



U.S. Department of Transportation

Pipeline and Hazardous Materials  
Safety Administration

1200 New Jersey Ave., SE  
Washington, DC 20590

August 8, 2011

**OVERNIGHT EXPRESS MAIL**

Mr. David Lykken  
Director, Pipeline Safety  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive, SW  
P.O. Box 47250  
Olympia, WA 98504-7250

STATE OF WASH  
UTIL. AND TRANS  
COMMISSION

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RECORDS MANAGEMENT

Dear Mr. Lykken:

Sections 60105(e) and 60106(d) of the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006 provides for the monitoring of State pipeline safety programs by the Pipeline and Hazardous Materials Safety Administration (PHMSA). This annual monitoring is to ensure compliance with the PIPES Act requirements for State pipeline safety programs and provides information for determining the State's total point award for the PHMSA pipeline safety grant for next year.

On June 27- July 1, 2011, the Washington Utilities and Transportation Commission CY 2010 Pipeline Safety Program activities, training, and other relative information were evaluated by Glynn Blanton, PHMSA Office of State Programs. As part of the evaluation, the annual Certification documents submitted to PHMSA were validated for accuracy. Additionally, our State Evaluator observed an on-site field inspection of Georgia-Pacific and Tidewater Terminal. Thank you for the courtesies extended to Mr. Blanton by your staff during the evaluation.

We are delighted you were able to increase the safety staff by one engineer in 2010 and currently interviewing potential candidates for one additional engineer to be hired this year. The continuing work by you and your staff members in promoting damage prevention best practices at the CGA regional meetings is greatly appreciated and contributed to the recent changes in your State damage prevention law. Also, your contribution in the National Association of Pipeline Safety Representatives (NAPSR) and other pipeline safety organizations is making a difference.

Based on our evaluation the Washington Utilities & Transportation Commission is generally complying with the requirements for State pipeline safety programs. Our exit briefing discussed the items for improving the pipeline safety program included in my letter to Chairman Jeffrey D. Goltz. You were copied on the Chairman's letter requesting a response to the issues within 60 days of receipt of the letter to avoid a point reduction in next years' evaluation. Additionally, please send me a PDF of the Chairman's signed response letter to zach.barrett@dot.gov.

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Other areas which require additional attention to strengthen your program include the following:

1. In completing WUTC 2011 Certification, Attachment 8-Compliance with Federal Regulations, we noted you did not provide the civil penalty amounts in the "Note" section pertaining to Part 198 (h). Mr. Glynn Blanton reviewed this item with you and also answered your question in moving Mr. Jim Fernald, Operations Manager listed on Attachment 7-Staffing and TQ Training, from Supervisor to Clerical/Administrative Support on future Certification filings.
2. Monitoring the number of carry-over violations from previous years and action being taken by the operators to close the violation(s) is one measure for determining effectiveness of your program. We urge you to review this item and consider including it in your risk ranking inspection program increasing the priority for conducting an inspection when the carry-over violation(s) is more than one year old. Several violations were reviewed and found to be cited in calendar year 2008.

The grant funding is based on accurate completion of the annual Certification and the State performance score from this evaluation. Attention to these two important items will help to assure your eligibility for maximum grant funding.

Thank you again for your courtesies and assistance in making available your time, staff, documents, and other relative information during this annual State program evaluation. I appreciate your continuing commitment to the pipeline safety program.

Sincerely,



Zach Barrett  
Director State Programs  
Office of Pipeline Safety

cc: Glynn Blanton, State Programs Evaluator, PHP-50, PHMSA  
Chris Hoidal, Western Region Director, PHP-500, PHMSA