	0	0	0	0
<b>Etowah Utilities</b> 4567 P O Box 927, Etowah, TN 37331-0927	0	1	0	0	0	0	0	0	0	0	0	0
<b>Fayetteville Gas System</b> 5110 401 Main Avenue North, Fayetteville, TN 37334	0	1	0	0	0	0	0	0	0	0	0	0
<b>First Utility District of Tipton Co.</b> 19471 P. O. Box 684, Covington, TN 38019	0	0	0	0	0	1	0	0	0	0	0	0
<b>Friendship Gas Department</b> 5640 Box 265, Friendship, TN 38034	0	1	0	0	0	0	0	0	0	0	0	0

<b>Gallatin Housing Authority</b> 35799 P. O. Box 1923, Gallatin, TN 37066	0	0	1	0	0	0	0	0	0	0	0
<b>Gallatin Natural Gas System</b> 6040 239 Hancock Street, Gallatin, TN 37066	0	1	0	0	0	0	0	0	0	0	0
<b>Gallaway Gas Company</b> 6035 Box 168, Gallaway, TN 38036	0	1	0	0	0	0	0	0	0	0	0
<b>General Gas LLC</b> 32229 3212 Hwy 25E, Suite 4, Tazwell, TN 37879	0	0	0	0	0	0	1	0	0	0	0
<b>Georgetown Condominiums</b> 35985 5025 Hillsboro Road, Bldg. 2, Nashville, TN 37215	0	0	1	0	0	0	0	0	0	0	0
<b>Gibson County Utility District</b> 6370 P. O.Box 350, Trenton, TN 38382	0	0	0	0	0	1	0	0	0	0	0
<b>Greater Dickson Gas Authority</b> 6716 600 East Walnut Street, Dickson, TN 37055	0	1	0	0	0	0	0	0	0	0	0
<b>Green Hills Terrace Apartments (Ghertner Company)</b> 35986 413 7th Avenue South, Nashville, TN 37203	0	0	1	0	0	0	0	0	0	0	0
<b>Halls Gas Department</b> 7025 208 N. Church Street, Halls, TN 38040	0	1	0	0	0	0	0	0	0	0	0
<b>Hardeman-Fayette Utility District</b> 7060 P. O. Box 7, Moscow, TN 38057	0	0	0	0	0	1	0	0	0	0	0
<b>Harriman Housing Authority</b> 35800 P. O. Box 942, Harriman, TN 37748	0	0	1	0	0	0	0	0	0	0	0
<b>Harriman Utility Board</b> 7090 P. O. Box 434, Harriman, TN 37748	0	1	0	0	0	0	0	0	0	0	0
<b>Hawkins County Utility District</b> 7170 202 Park Boulevard, Rogersville, TN 37857	0	0	0	0	0	1	0	0	0	0	0
<b>Henderson Gas Utilities</b> 7215 P. O. Box 68, Henderson, TN 38340	0	1	0	0	0	0	0	0	0	0	0



<b>Henning Gas Department</b> 7225 Box 488, Henning, TN 38041	0	1	0	0	0	0	0	0	0	0	0
<b>Hohenwald Natural Gas System</b> 7310 118 W. Linden Avenue, Hohenwald, TN 38462	0	1	0	0	0	0	0	0	0	0	0
<b>Holston Army Ammunition</b>  11121 Kingston Pike, Suite E, Knoxville, TN 37934	0	0	0	0	0	0	1	0	0	0	0
<b>Horton Highway Utility District</b> 7365 P. O.Box 85, Chapel Hill, TN 37034	0	0	0	0	0	1	0	0	0	0	0
<b>Humboldt Gas Water Department</b> 7650 207 S. 13th, Humboldt, TN	0	1	0	0	0	0	0	0	0	0	0
<b>Humphreys County Utility District</b> 7655 P. O. Box 519, Waverly, TN 37185	0	0	0	0	0	1	1	0	0	0	0
<b>Huntingdon Housing Authority</b> 35801 433 Hillcourt, Huntingdon, TN 38344	0	0	1	0	0	0	0	0	0	0	0
<b>Jackson Energy Authority</b> 9040 P. O. Box 68, Jackson, TN 38302-0068	0	1	0	0	0	0	0	0	0	0	0
<b>Jackson Housing Authority</b> 35802 P. O. Box 3188, Jackson, TN 38303	0	0	1	0	0	0	0	0	0	0	0
<b>Jamestown Gas Department</b> 9100 Box 670, Jamestown, TN 38556	0	1	0	0	0	0	0	0	0	0	0
<b>Jefferson City Housing Authority</b> 35803 942 E. Ellis Street, Jefferson City, TN 37760	0	0	1	0	0	0	0	0	0	0	0
<b>Jefferson-Cocke County Utility District</b> 9200 122 Highway 25E, Newport, TN 37821	0	0	0	0	0	1	1	0	0	0	0
<b>Johnson University</b> 35989 7900 Johnson Drive, Knoxville, TN 37998	0	0	1	0	0	0	0	0	0	0	0
<b>Kirby Pines Estates</b> 35988 3535 Kirby Road, Memphis, TN 38115	0	0	1	0	0	0	0	0	0	0	0
<b>Knoxville Utilities Board</b> 10310 P. O. Box 59017, Knoxville, TN 37950-9017	0	1	0	0	0	0	0	0	0	0	0

<b>Lafayette Gas Department</b> 11064 P.O. Box 275, Lafayette, TN 37083	0	1	0	0	0	0	0	0	0	0	0	0
<b>Lake County Utility District</b> 11120 P. O. Box 376, Tiptonville, TN 38079	0	0	0	0	0	1	0	0	0	0	0	0
<b>Lawrenceburg Utility System-Gas Division</b> 11296 100 Ezell Drive, Lawrenceburg, TN 38464	0	1	0	0	0	0	0	0	0	0	0	0
<b>Lebanon Gas Department</b> 11336 410 Park Drive, Lebanon, TN 37087	0	1	0	0	0	0	0	0	0	0	0	0
<b>Lebanon Housing Authority</b> 35804 P. O. Box 187, Lebanon, TN 37087	0	0	1	0	0	0	0	0	0	0	0	0
<b>Lenoir City Utilities Board</b> 11376 220 Depot Street, Lenoir City, TN 37771	0	1	0	0	0	0	0	0	0	0	0	0
<b>Lewisburg Gas Department</b> 11416 P. O. Box 1069, Lewisburg, TN 37091	0	1	0	0	0	0	0	0	0	0	0	0
<b>Lexington Gas System</b> 11448 50 Monroe Street, Lexington, TN 38351	0	1	0	0	0	0	0	0	0	0	0	0
<b>Linden Natural Gas System</b> 11520 P. O. Box 46, Linden, TN 37096	0	1	0	0	0	0	0	0	0	0	0	0
<b>Livingston Gas System</b> 11600 301 McHenry Circle, Livingston, TN 38570	0	1	0	0	0	0	0	0	0	0	0	0
<b>Livingston Housing Authority</b> 35805 P. O. Box 98, Livingston, TN 38570	0	0	1	0	0	0	0	0	0	0	0	0
<b>Lobelville Gas Company</b> 11624 P. O. Box 369, Lobelville, TN 37097	0	1	0	0	0	0	0	0	0	0	0	0
<b>Loretto Municipal Gas System</b> 11752 P. O. Box 176, Loretto, TN 38469	0	1	0	0	0	0	0	0	0	0	0	0
<b>Loudon Utilities Gas Division</b> 1776 P O Box 69, Loudon, TN 37774	0	1	0	0	0	0	0	0	0	0	0	0
<b>Madisonville Gas System</b> 12042 400 College Street, Madisonville, TN 37354	0	1	0	0	0	0	0	0	0	0	0	0

