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CERTIFIED MAIL

May 14, 2013

Mr. Byron Coy, P.E.
Director, PHMSA Eastern Region
820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628

RE: Notice of Amendment (CPF 1-2013-1006M)

Dear Mr. Coy,

This letter is the formal response by Dominion Transmission, Inc. (DTI) to PHMSA's Notice of Amendment (CPF 1-2013-1006M) which identified the eight (8) concerns noted below.

1. §192.616 Public awareness

Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §192.7).

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to reference the API RP 1162 edition as seen in §192.7. This does not ensure that the program was developed and implemented pursuant to API RP 1162, 1st edition, December 2003, as prescribed in §192.616(a).

DTI Response:

DTI's Pipeline Public Awareness Plan (PPAP) has been revised to specifically reference the 1st Edition, December 2003 of API RP 1162 "Public Awareness Programs for Pipeline Operators" as noted in §192.7 in the Glossary of Terms (see attachment).

2. §192.616 Public awareness

(a) ...

(b) The operator's program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0 effective 5/21/2010*, was inadequate because it failed to follow the general program recommendations of API RP 1162 Section 4.12 and assess the unique attributes and characteristics of its pipeline and facilities. Specifically, Dominion's *Pipeline Public Awareness Plan* did not identify all of Dominion's pipeline assets.

API RP 1162 Section 4.12 Facility Purpose, states:

Where appropriate, communication with the affected public and emergency and public officials in proximity to major facilities (such as storage facilities, compressor or pump stations) should include information to promote understanding of the nature of the facility. Operators should communicate general information regarding the facility and product(s) stored or transported through the facility.

During the inspection, Dominion indicated that it has major facilities such as: transmission lines, gathering lines, and storage facilities that are in proximity to the public. However, Dominion's *Pipeline Public Awareness Plan* lacked details regarding those facilities and product(s) stored or transported through the facility. In addition, Dominion's brochures that were sent to affected public, emergency and public officials did not contain information on those major facilities and areas of pipe that are not odorized.

DTI Response:

The information noted above appears to have been taken out of context. When responding to questions posed by PHMSA's inspectors, DTI's reference to transmission, gathering and storage facilities pertained to the various operational definitions of our natural gas carrying pipelines. This discussion was not intended to imply that these classifications are distinct and unique facilities possessing different characteristics affecting a different public audience.

Section 4.12 in API RP 1162 contains the wording "*Where appropriate*" which allows operators to decide the necessary amount of detail conveyed to each audience to ensure the information is useful and effective. As an example, the brochure intended for emergency and public officials specifically identifies the types of facilities DTI operates, such as, natural gas pipelines, compressor stations, storage wells, etc. Additionally, this particular brochure is distributed during face-to-face meetings to provide the audience an opportunity to gain a better knowledge of DTI's operations and its facilities.

By incorporating API RP 1162 Table 2-1 (Summary Public Awareness Communication for Hazardous Liquids and Natural Gas Transmission Pipeline Operators) within DTI's PPAP and conforming to its content when developing communication materials, DTI is complying with the program's recommendations. DTI may, as a separate and supplemental activity, consider providing additional communication activity and content as warranted and the process for doing such is defined in DTI's PPAP.

3. §192.616 Public awareness

(a) ...

(b) **The operator's program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.**

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow the general program recommendations of API RP 1162 Section 3 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

API RP 1162 Section 3 Stakeholder Audience defines the intended audiences that should be included in the public awareness program. For further explanations and examples, operators are referred to Appendix B of API RP 1162. In Appendix B of API RP 1162, under B.1.1 Affected Public, it states that "transmission pipeline operator should tailor its communication coverage area (buffer) to fit its particular pipeline, location, and potential impact consequences."

Dominion uses the term "buffer" in its *Pipeline Public Awareness Plan*; however, it does not provide a definition and information on how it determined its "buffer."

DTI Response:

This clarification was incorporated in the Glossary of Terms of DTI's PPAP (see attachment) and states the following:

Buffer - Term used when defining the targeted audiences with Dominion Transmission, Inc., processes. The buffers specifically used:

- Natural Gas - 1600 foot wide total buffer using the pipeline as its center with an 800 foot offset on each side.
- HVL - Two mile wide total buffer using the pipeline as its center with a one mile offset on each side.

4. §192.616 Public awareness

(a) ...

