



Department of Transformation and Shared Services

Governor Sarah Huckabee Sanders

Secretary Joseph Wood

Director Kay Barnhill

May 17, 2023

The Honorable Breanne Davis, Co-Chairperson
 The Honorable Mark Berry, Co-Chairperson
 Uniform Personnel Classification and
 Compensation Plan Subcommittee
 Arkansas Legislative Council
 State Capitol Building, Room 315
 Little Rock, Arkansas 72201

Dear Senator Davis and Representative Berry:

The Office of Personnel Management (OPM) submits a request from the Arkansas Public Commission (PCS) to establish a new title of Pipeline Safety Program Manager, GS12.

JUSTIFICATION

PSC requests this new title in order to adequately recruit for this role and fulfill the proper qualifications to be consistent with U.S. Pipeline and Hazardous Materials Safety Association (PHMSA) expectations and reflective of the responsibilities of the position. As they already have the position, there is no cost to this request.

The Office of Personnel Management has reviewed these requests and **recommends** the approval of the new classification Pipeline Safety Program Manager, GS12.

Your consideration of this request is greatly appreciated.

Kay Barnhill

STATE PERSONNEL DIRECTOR

5/8/23

DATE

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Michael Marchand
Executive Director
(501) 682-1794

May 1, 2023

Ms. Kay Barnhill, Director
Office of Personnel Management
Dept. of Transformation and Shared Services
501 Woodland, Suite 201
Little Rock, AR 72201

Dear Ms. Barnhill:

The Public Service Commission is requesting reapproval to use a GS12 Pipeline Safety Program Manager job title in lieu of the GS12 Engineer Supervisor. Our Pipeline Safety Program operates as an authorized State Program under the U.S. DOT Pipeline and Hazardous Material Safety Administration (PHMSA) and applies annually for federal reimbursement. Based on our program performance and the federal availability of funds, historically our agency has received approximately 55%-65% reimbursement of our approximate \$1 million budget for the conduct of our State Pipeline Safety Program which is operated consistent with the federal requirements.

In the fall of 2021, the Public Service Commission's long-time head of our State Pipeline Safety Program retired after 11 years in the position. An extensive search to replace this individual prompted a review of the state job description to ensure the qualifications and duties of the position are fully consistent with PHMSA expectations and reflective of the responsibilities of the position. It was determined that an updated state job description, consistent with all aspects of PHMSA requirements and reflective of job duties, was needed. In November of 2021, the request to temporarily utilize the GS12 Engineer Supervisor position as a GS12 PSC Pipeline Safety Program Manager was approved with the understanding that the title change was to be formally requested during the biennium. This change was requested by our agency, but ultimately was not approved along with other personnel related requests. Unfortunately, the individual currently occupying this position has indicated his desire to vacate the position by July 31, 2023.

The proposed job description is agency specific and better aligns with the current and specific PHMSA requirements and job duties, as opposed to a state position for the design and review of

engineering design drawings or specifications. Our experts inspect and review natural gas operator (i.e. natural gas utility) compliance with the standards established under the Federal and Arkansas Gas Pipeline Codes, but do not actually design those facilities.

Thank you for your consideration of this matter. Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Marchand', written in a cursive style.

Michael Marchand

Attachment

Cc: Vikki Hearn

CLASS SPECIFICATION

CLASS TITLE: PSC Pipeline Safety Program Manager

Class Code:

CLASS SUMMARY

The PSC Pipeline Safety Program Manager is responsible for planning, coordinating and directing all pipeline safety regulatory operations ensuring the program is conducted consistent with the financial and operational requirements of the US Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) and supervising the in-field inspections of the natural gas operators operating under the Public Service Commission's jurisdiction to ensure compliance with the safety standards of the Federal and Arkansas Gas Pipeline Safety Code, exercising effective and consistent enforcement authority, supervising employees and performing related administrative duties. This position is governed by state and federal law and agency policy.