<b>Magnum Hunter</b> 32624 120 Prosperous Place, Suite 201 Lexington, KY 40509	0	0	0	0	0	0	0	1	0	0	0	0
<b>Marion Natural Gas System</b> 12168 P. O. Box 408, South Pittsburg, TN 37380	0	1	0	0	0	0	0	0	0	0	0	0
<b>Martin Gas Department</b> 12204 703 North Lindell St., Martin, TN 38237	0	1	0	0	0	0	0	0	0	0	0	0
<b>Martin Housing Authority</b> 35806 134 East Heights Drive, Martin, TN 38237	0	0	1	0	0	0	0	0	0	0	0	0
<b>Mason Natural Gas System</b> 12222 12157 Main Street, Mason, TN 38049	0	1	0	0	0	0	0	0	0	0	0	0
<b>Maury City Gas System</b> 12234 P. O. Box 245, Maury City, TN 38050	0	1	0	0	0	0	0	0	0	0	0	0
<b>McKenzie Housing Authority</b> 35973 22 McDonald Avenue, McKenzie, TN 38201	0	0	1	0	0	0	0	0	0	0	0	0
<b>Memphis Housing Authority</b> 35974 P. O. Box 3664, Memphis, TN 38103	0	0	1	0	0	0	0	0	0	0	0	0
<b>Memphis Light Gas Water Division</b> 12342 P.O. Box 430, Memphis, TN 38101	0	1	0	0	1	0	1	0	0	0	0	0
<b>Metro Development Housing Agency</b> 35975 P. O. Box 846, Nashville, TN 37206	0	0	1	0	0	0	0	0	0	0	0	0
<b>Middle Tennessee Gas Utility District</b> 12438 P. O. Box 670, Smithville, TN 37166	0	0	0	0	0	5	0	0	0	0	0	0
<b>Middleton Gas</b> Box 7, Moscow, TN 38057	0	1	0	0	0	0	0	0	0	0	0	0
<b>Mt. Pleasant Gas System</b> 25126 Box 426, Mt. Pleasant, TN 38474	0	1	0	0	0	0	0	0	0	0	0	0
<b>Munford Gas Company</b> 12697 1397 Munford Avenue, Munford, TN 38058	0	1	0	0	0	0	0	0	0	0	0	0
<b>Murfreesboro Housing Authority</b> 35976 415 N Maple Street, Murfreesboro, TN 37130	0	0	1	0	0	0	0	0	0	0	0	0

<b>Navitas</b> 32647 3186-D Airway Ave, Costa Mesa, CA 92626	2	0	0	0	0	0	0	0	0	0	0
<b>Newbern Utilities</b> 13430 P. O. Box J, Newbern, TN 38059	0	1	0	0	0	0	0	0	0	0	0
<b>Oak Ridge Utility District</b> 14010 P. O. Box 4189, Oak Ridge, TN 37831-4189	0	0	0	0	0	1	0	0	0	0	0
<b>Obion Gas System</b> 14040 P. O. Box 547, Obion, TN 38240	0	1	0	0	0	0	0	0	0	0	0
<b>Paris-Henry County Utility District.</b> 15126 P. O. Box 309, Paris, TN 38242	0	0	0	0	0	1	0	0	0	0	0
<b>Parsons Natural Gas System</b> 15140 P O Box 128, Parsons, TN 38363	0	1	0	0	0	0	0	0	0	0	0
<b>Parsons-Decaturville Housing Authority</b> 35977 155 Miller Street Apt. 301C, Parsons, TN 38363	0	0	1	0	0	0	0	0	0	0	0
<b>Piedmont Natural Gas</b> 15518 665 Mainstream Drive, Nashville, TN 37228	2	0	0	0	1	0	1	0	0	0	0
<b>Pikeville Natural Gas System</b> 15560 P. O. Box 225, Pikeville, TN 37367	0	1	0	0	0	0	0	0	0	0	0
<b>Poplar Grove Utility District</b> 30669 P. O. Box 505, Atoka, TN 38004	0	0	0	0	0	1	0	0	0	0	0
<b>Portland Housing Authority</b> 35978 P. O. Box 37, Portland, TN 37148	0	0	1	0	0	0	0	0	0	0	0
<b>Portland Natural Gas System</b> 15784 100 South Russell Street, Portland, TN 37148	0	1	0	0	0	0	0	0	0	0	0
<b>Powell Valley Utility District</b> 32165 P. O. Box 412, Sneedville, TN 37869-0412	0	0	0	0	0	1	0	0	0	0	0
<b>Powell-Clinch Utility District</b> 15826 P O Box 428, Lake City, TN 37769	0	0	0	0	0	1	0	0	0	0	0
<b>Pulaski Natural Gas Department</b> 15966 203 S. First Street, Pulaski, TN 38478	0	1	0	0	0	0	0	0	0	0	0

<b>RBS Gas Utility</b> 30643 PO Box 190, Red Boiling Springs, TN 37150	0	1	0	0	0	0	0	0	0	0	0	0
<b>Renewco Meadow Branch</b> 32681 10 Peachtree Place, Atlanta, GA 30309	0	0	0	0	0	0	1	0	0	0	0	0
<b>Ridgetop Natural Gas System</b> 17400 Box 650, Ridgetop, TN 37152	0	1	0	0	0	0	0	0	0	0	0	0
<b>Ripley Gas Department</b> 17470 P. O. Box 26, Ripley, TN 38063	0	1	0	0	0	0	0	0	0	0	0	0
<b>Ripley Housing Authority</b> 35990 101 Northcrest, Ripley, TN 38063	0	0	1	0	0	0	0	0	0	0	0	0
<b>Rockwood Natural Gas System</b> 17600 110 N. Chamberlain Avenue, Rockwood, TN 37854	0	1	0	0	0	0	0	0	0	0	0	0
<b>Rose Garden Apartments</b> 35984 301 E. Walnut, Dickson, TN 37053	0	0	1	0	0	0	0	0	0	0	0	0
<b>Savannah Public Utilities</b> 18124 140 Main Street, Savannah, TN 38372	0	1	0	0	0	0	0	0	0	0	0	0
<b>Scepter</b> 31987 1230 Pottertown Road, Midway, TN 37809	0	0	0	0	0	0	1	0	0	0	0	0
<b>Selmer Utility Division</b> 18176 P. O. Box 649, Selmer, TN 38375-0649	0	1	0	0	0	0	0	0	0	0	0	0
<b>Sevier County Utility District</b> 18192 P. O. Box 4398, Sevierville, TN 37864-4398	0	0	0	0	0	1	0	0	0	0	0	0
<b>Smyrna Natural Gas System</b> 18368 315 South Lowry Street, Smyrna, TN 37167	0	1	0	0	0	0	0	0	0	0	0	0
<b>Somerville Light Gas Water</b> 18392 13085 North Main Street, Somerville, TN 38068	0	1	0	0	0	0	0	0	0	0	0	0
<b>South Pittsburg Housing Authority</b> 35979 P. O. Box 231, South Pittsburg, TN 37380	0	0	1	0	0	0	0	0	0	0	0	0
<b>Springfield Gas System</b> 18591 P. O. Box 788, Springfield, TN 37172	0	1	0	0	0	0	0	0	0	0	0	0

