



U. S. Department
of Transportation

1200 New Jersey Ave., S.E.
Washington, DC 20590-0001

**Pipeline and Hazardous Materials
Safety Administration**

July 22, 2010

OVERNIGHT EXPRESS MAIL

Mr. Jeffrey D. Goltz
Chairman
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive, SW
PO Box 47250
Olympia, WA

Dear Mr. Goltz:

Section 60105(e) of the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006 requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) to monitor all pipeline safety or hazardous liquid programs to ensure the programs comply with the agreements established under Sections 60105(a) or 60106(a). This annual monitoring provides part of the information necessary for determining the state agency's total point award for the PHMSA pipeline safety grant for next year.

During the weeks of April 19th and May 17th, 2010 a representative of PHMSA's Office of State Programs, evaluated the CY 2009 Pipeline Safety program activities, training and other relative events conducted by the Washington Utilities & Transportation Commission (WUTC) pipeline safety organization. As part of the review, the annual certification documents submitted to PHMSA were validated and an on-site field inspection was observed. Thank you for the courtesies extended to Glynn Blanton, PHMSA State Programs by your staff.

Before discussing the results of the evaluation, I want to acknowledge the active participation by your staff members in making safety improvements through recommendations and consensus agreements while serving on the National Association of Pipeline Safety Representatives (NAPSR) task teams. We appreciate Mr. David Lykken serving as an active participant on the ASME B31 Q committee, Plastic Pipe Ad Hoc committee and American Public Gas Association Security and Integrity Foundation Board as a board member representing NAPSR. Additionally we recognize and appreciate Mr. Kuang Chu participation as a member on the ASME B31.4/11 Liquid and Slurry Piping Transportation Systems and on the GTI Leak-Rupture Boundary Study Committee. Mr. Lykken and Mr. Chu work on these important committees strengthens the strong efforts your organization has placed on pipeline safety in Washington. PHMSA appreciates the critical role of States in providing an effective national pipeline safety program, and the strong partnership we have forged by working together on shared goals and objectives.

Based on both the evaluation and the validation of Certification information, it appears that the

WUTC is generally complying with the pipeline safety program requirements. As a result of this evaluation, I would like to bring the following items to your attention:

1. We appreciate the quick response from Mr. Lykken on December 30, 2009 pertaining to the inclusion of On-Site Operator Training into your agency's future inspection procedures. Additionally improvements in the State's review of pipeline operators directional drilling procedures, confirming transportation operators have submitted information into the National Pipeline Mapping System and verifying operators continue to implement public education programs under 49 CFR 192.616 were found to be in compliance with our policies. These items were generally found to meet our guidelines and procedures during this review period. Thank you again for the response and corrective action taken in these areas.
2. We did find improvement is needed in completing WUTC Pipeline Safety Section Policy & Procedures Manual, section 26 on follow-up compliance and section 31 on Damage Prevention. These items are under development and were discussed with Mr. Lykken during the exit interview performed on April 22, 2010.
3. We continue to encourage your staff's participation in discussing best practices for reporting damages to their underground facilities, accurately marking underground facilities and supporting stakeholder meetings reviewing your state damage prevention law to meet the nine elements of an effective damage prevention program described in the PIPES Act of 2006. Excavation damage to pipelines continues to be a leading cause of pipeline failure. PHMSA provides support in this area through the One Call and State Damage Prevention grants.

I would appreciate your response regarding the status of item 2 above within 60 days of your receipt of this letter to avoid impacting performance points in next year's evaluation. The response should be addressed to me at the address of 6500 S. MacArthur Bldg. MPB RM 335, Route PHP-70, Oklahoma City, OK 73169. Thank you for your continuing interest and support of the pipeline safety program.

Sincerely,



Zach Barrett
Director, State Programs
Pipeline and Hazardous Materials Safety Administration

cc: Glynn Blanton, State Evaluator
David Lykken, Director, Pipeline Safety
Chris Hoidal, Western Region Office

SharePoint File: WUTC/2010-06-22/CY 2009 Evaluation Chairman Letter