TYPICAL FUNCTIONS

Plans, coordinates, and directs the activities of a medium to large inspection staff by interviewing, hiring, training, assigning and reviewing work and evaluating the performance of incumbents. Inspects natural gas operator sites to verify compliance with plans, specifications, and state and federal regulations during all phases of construction and/or inspects existing facilities for Federal and State safety code compliance and proper equipment operation. Completes reports of findings and takes necessary action to correct deficiencies. Coordinates with agency executive director regarding compliance and enforcement actions as necessary. Maintains and improves upon compliance with PHMSA requirements; including annual submission of Base Grant Application, submissions for grant fund reimbursements, annual program evaluations, inspection plans, incident investigations, and training requirements. Establishes goals and objectives and long and short-range plans, develops policies and procedures, reviews and evaluates program effectiveness and compliance, implements and monitors corrective action, and implements and interprets federal and state laws and regulations. Prepares written reports and/or expert testimony as required. Identifies need for and conducts workshops for operators to better understand and ensure compliance with the safety requirements of the Federal and State Gas Pipeline Codes. Participates in industry efforts to enhance awareness and understanding of the requirements of the Federal and State pipeline safety Codes. Maintains and ensures employees achieve and maintain all PHMSA Training Qualification certifications to meet federal requirements. Maintains thorough working knowledge of the Arkansas Pipeline Safety Code and the Federal Pipeline Safety Code. Serves as Project Manager on rulemaking dockets before the Public Service Commission when changes to the Arkansas Gas Pipeline Safety Code are required to comply with changes in the Federal Code. Serves as an expert witness before the Public Service Commission in regard to all pipeline safety regulatory issues and required changes to the Code. Provides information, suggestions, advice, and technical assistance as needed in various practices and programs by answering questions, interpreting applicable laws and regulations and coordinating with other entities to resolve problems. Interviews, makes recommendations for hiring, assigns, ensures all federally required training is timely achieved, oversees and reviews in-field and written work product of inspectors. Ensures effective and consistent application of enforcement authority. Testifies as a lead expert

witness in hearings before the Commission regarding contested issues in cases, the implementation of statutory requirements, rules, and industry regulatory and policy issues subject to cross examination and Commission questions. Represents the agency in regional and national organizations as required by PHMSA including the National Association of Pipeline Safety Representatives to maintain current awareness of developing trends and issues. Develops and manages section budget. Evaluates proposed legislation for impact on pipeline safety industry in Arkansas. Performs other duties as assigned.

SPECIAL JOB DIMENSIONS

Must be able to work outdoors and on construction sites and natural gas facility operations, if applicable to the educational specialty. May be exposed to hazards in the field or the laboratory. Frequent in-state travel and occasional out-of-state travel is required.

KNOWLEDGES, ABILITIES, AND SKILLS

Knowledge of the principles and practices of natural gas pipeline industry relating to the work performed. Knowledge of state and federal laws and regulations relating to the work performed.. Knowledge of construction plans and designs. Knowledge of supervisory practices and procedures. Ability to inspect and assess operator compliance in all areas of natural gas pipeline construction, operations and maintenance policies, procedures and records as to operation of all facilities and the training of operator personnel as required by federal and state Code, to determine compliance with regulations. Ability to prepare and present technical information verbally and in writing and serve as an expert witness subject to cross-examination.

MINIMUM QUALIFICATIONS

The formal education equivalent of a bachelor's degree in general business, mathematics, science, engineering, or a related field; plus six years of progressively more responsible experience in pipeline safety relating to the work performed, including two years in a supervisory or leadership capacity.

CERTIFICATES, LICENSES, REGISTRATIONS

Must possess a valid Arkansas driver's license. Additional requirements determined by the agency for recruiting purposes require review and approval by the Office of Personnel Management. OTHER JOB RELATED EDUCATION AND/OR EXPERIENCE MAY BE SUBSTITUTED FOR ALL OR PART OF THESE BASIC REQUIREMENTS, EXCEPT FOR CERTIFICATION OR LICENSURE REQUIREMENTS, UPON APPROVAL OF THE QUALIFICATIONS REVIEW COMMITTEE.