<b>St. Joseph Gas System</b> 30030 P. O. Box 37, St. Joseph, TN 38481	0	1	0	0	0	0	0	0	0	0	0
<b>Sweetwater Utilities Board</b> 18768 P. O. Box 191, Sweetwater, TN 37874	0	1	0	0	0	0	0	0	0	0	0
<b>The Pentad Group Inc.</b> 35987 266 Roosevelt Parkway East, Jackson, TN 38301	0	0	2	0	0	0	0	0	0	0	0
<b>Trimble Gas Department</b> 19670 P. O. Box 215, Trimble, TN 38259	0	1	0	0	0	0	0	0	0	0	0
<b>Troy Gas System</b> 19710 P. O. Box 246, Troy, TN 38260	0	1	0	0	0	0	0	0	0	0	0
<b>Tullahoma Housing Authority</b> 35980 2401 Cedar Lane Village Drive, Tullahoma, TN 37388	0	0	1	0	0	0	0	0	0	0	0
<b>Unicoi County Utility District</b> 20030 P O Box 599, Erwin, TN 37650	0	0	0	0	0	1	0	0	0	0	0
<b>Union City Housing Authority</b> 35981 P. O. Box 608, Union City, TN 38281	0	0	1	0	0	0	0	0	0	0	0
<b>Upper Cumberland Gas Utility District</b> 985 P. O. Box 807, Crossville, TN 38557	0	0	0	0	0	1	0	0	0	0	0
<b>Volunteer Energy Natural Gas Inc.</b> 32307 18359 Highway 58 N, Decatur, TN 37322	0	0	0	0	0	1	0	0	0	0	0
<b>Waynesboro Natural Gas System</b> 22315 P. O. Box 471, Waynesboro, TN 38485	0	1	0	0	0	0	0	0	0	0	0
<b>West Tennessee Public Utility District</b> 22434 P. O. Box 568, Huntingdon, TN 38344	0	0	0	0	0	1	0	0	0	0	0
<b>West Tennessee State Penitentiary</b> P.O. Box 1150, Henning, TN 38041	0	0	1	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)
<b>Inspection Unit totals by type</b>	<b>17</b>	<b>72</b>	<b>29</b>	<b>0</b>	<b>2</b>	<b>29</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Total Operators**

**141**

**Attachment 3 Notes:**



## Attachment 4 - Incidents/Accidents

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

Date of Incident	Location - City/County/etc.	Injuries #	Fatalities #	Property Damage <sup>3</sup> \$	Cause Code <sup>1</sup>
01/11/2013	Lawrenceburg, TN	0	0	\$505,106.00	D
Name of Operator: Lawrenceburg Gas Department					
Cause Reported by Operator (Describe) <sup>2</sup> Inspection Report 13-028 . On January 10, 2013 the brakes failed on a truck entering a parking area at 2126 Bayler Drive in Lawrenceburg, TN. The truck rolled through the parking space, over a yellow curb stop and struck the natural gas meter and building. The impact damaged the meter and associated piping, resulting in release of natural gas and subsequent ignition. There were no fatalities or injuries requiring hospitalization; however the truck and building were damaged by fire.					
01/22/2013	Nashville, TN	0	1	\$50,000.00	H
Name of Operator: Piedmont Natural Gas					
Cause Reported by Operator (Describe) <sup>2</sup> Inspection Report Number 13-093. On January 23, 2013 after an automobile altercation , a vehicle travelling at approximately 95 mph left the roadway and struck the natural gas meter and building located at 3201 Highway 31 West in Whitehouse, TN. The vehicle impact to the natural gas meter caused release of natural gas. The natural gas ignited causing fire damage to the vehicle, structure and contents of the vehicle. The operator of the vehicle was pronounced dead at the scene. The medical examiner determined that the cause of death was blunt force trauma to the head. The release of gas was attributed to the impact of the vehicle and the death was attributed to the impact of the crash rather than associated with the release of natural gas.					
10/24/2013	Memphis, TN	2	0	\$45,000.00	H
Name of Operator: Memphis Light Gas & Water					
Cause Reported by Operator (Describe) <sup>2</sup> Inspection Report Number 13-243. On the night of October 24, 2013 a duplex located at 2468 Brooklyn Avenue in Memphis, TN exploded. The explosion blew out the side wall and back wall of two residences in the duplex. There were 2 persons injured - a man from the duplex where the explosion ignited and a woman from the adjoining duplex. Both persons were hospitalized. The man was severely burned and on a respirator and the woman was treated for injuries from debris and subsequently released from the hospital. According to MLGW personnel and the fire marshal, there was a release of gas within the man's portion of the duplex which was ignited to cause the explosion. The piping within the duplex had been tampered with by the man at the stove such that a natural gas leak occurred. As part of the investigation MLGW conducted pressure tests on the line going to the duplex and pressure held. They also conducted a leak survey and found no leak on the system in the area of the duplex. Bar holing was also conducted but no gas migration was evident. The operator and fire marshal concluded that the incident occurred on the pipe within the duplex not on the MLGW pipeline to the duplex.					

**<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) 2013

Probable Violation Categories	Intrastate	Interstate
Number Carried over from previous CY (including carryover and long term)	56	0
Number Found During CY	114	0
Number submitted for DOT action [60106 Agreement agent only]	0	0
Number corrected during CY (including carry over from previous year)	30	0
Number to be corrected at end of CY (including carry over and long-term)	140	0

**Number of Compliance Actions Taken <sup>1</sup>**  
 (see definition) 114

**Civil Penalties**

Number assessed during CY	0
Dollars assessed during CY	\$0.00
Number collected during CY	2
Dollars collected during CY	\$35,000.00

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

**Attachment 5 Notes**



## Attachment 6 - List of Records Kept

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

#### Records Maintained by the State Agency

Engineer's weekly itinerary/logsheet.  
Report of natural gas inspections.  
Spreadsheet of violations cited and cleared.  
Letters to natural gas operators reporting compliance and non-compliance with the Minimum Federal Safety Standards.  
Inventory control records of equipment and field inspection tools.  
Pipeline Safety Program financial records.  
Cathodic Protection Status Reports  
Accident Investigation Reports.  
Inspection checklist forms for standard and specialized inspections.  
Tennessee's Underground Utility Damage Prevention Law.  
Office of Pipeline Safety Training manuals, computer based training discs, and supplemental materials.  
Current WINDot compliance software and Pipeline safety regulations handbooks.  
Operator qualification rule guidelines and training information including protocols  
Pipeline Safety Grant information  
Inspection Risk Management Model  
Bare Steel Replacement Program for Atmos Energy  
Maintain current specifications for projects designed/constructed by various operators.  
Electronic database containing detailed operator and inspection information including violations, inspection type, inspection person days, inspection date(s), etc.

#### Reports Required from Operators

Construction notifications  
Copies of Annual DOT report forms (Transmission & Distribution).  
Copies of DOT accident/incident reports  
Copies of Mechanical Fittings Failure reports  
Copies of Safety Related Condition reports

#### Attachment 6 Notes

## Attachment 7 - Staffing and TQ Training

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

Name/Title	% Time	# Months	Qual. Cat.
<b>Supervisor</b>			
<b>Borum, Larry</b> Chief, Gas Pipeline Safety Division	100	5	I
<b>Annette Ponds</b> Chief Gas Pipeline Safety Division	100	5	I
<b>Inspector/Investigator</b>			
<b>Julie Hubbs</b> Env. Prot. Spec. 3	100	8	II
<b>Woosley, Tom</b> Env. Prot. Spec. 3-Gas Safety Trainer/Engineer	100	12	I
<b>Hut, Pete</b> Env. Prot. Spec.	100	12	I
<b>Schriver, Scott</b> Env. Prot. Spec.	100	12	I
<b>Annette Ponds</b> Env. Prot. Spec. 3	100	7	I
<b>Shinisha Freeman</b> Env. Prot. Sp. 3	100	4	II
<b>Clerical and Administrative Support</b>			
<b>Vicky Nelson</b> Administrative Assistant	100	12	NA

**Summary**

<u>Employee Type</u>	<u>No. of Staff</u>	<u>Person-Years</u>
Supervisor	2	0.83
Inspectors/Investigators	6	4.58
Damage Prevention/Technical	0	
Clerical/Administrative	1	1.00
<b>Total</b>	<b>9</b>	<b>6.42</b>

<b>Last Name</b>	<b>First Name</b>	<b>Course</b>	<b>Completion Date</b>
BORUM	LARRY	PHMSA-PL1245 Safety Evaluation of Distribution Integrity Management Programs (DIMP) Course	2011-04-27 00:00:00
BORUM	LARRY	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2004-11-05 00:00:00
BORUM	LARRY	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2006-04-13 00:00:00
BORUM	LARRY	PHMSA-PL1310 Plastic and Composite Materials Course	2006-03-31 00:00:00
BORUM	LARRY	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	2006-03-31 00:00:00
BORUM	LARRY	PHMSA-PL3254 Joining of Pipeline Materials Course	2006-03-31 00:00:00
BORUM	LARRY	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	2006-03-03 00:00:00
BORUM	LARRY	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2005-08-26 00:00:00
BORUM	LARRY	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2006-04-28 00:00:00
BORUM	LARRY	PHMSA-PL3600 Root Cause/Incident Investigation Course	2011-05-20 00:00:00
BORUM	LARRY	PHMSA-PL3IC - Investigating and Managing Internal Corrosion of Pipelines WBT Course	2005-09-19 16:46:00
BORUM	LARRY	PHMSA-PL3OQ Operator Qualification WBT Course	2004-10-20 00:00:00

BORUM	LARRY	PHMSA-PL4253 Liquefied Natural Gas (LNG) Safety Technology and Inspection Course	2007-01-12 00:00:00
HUT	PETER	PHMSA-PL1245 Safety Evaluation of Distribution Integrity Management Programs (DIMP) Course	2011-04-27 00:00:00
HUT	PETER	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2007-11-02 00:00:00
HUT	PETER	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2009-04-30 00:00:00
HUT	PETER	PHMSA-PL1310 Plastic and Composite Materials Course	2009-04-24 00:00:00
HUT	PETER	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	2009-04-24 00:00:00
HUT	PETER	PHMSA-PL3254 Joining of Pipeline Materials Course	2009-04-24 00:00:00
HUT	PETER	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	2009-01-16 00:00:00
HUT	PETER	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2009-09-25 00:00:00
HUT	PETER	PHMSA-PL3267 Fundamentals of Integrity Management Course	2013-04-12 00:00:00
HUT	PETER	PHMSA-PL3275 General Pipeline Safety Awareness Course	2012-10-19 00:00:00
HUT	PETER	PHMSA-PL3292 Safety Evaluation of Inline Inspection (ILI)/Pigging Programs Course	2013-08-23 00:00:00
HUT	PETER	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2010-04-16 00:00:00
HUT	PETER	PHMSA-PL4253 Liquefied Natural Gas (LNG) Safety Technology and Inspection Course	2011-01-28 17:56:38
PONDS	ANNETTE	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2011-05-06 00:00:00
PONDS	ANNETTE	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2012-04-26 00:00:00
PONDS	ANNETTE	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	2013-07-19 20:48:40
PONDS	ANNETTE	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	2013-05-03 00:00:00
PONDS	ANNETTE	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2013-09-20 00:00:00

PONDS	ANNETTE	PHMSA-PL3275 General Pipeline Safety Awareness Course	2012-10-19 00:00:00
PONDS	ANNETTE	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2011-10-21 00:00:00
PONDS	ANNETTE	PHMSA-PL3365 Public Awareness Program Effectiveness Evaluation (PAPEE) Seminar	2011-09-14 00:00:00
SCHRIVER	SCOTT	PHMSA-PL1245 Safety Evaluation of Distribution Integrity Management Programs (DIMP) Course	2011-04-27 00:00:00
SCHRIVER	SCOTT	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2007-11-02 00:00:00
SCHRIVER	SCOTT	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2009-04-30 00:00:00
SCHRIVER	SCOTT	PHMSA-PL1310 Plastic and Composite Materials Course	2009-04-24 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	2009-04-24 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3254 Joining of Pipeline Materials Course	2009-04-24 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	2009-01-16 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2009-09-25 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3275 General Pipeline Safety Awareness Course	2012-10-19 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2010-04-16 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3365 Public Awareness Program Effectiveness Evaluation (PAPEE) Seminar	2011-09-14 00:00:00
SCHRIVER	SCOTT	PHMSA-PL3600 Root Cause/Incident Investigation Course	2013-08-23 00:00:00
SCHRIVER	SCOTT	PHMSA-PL4253 Liquefied Natural Gas (LNG) Safety Technology and Inspection Course	2012-02-03 19:59:37
WOOSLEY	THOMAS (TOM)	PHMSA-PL1245 Safety Evaluation of Distribution Integrity Management Programs (DIMP) Course	2011-04-27 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	1991-01-18 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2013-02-01 00:00:00

WOOSLEY	THOMAS (TOM)	PHMSA-PL1250 Safety Evaluation of Gas Pipeline Systems Course	2000-01-14 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	1991-02-15 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1255 Gas Pressure Regulation and Overpressure Protection Course	2000-06-16 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1297 Gas Integrity Management (IM) Protocol Course	2009-01-09 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL1310 Plastic and Composite Materials Course	1993-06-11 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL2258 Safety Evaluation of Hazardous Liquid Pipeline Systems Course	2002-09-13 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL2258 Safety Evaluation of Hazardous Liquid Pipeline Systems Course	1995-08-25 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3242 Welding and Welding Inspection of Pipeline Materials Course	1993-06-11 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3251 Safety Evaluation of Pipeline Corrosion Control Systems I	1991-05-17 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3251 Safety Evaluation of Pipeline Corrosion Control Systems I	1999-02-11 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3252 Safety Evaluation of Pipeline Corrosion Control Systems II	2001-05-25 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3252 Safety Evaluation of Pipeline Corrosion Control Systems II	1991-05-24 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3254 Joining of Pipeline Materials Course	1993-06-11 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3254 Joining of Pipeline Materials Course	2001-06-15 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	1991-02-08 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3256 Pipeline Failure Investigation Techniques Course	2000-04-21 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	1992-08-28 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3257 Pipeline Safety Regulation Application and Compliance Procedures Course	2001-07-20 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3267 Fundamentals of Integrity Management Course	2009-01-09 00:00:00

WOOSLEY	THOMAS (TOM)	PHMSA-PL3275 General Pipeline Safety Awareness Course	2012-10-19 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3291 Fundamentals of (SCADA) System Technology and Operation Course	2011-07-22 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3292 Safety Evaluation of Inline Inspection (ILI)/Pigging Programs Course	2006-12-08 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2001-05-25 10:48:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3293 Corrosion Control of Pipeline Systems Course	2010-08-13 20:30:15
WOOSLEY	THOMAS (TOM)	PHMSA-PL3296 Pipeline Reliability Assessment Seminar	2004-01-28 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3304 Investigating Pipeline Corrosion Seminar	2004-01-29 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3306 External Corrosion Direct Assessment (ECDA) Field Course	2011-05-13 18:32:06
WOOSLEY	THOMAS (TOM)	PHMSA-PL3355 Safety Evaluation of Control Room Management Programs	2011-09-23 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL3600 Root Cause/Incident Investigation Course	2011-05-20 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL30Q Operator Qualification WBT Course	2003-12-17 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL4253 Liquefied Natural Gas (LNG) Safety Technology and Inspection Course	1993-01-29 00:00:00
WOOSLEY	THOMAS (TOM)	PHMSA-PL4253 Liquefied Natural Gas (LNG) Safety Technology and Inspection Course	2001-01-12 00:00:00

**Attachment 7 Notes**

Larry Borum retired as Chief in May 2013. Annette Ponds was and inspector until being appointed permanent full-time Chief in August 2013. Two new inspectors were hired in 2013 - one in May and the other in September.

Julie Hubbs completed PHMSA -PL125 in December 2013 but this is not reflected in the following listing of courses completed.

## Attachment 8 - Compliance with Federal Regulations

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

No.	Effective Date	Impact	Adoption Date	AdoptionStatus
1		<b>Maximum Penalties Substantially Same as DOT (\$100,000/\$1,000,000); Indicate actual amount in note.</b>	09/1971	Adopted but different Dollar amounts
Note <sup>1</sup>		TCA Section 65-28-108: Any person who violates any provisions of section 65-28-104 to 65-28-111 or any regulation issued under such section is subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each violation for each day that such violation persists, except that the maximum civil penalty shall not exceed five hundred thousand dollars (\$500,000) for any continuing series of violations		
2		<b>191.23 and 191.25 Safety-Related Conditions(through current amendment 191-14)</b>	08/1989	Adopted
Note <sup>1</sup>				
<b>3</b>		<b>Part 192 Amendments</b>		
01-90	Pre 2002	[All applicable amendments prior to and including 2002]	12/2000	Adopted
Note <sup>1</sup>				
91	4/23/2004	Definition of high consequence areas for gas transmission lines	04/2004	Adopted
Note <sup>1</sup>				
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>				
93	10/15/2003	various changes to gas pipeline safety standards from NAPSR recommendations	10/2003	Adopted
Note <sup>1</sup>				
94	5/6/2005	Modification to the definition of a Transmission Line	05/2005	Adopted
Note <sup>1</sup>				

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

105	12/13/2007	Applicability of Public Awareness Regulations to Certain Gas Distribution Operators	12/2007	Adopted
Note <sup>1</sup>				
106-73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	3/2008	Adopted
Note <sup>1</sup>				
107-73 FR 62147	10/17/2008	Standards for Increasing the Maximum Allowable Operating Pressure for Gas Transmission Pipelines (73 FR 62147)	10/2008	Adopted
Note <sup>1</sup>				
108-73 FR 79002	12/24/2008	PA-11 Design Pressures (73 FR 79005)	12/2008	Adopted
Note <sup>1</sup>				
109-74 FR 2889	1/16/2009	Administrative Procedures, Address Updates , and Technical Amendments	1/2009	Adopted
Note <sup>1</sup>				
110-74 FR 17099	4/14/2009	Incorporation by Reference Update: American Petroleum Institute (API) Standards 5L and 1104	4/2009	Adopted
Note <sup>1</sup>				
111-74 FR 62503	11/30/2009	Editorial Amendments to Pipeline Safety Regulations	11/2009	Adopted
Note <sup>1</sup>				
112-74 FR 63310	12/3/2009	Control Room Management/Human Factors	12/2009	Adopted
Note <sup>1</sup>				
113-74 FR 63906	12/4/2009	Integrity Management Program for Gas Distribution Pipelines	12/2009	Adopted
Note <sup>1</sup>				
114 - 75 FR 48593	8/11/2010	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	8/2010	Adopted
Note <sup>1</sup>				
115 - 75 FR 72878	11/26/2010	Updates to Pipeline and Liquefied Natural Gas Reporting Requirements	11/2010	Adopted
Note <sup>1</sup>				

116 - 76 FR 5494	4/4/2011	Mechanical Fitting Failure Reporting Requirements	4/2011	Adopted
Note <sup>1</sup>				
117-76 FR 35130	8/15/2011	Control Room Management/Human Factors	8/2011	Adopted
Note <sup>1</sup>				
118 - 78 FR 58897	9/28/2013	Administrative Procedures, Updates, and Technical Corrections	9/2013	Adopted
Note <sup>1</sup>				
<b>4</b>		<b>Part 193 Amendments (applicable only where state has jurisdiction over LNG)</b>		
01-17	Pre 2002	[All applicable amendments prior to and including 2002]	01/2001	Adopted
Note <sup>1</sup>				
18	4/9/2004	Updated LNG standards by section	04/2004	Adopted
Note <sup>1</sup>				
19	7/10/2006	Incorporate by Reference various Standards	07/2006	Adopted
Note <sup>1</sup>				
20-73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
Note <sup>1</sup>				
21-74 FR 2889	1/16/2009	Administrative Procedures , Address Updates and Technical Amendments	1/2009	Adopted
Note <sup>1</sup>				
22 - 75 FR 48593	8/11/2010	Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits	1/2009	Adopted
Note <sup>1</sup>				
23 - 75 FR 72878	11/26/2010	Updates to Pipeline and Liquefied Natural Gas Reporting Requirements	11/2010	Adopted
Note <sup>1</sup>				
24 - 78 FR 58897	9/28/2013	Administrative Procedures, Updates, and Technical Corrections	9/2013	Adopted
Note <sup>1</sup>				



<b>5</b>	<b>Part 199 - Drug Testing</b>		<b>05/1991</b>	Adopted
Note <sup>1</sup>				
<b>6</b>	<b>Part 199 Amendments</b>			
01-19	Pre 2002	[All applicable amendments prior to and including 2002]	01/2001	Adopted
Note <sup>1</sup>				
20	3/12/2003	Definition of Administrator	03/2003	Adopted
Note <sup>1</sup>				
21	12/31/2003	Instructions for Single Use Form for MIS	12/2003	Adopted
Note <sup>1</sup>				
22	7/14/2004	New address for reporting	07/2004	Adopted
Note <sup>1</sup>				
23	3/8/2005	Administration name change	03/2005	Adopted
Note <sup>1</sup>				
24-73 FR 16562	3/28/2008	Administrative Procedures, Updates and Technical Amendments (73 FR 16562)	03/2008	Adopted
Note <sup>1</sup>				
25 - 78 FR58897	9/28/2013	Administrative Procedures, Updates, and Technical Corrections	09/2013	Adopted
Note <sup>1</sup>				
<b>7</b>	<b>State Adoption of Part 198 State One-Call Damage Prevention Program</b>			
a.	Mandatory coverage of areas having pipeline facilities		07/1999	Adopted
Note <sup>1</sup>				
b.	Qualification for operation of one-call system		07/1999	Adopted
Note <sup>1</sup>				
c.	Mandatory excavator notification of one-call center		07/1999	Adopted
Note <sup>1</sup>				

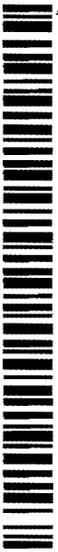
d. Note <sup>1</sup>	State determination whether calls to center are toll free	07/1999	Adopted
e. Note <sup>1</sup>	Mandatory intrastate pipeline operator participation	07/1999	Adopted
f. Note <sup>1</sup>	Mandatory operator response to notification	07/1999	Adopted
g. Note <sup>1</sup>	Mandatory notification of excavators/public	07/1999	Adopted
h. Note <sup>1</sup>	Civil penalties/injunctive relief substantially same as DOT		Taking Steps to Adopt

**'If Adoption Status is No, Please provide an explanation**

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

Attended full time (Lead rep or alternative pipeline staff)

**Attachment 8 Notes**



# Attachment 10 - Performance and Damage Prevention Questions

## CALENDAR YEAR (CY) 2013

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

Annual goals include completing the remainder of the Distribution Integrity Management Program inspections and upload all Public Awareness and DIMP programs into the PHMSA databases.

New inspectors will be cross-trained by experienced inspectors and complete required PHMSA training. Julie Hubbs is scheduled to complete all seven of her initial courses by the end of 2014. Shinisha Freeman is scheduled to complete 6 of her 7 initial courses by the end of 2014. Annette Ponds will complete the last of all seven of her initial courses in 2014. Pete Hut and Scott Schriver are scheduled to complete most of their remaining courses for IMP inspections. Annette Ponds also received Program Manager training in 2013.

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

The inspection program has been changed to require that each distribution operator receive a standard inspection annually instead of once every 3 years. All other operators will receive annual inspections depending on the status of their DIMP, IMP and PA schedules. We intend to conduct additional Protocol 9 inspections in 2014.

The GPSD hired 2 full time inspectors to replace one inspector and Annette Ponds who moved from inspector to Chief. This has allowed the program to be fully staffed as needed to effectively implement the program.

Emphasis was placed on getting inspectors training and will continue to focus on this in 2014.

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

Yes

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

Yes

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

The Comptroller of the Treasury of Tennessee charged a committee representing the varying interests of stakeholder groups, with the goal of crafting legislation to address establishing an effective damage prevention program. This committee developed legislation that would address the development of revisions to the Tennessee Underground Utility Damage Prevention Act (TUUDPA). The Tennessee Code Annotate, Title 65, Chapter 31 was amended to create the Underground Utility Damage Prevention Advisory Committee to study the nine elements identified under federal law and make recommendations on how Tennessee can best comply with the federal law, rules and regulations. The Committee prepared a Draft bill in November 2013. Senate Bill 2345 was introduced in January 2014 for consideration. The Bill will be considered during the current legislative session with a decision to be determined by the end of April 2014.

### **Attachment 10 Notes**

Senate Bill 2345 could not be submitted electronically on FedStar system but is provided as attachment to original copy

submitted by mail.



SENATE BILL 2345

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 65, relative to underground utility damage prevention.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-31-102, is amended by deleting the existing subdivisions (4) and (12), adding the following as new, appropriately designated subdivisions and renumbering the remaining subdivisions accordingly:

- ( ) "Board" means the underground utility damage enforcement board, created by § 65-31-114;
- ( ) "Design locate request" means a communication to the one-call service in which a request for locating existing utility facilities for predesign or advance planning purposes is made. A design locate request shall not be used for excavation purposes;

( )

(A) "Excavate" or "excavation" means an operation for the purpose of the movement, placement, or removal of earth, rock, or other materials in or on the ground by use of mechanized equipment or by discharge of explosives, and including augering, backfilling, digging, ditching, drilling, grading, plowing-in, pulling-in, ripping, scraping, trenching and tunneling. "Excavation" does not include the tilling of soil for agricultural purposes; or the digging of holes for fence posts on private property in any area that is not located within a recorded easement of an operator or that is not located within one hundred feet (100') of the edge of the pavement of a street or highway. "Agricultural purposes" for the sole purpose of this chapter includes surface activities, such as plowing, planting and combining, but does not include blasting, setting drainage tiles, subsoiling or other sub-surface activities;

(B) "Excavate" or "excavation" shall not include:

- (i) Pavement milling or pavement repair that does not exceed the depth of the existing base stone and pavement;
- (ii) Routine railroad maintenance activities, including removal and replacement of base material up to twenty-four inches (24") below the flow line of ditch or ground surface of the railroad right of way adjacent to the existing track structure, provided, such work is conducted by railroad employees or railroad contractors and is carried out with reasonable care so as to protect any installed underground facilities placed in the railroad right-of-way by agreement with the railroad. Nothing in this chapter shall modify or abrogate any contract term between any railroad and any other party owning or operating an underground facility or underground utility lines within the railroad's right-of-way;
- (iii) Any other routine roadway maintenance activities carried out by road maintenance employees or contractors; provided, that such activities:
  - (a) Occur entirely within the right of way of a public road, street, or highway of the state;
  - (b) Are carried out with reasonable care so as to protect any utility owned facilities and laterals placed in the right of way;
  - (c) Are carried out within the limits of any original excavation on the traveled way, shoulders, or drainage ditches of a public road, street, or highway, and do not exceed eighteen inches (18") in depth below the grade existing prior to such activities; and
  - (d) If involving the replacement of existing structures at a depth greater than eighteen inches (18"), replace such structures in their previous locations and at their previous depths.

(C) Nothing in subdivision (B) shall remove the liability for damage to underground facilities caused by a person engaged in the activities set forth in subdivision (A).

(D) Nothing in the definition of "excavate" or "excavation" shall remove the obligation of any excavator, whether engaged in excavation or activities described in subdivision (B), from the reporting requirements of § 65-31-111;

( ) "Excavator" means any person who engages in excavation as described in subdivisions (A) and (B) in the definition of "excavate" contained in this section;

( ) "Utility" means any line, system or facility used for producing, storing, conveying, transmitting, or distributing communications, electricity, gas, petroleum, petroleum products, hazardous liquids, water, steam, sewerage and other underground facilities. "Utility" does not include any railroad or the Tennessee department of transportation, created by title 4, chapter 3, part 23;

SECTION 2. Tennessee Code Annotated, Section 65-31-105, is amended by adding the following as a new subsection:

(f) All underground utilities owned by an operator that are installed on or after January 1, 2017, shall be installed in a manner that will make such underground utilities locatable using a generally accepted electronic locating method.

SECTION 3. Tennessee Code Annotated, Section 65-31-107, is amended by deleting the word "Operators" at the beginning of the first sentence in subsection (a) and substituting the language "Subject to the requirements of subsection (b), operators", and by deleting subsection (b) and substituting the following:

(b) All operators are required to join the one-call service and utilize the services of the notification center as follows:

(1) Operators that are members of the existing one-call service on the effective date of this act must remain members;

(2) Operators with more than fifty thousand (50,000) customers or one thousand (1,000) miles of facilities who are not members must join the one-call service no later than January 1, 2015;

(3) Operators with more than twenty five thousand (25,000) customers or five hundred (500) miles of facilities, who are not members, must join the one-call service no later than January 1, 2016; and

(4) All operators that do not meet the thresholds described in subdivisions (1), (2), or (3) must join the one-call service no later than January 1, 2017.

(c) There shall be only one one-call service for this state.

(d) The one-call service shall provide for a reasonable way of apportioning the cost of operating the notification center among its members.

SECTION 4. Tennessee Code Annotated, Section 65-31-111, is amended by adding the following as a new subsection:

(e) Each operator whose utility facilities have been damaged shall report the incident using the Damage Information Reporting Tool (DIRT) utilized by the Common Ground Alliance.

SECTION 5. Tennessee Code Annotated, Section 65-31-112, is amended by deleting the section and substituting the following:

(a) Any person who violates this chapter, or the rules and regulations promulgated under this chapter, shall be subject to a penalty as follows:

(1) For a first violation, the board shall require the violator to complete a course of training concerning compliance with this chapter as determined by the board;

(2) For a second or subsequent violation, the board shall require the violator to complete a course of training concerning compliance with this chapter as determined by the board or pay a civil penalty in an amount set by the board, not to exceed two thousand five hundred dollars (\$2,500) per incident, or both; and

(3) Notwithstanding subdivisions (1) and (2), if any violation was the result of gross negligence or willful or wanton misconduct as determined by the board, the board shall require the violator to complete a course of training concerning compliance with this chapter as

determined by the board and pay a civil penalty in an amount set by the board, not to exceed five thousand dollars (\$5,000) per incident.

(4) For the purposes of this chapter, any monetary civil penalties shall not apply to any department of the state. In the event that a state department is found by the board to be noncompliant, the board may submit a notice of noncompliance to the department head along with a request for an action plan for future compliance.

(b) This section shall not be construed to limit any person's right to pursue any additional civil remedy otherwise allowed by law.

(c) Any person who is required to complete a course of training under subsection (a) shall be responsible for paying for the cost of any such training.

(d)

(1) Any excavator who violates this chapter may be issued a notice of violation by the board inspector, and the inspector may require any excavator to cease work on any excavation, or not start a proposed excavation, until the excavator complies with this chapter.

(2) An excavator who complies with this chapter shall not be liable for damage that the excavator causes to an operator's underground facility, if:

(A) The operator received the notification required by § 65-31-106;

(B) The operator fails to locate its facilities as required by § 65-31-108; and

(C) The damage is a proximate result of the operator's failure to locate its facilities as required by § 65-31-108.

(3)

(A) Any person who violates § 65-31-106 and whose subsequent excavating or blasting damages utility facilities or sewer laterals shall also indemnify the affected facility owner or operator and the one-call service against all claims or costs incurred, if any, for personal injury, property damage, or service interruptions resulting from damaging the utility facilities and sewer laterals.

(B) The requirements of subdivision (3)(A) shall not apply to any state agency, county, city, town, utility district or other political subdivision of this state.

(e) Any person who knowingly and willfully removes or otherwise destroys the stakes or other physical markings used to mark the horizontal route of an underground facility commits the offense of vandalism under § 39-14-408, and shall be subject to the punishment for vandalism under § 39-14-105.

SECTION 6. Tennessee Code Annotated, Section 65-31-114, is amended by deleting the section and substituting the following:

(a) There is hereby created within the Tennessee regulatory authority, created by § 65-1-101, an underground utility damage enforcement board for the purpose of enforcing this chapter.

(b) The Tennessee regulatory authority will provide administrative and investigative support for the board subject to concurrence by the board. Pursuant to § 65-2-122, the Tennessee regulatory authority shall charge the expenses associated with the administration and investigative duties of the board back to the board, subject to concurrence by the board.

(c) The board shall be composed of thirteen (13) members. Except for initial appointments, members who are not ex officio members shall be appointed to four-year terms. Appointments to the board shall be made as follows:

(1) The president of Tennessee One-Call, Inc., or the president's designee, who shall be a voting, ex-officio member;

(2) One (1) member shall be a person representing the interests of Tennessee natural gas distribution systems to be appointed by the governor whose initial term shall be four (4) years. In considering appointees, the governor shall review a list of qualified persons submitted by the Tennessee Gas Association;

(3) One (1) member shall be a person representing the interests of Tennessee utility districts to be appointed by the speaker of the senate whose initial term shall be four (4) years. In considering appointees, the speaker shall review a list of qualified persons submitted by the Tennessee Association of Utility Districts;

(4) One (1) member shall be a person representing interests of the Tennessee cable industry to be appointed by the speaker of the house whose initial term shall be four (4) years.

In considering appointees, the speaker shall review a list of qualified persons submitted by the Tennessee Cable and Telecommunications Association;

(5) One (1) member shall be a person representing the interests of large Tennessee incumbent local exchange carriers with more than one hundred thousand (100,000) customers to be appointed by the speaker of the house whose initial term shall be four (4) years;

(6) One (1) member shall be a person representing the interests of Tennessee towns and cities to be appointed by the governor whose initial term shall be three (3) years. In considering appointees, the governor shall review a list of qualified persons submitted by the Tennessee Municipal League;

(7) One (1) member shall be a person representing the interests of small Tennessee incumbent local exchange carriers to be appointed by the speaker of the senate whose initial term shall be three (3) years. In considering appointees, the speaker shall review a list of qualified persons submitted by the Tennessee Telecommunications Association;

(8) One (1) member shall be a person representing the interests of Tennessee counties to be appointed by the speaker of the house whose initial term shall be three (3) years. In considering appointees, the speaker shall review a list of qualified persons submitted by the Tennessee County Services Association;

(9) One (1) member shall be a person representing the interests of Tennessee road builders to be appointed by the governor whose initial term shall be three (3) years. In considering appointees, the governor shall review a list of qualified persons submitted by the Tennessee Road Builders Association;

(10) One (1) member shall be a person representing the interests of the excavation industry to be appointed by the speaker of the senate whose initial term shall two (2) years. In considering appointees, the speaker shall review a list of qualified persons submitted by the Associated Builders and Contractors of Tennessee;

(11) One (1) member shall be a person representing the interests of interstate pipelines to be appointed by the speaker of the house whose initial term shall be two (2) years;

(12) One member (1) shall be a private property owner representing agricultural or homeowners' interests to be appointed by the governor whose initial term shall be two (2) years; and

(13) One member (1) shall be a person representing the interests of electric utilities with underground facilities to be appointed by the speaker of the senate whose initial term shall be two (2) years.

(d) Every two (2) years the board shall elect a chair from among its members and such other officers as the board deems necessary.

(f) The members of the board shall serve without compensation.

SECTION 7. Tennessee Code Annotated, Title 65, Chapter 31, Part 1, is amended by adding the following as new sections:

65-31-115.

(a) The board has the power and authority to:

(1) Promulgate rules and regulations, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5 for the conduct of the affairs of the board;

(2) Adopt a seal for the board, prescribe the style of the seal and alter the seal at the board's pleasure; and

(3) Make and enter into contracts.

(b) The board shall:

(1) Initiate investigations and conduct hearings as required by § 65-31-116;

(2) Meet a minimum of two (2) times per calendar year;

(3) Examine data regarding underground utility damage and make recommendations to the general assembly for further updates to this chapter;

(4) Manage the underground damage prevention fund created by § 65-31-117;

(5) Assess its annual operating cost to operators in an amount equal to the amount necessary to offset the cost of investigative and administrative services performed by the

Tennessee regulatory authority at the direction of the board. Such annual operating costs shall be apportioned and collected by the one-call service from the operators;

(6) Subject to the availability of funding in the underground damage prevention fund created by § 65-31-117, contract with appropriate entities or agencies to conduct training and public awareness for damage prevention.

65-31-116.

(a) Upon receipt of a complaint of a violation of this chapter, the board shall initiate an investigation of the complaint by requesting that the Tennessee regulatory authority designate an employee of the authority who will investigate the complaint at the board's direction.

(b) Any investigator acting at the direction of the board may issue citations for violations of this chapter. Any issuing investigator shall indicate on the citation the time and location for a hearing concerning the alleged violations contained in such citation. Any such citation may include a recommendation for the penalty to be assessed under § 65-31-112.

(c) If the person to whom the citation is issued under subsection (b) does not pay the citation, or submit to ordered training, or both, within thirty (30) days then the board shall conduct a hearing pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, at the time and place set forth in the citation.

(d) Following a hearing under subdivision (c)(1)(B), the board shall either:

- (1) Dismiss the complaint;
- (2) Reduce the penalty recommended by the investigator; or
- (3) Affirm the citation and assess an appropriate penalty. 65-31-117.

(a) There is created an underground damage prevention fund within the Tennessee Regulatory Authority. All civil penalties collected pursuant to this chapter shall be deposited into the underground damage prevention fund. Any moneys remaining in the underground damage prevention fund at the end of the fiscal year shall not revert to the general fund, but shall remain in the underground damage prevention fund for the exclusive use of the board.

(b) The expenditure of monies in the underground damage prevention fund shall be at the discretion of the board for the following purposes:

- (A) Grants to operators to assist the recipient in complying with this chapter. Grants may not be used for operating expenses; and
- (B) Contracting with providers of public awareness, educational and compliance training.

65-31-118.

(a) Any person may submit a design locate request to the one-call service. Such design locate request shall:

(1) Describe the tract or parcel of land for which the design locate request has been submitted with sufficient particularity, as defined by policies developed by the one-call service, to enable the facility owner or operator to ascertain the precise tract or parcel of land involved; and

(2) State the name, address, and telephone number of the person who has submitted the design locate request, as well as the name, address, and telephone number of any other person authorized to review any records subject to inspection under subdivision (b)(3).

(b)

(1) Within fifteen (15) working days after a design locate request has been submitted to the one-call service for a proposed project, the facility owner or operator shall respond by one of the following methods:

(A) Designate or cause to be designated by a locator under § 65-31-108 the location of all utility facilities and laterals within the area of the proposed excavation;

(B) Provide to the person submitting the design locate request the best available description of all utility facilities and sewer laterals in the area of proposed excavation, which might include drawings of utility facilities and sewer laterals already built in the area, or other facility records that are maintained by the facility owner or operator; or

(C) Allow the person submitting the design locate request or any other authorized person to inspect or copy the drawings or other records for all utility facilities and sewer laterals within the proposed area of excavation.

(2) In the event that the one-call service charges a fee to a member operator for design location notification, the utility operator may recover that fee from the requestor.

(c) Upon responding using any of the methods authorized by subsection (b), the facility owner or operator shall provide the response to the one-call service in accordance with one-call service procedures.

(d) An operator may reject a design notice based upon homeland security considerations pending the operator obtaining additional information confirming the legitimacy of the notice. The operator shall notify the person making the request through a design notice of the denial and may request additional information through the positive response system.

(e) Nothing in this section shall supersede any federal, state, or local laws governing the confidentiality of the location of utility facilities.

(f) Any utility operator responding to a request for a design location under this section shall not be liable for any damages associated with the response to the request for a design location under this section.

(g) Nothing in this chapter shall be construed as amending, altering or affecting title 54, chapter 5, part 8.

65-31-119. Nothing in this chapter shall be construed as extending to the Tennessee regulatory authority any authorization to regulate any entity that the Tennessee regulatory authority was not authorized to regulate prior to the effective date of this act.

SECTION 8. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding the following as a new subdivision:

( ) Underground utility damage enforcement board, created by § 65-31-114.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

## **Annette Ponds**

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**From:** system@fedstar.phmsa.dot.gov  
**Sent:** Thursday, February 13, 2014 1:53 PM  
**To:** Annette Ponds  
**Subject:** TENNESSEE:2014-Natural Gas Base Grant Progress Report (Certification)-  
Submitted:2/13/2014 2:52:29 PM

Annette Ponds has electronically signed and submitted the Natural Gas Base Grant Progress Report (Certification)

FedSTAR has received your document electronically.

If you have any questions , Please call 757 689 3168.

Program : 2014 Natural Gas Base Grant Progress Report (Certification)

This is an automatic Email. Please do not reply to this Email.

**FedEx** USA Airbill  
Express

FedEx Tracking Number 846154056352

**1 From** Please print and press hard.

Date 2/14/14 Sender's FedEx Account Number 4583-2682-7

Sender's Name Annette Ponds Phone ( )

Company Tennessee Regulatory Authority

Address 502 Deaderick St. 4th Floor Dept./Floor/Suite/Room

City NASHVILLE State TN ZIP 37243

**2 Your Internal Billing Reference** GAS Pipeline Safety  
First 24 characters will appear on invoice.

**3 To**  
Recipient's Name Gwendolyn Hill Phone (202) 366 4395

Company USDOT PHMSA Pipeline Safety PHP-50

Address Second Floor E22-321  
To "HOLD" at FedEx location, print FedEx address. We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address 1200 New Jersey Ave, SE Dept./Floor/Suite/Room

City WASHINGTON State DC ZIP 20590

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**0200** **Sender's Copy**

**4a Express Package Service**  
 FedEx Priority Overnight Next business morning  
 FedEx Standard Overnight Next business afternoon  
 FedEx Express Saver Third business day  
 FedEx First Overnight Earliest next business morning delivery to select locations  
 FedEx 2Day Second business day  
 FedEx Envelope rate not available. Minimum charge: One-pound rate.

**4b Express Freight Service**  
 FedEx 10Day Freight\* Next business day  
 FedEx 2Day Freight Second business day  
 FedEx 3Day Freight Third business day  
\* Call for Confirmation.

**5 Packaging**  
 FedEx Envelope\*  
 FedEx Pak\* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak  
 Other

**6 Special Handling**  
 SATURDAY Delivery Available ONLY for FedEx Priority Overnight, FedEx 2Day, FedEx 10Day Freight, and FedEx 2Day Freight to select ZIP codes  
 HOLD Weekday at FedEx Location NOT Available for FedEx First Overnight  
 HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations  
Does this shipment contain dangerous goods?  
 No  Yes As per attached Shipper's Declaration  Yes Shipper's Declaration not required  Dry Ice Dry Ice, 9, UN 185 x \_\_\_\_\_ kg  
Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.  Cargo Aircraft Only

**7 Payment Bill to:**  Sender Acct. No. in Section 1 will be billed.  Recipient  Third Party  Credit Card  Cash/Check  
FedEx Acct. No. \_\_\_\_\_ Exp. Date \_\_\_\_\_  
Credit Card No. \_\_\_\_\_

Total Packages \_\_\_\_\_ Total Weight \_\_\_\_\_ Total Declared Value\* \$ \_\_\_\_\_ .00  
FedEx Use Only

**8 Release Signature** Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

446

RETAIN THIS COPY FOR YOUR RECORDS.



## Tennessee Regulatory Authority

### Title VI (LEP) Limited English Proficiency (LEP) Policy

The Tennessee Regulatory Authority (TRA) is committed to ensuring that Tennessee citizens with Limited English Proficiency (LEP) are provided with the means and opportunity to participate fully in the services and information that the Tennessee Regulatory Authority provides. As such, we set forth the following policy directives to maintain this standard.

- The **Tennessee Regulatory Authority** will take the certain actions and steps to ensure that persons with Limited English Proficiency (LEP) will have an equal opportunity and purposeful access to the information and services made available by the TRA.
- The **Tennessee Regulatory Authority** will endeavor to maintain an established means of communication to persons with LEP by means of an established language translation service provider.
- The translators, interpreters and other aids needed to comply with the **Tennessee Regulatory Authority's** policy will be offered without cost to the LEP population being served.
- Such provided services will be made available through the use of bilingual translators, fluent in multiple languages.
- **Tennessee Regulatory Authority** staff shall be provided with translation services contact information, such as service provider information cards and informational posters and kept current on new updates to translation services provided, such as new languages offered.
- The **Tennessee Regulatory Authority** will maintain a record of LEP interactions that shall be available for review by the public if requested.

ATTACHMENT C

Page 2.

- If requested, the translation of **Tennessee Regulatory Authority** documents will be provided to persons with LEP.
- The **Tennessee Regulatory Authority** on an ongoing basis review, assess and revise these policies with respect to serving Tennessee consumers with LEP to ensure continued compliance with the Title VI law.
- TRA staff is advised to contact the agency's Title VI coordinator, Greg Mitchell, if additional LEP resources are needed.
- Language translation will be provided through the State of Tennessee's contract service provider, Avaza Language Service Corporation, or through another State of Tennessee approved vendor of such services.
- Language Translation Service Contact information: Avaza Translation Service, 5209 Linbar Drive, Suite 603, Nashville, TN 37211. Contact: Melanie Velazquez

# TENNESSEE REGULATORY AUTHORITY



## Title VI Complaint Form

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**Name:** (Optional)

**Address:**

**Phone:**

**Email:**

**Please describe the incident in detail** (use a separate sheet if necessary)

**Circle below the basis of the complaint:**

**Race          Color          National Origin**

**Name, address and phone number of other individuals who may have knowledge of the discriminatory event (if applicable):**

**Date of the alleged discriminatory event:**

**Please mail or fax form to:** Tennessee Regulatory Authority, Title VI Coordinator, 502 Deaderick St, Nashville, TN 37243, Fax: (615) 741-5015, or to the Tennessee Human Rights Commission, William R. Snodgrass Building, Tennessee Towers, 312 Rosa L. Parks Blvd, 23<sup>rd</sup> floor, Fax (615) 253-1886.

**ATTACHMENT D**

**Tennessee Regulatory Authority  
Title VI Complaint Log 2013-14**

Name (optional)	Address, City, Zip	Phone	Email
1)			
2)			
3)			
4)			
5)			

\*Please complete a complaint form to describe the incident in detail

**ATTACHMENT E**