(b) The operator's program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow API RP 1162 Section 4 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

API RP 1162 Section 4 Message Content states "an operator should select the optimum combination of messages, delivery methods, and frequency that meets the needs to the intended audience... communications materials should be provided in the language(s) spoken by a significant portion of the intended audience."

Dominion's program lacked a detailed process on how to determine whether the messages should be conducted in other languages commonly understood by a significant number and concentration on non-English speaking population. Additionally, Dominion did not define significant number nor provide a basis for the significant number.

DTI Response:

API RP 1162 is not specific on how to determine whether the messages should be conducted in other languages commonly understood by a significant number and concentration of non-English speaking population. As such, Chapter 3 of DTI's PPAP entitled Company Communications states: "The Communications Team periodically evaluates the demographics of our operating area by using the most current U.S. Census Bureau data. Our Public Awareness Program will be modified and conducted in other languages where it is determined that a significant number of the population is non-English speaking."

Additionally, PHMSA's inspectors were provided the opportunity to review DTI's Letter to File (LTF) dated 5/9/2006 (see attachment) which specifically states that DTI's significant number threshold is 25% or more of the population; thereby, documenting the justification per §192.616(c) as to why DTI's program is conducted solely in English.

As a result of PHMSA's 2010 audit, DTI revisited its operating area demographics and found no significant changes. A subsequent letter was developed 5/11/2011 (see attachment) to document the findings.

5. §192.616 Public awareness

(a) ...

(b) The operator's program must follow the general program recommendations of API

RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow API RP 1162 Section 4.6.1 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

API RP 1162 Section 4.6.1 Transmission Pipeline Markers, states "operators' awareness communications should include information about what pipeline markers look like..." API RP 1162 Section 4.6.1 refers to Appendix C for additional details. In Appendix C of API RP 1162, under C.6.1 Transmission Pipeline Markers, it states that the "[p]ublic awareness materials should include illustrations and descriptions of pipeline markers used by the operator and the information that the markers contain." (emphasis added) The brochures that Dominion mailed to landowners/tenants contained pictures of generic pipeline markers.

DTI Response:

DTI distributes information to landowners/tenants annually which exceeds the 2-year requirement noted within API RP 1162. As a result of the feedback obtained from the PHMSA inspectors in December 2010, and DTI's own internal enhancement initiatives, a supplemental letter (see attachment) was sent to stakeholders that addressed the look and content of our specific pipeline markers, as well as other clarifying details about DTI's assets. This supplemental mailing was completed April 1, 2012. DTI has enhanced its brochures to permanently include these specific pipeline marker graphics for use beginning in 2014.

6. §192.616 Public awareness

(a) ...

(b) The operator's program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow API RP 1162 Section 4.6.2 and assess the unique attributes and characteristics of the operator's pipeline and facilities. Specifically, Dominion did not include details about the line size with the map that was in its brochure. API RP 1162 Section 4.6.2 Transmission Pipeline Mapping, states that "the level of detail provided on the map should, at a minimum, include the line size..." The brochure that Dominion mailed to landowners/tenants contained a map that did not include the pipeline size(s). Since Dominion's lines vary in size, Dominion should consider including the pipelines' size ranges along with the map.

DTI Response:

In addition to adhering to the requirements summarized in API RP-1162, Section 2.8, Tables 2-1 thru 2-3, DTI's PPAP contains additional supplemental language to support our communications efforts. The aforementioned tables do not identify a requirement for operators to distribute maps to the general public. Though API RP 1162, Section 4.6.2 effectively conveys the importance of maps and their content, this section also references Appendix C which guides operators to make prudent decisions on what to include in their specific messages to stakeholders. Appendix C, Section C.6.2 further describes the types of maps that operators can use to improve their public awareness efforts. DTI believes that the maps denoted on its corridor mailing cards falls into the general map or local map category.

DTI provides all stakeholder audiences instructions on how to access the National Pipeline Mapping System (NPMS) as an opportunity to obtain additional information about DTI's operations and to view maps related to their specific geographic location. Communication materials for Emergency Responders, Local and Public Officials, etc., do not include detailed maps but direct these stakeholder audiences to the NPMS web site. DTI provides these stakeholder groups a DTI person to contact if they wish to obtain additional information.

DTI previously queried its corporate security personnel concerning the distribution of maps to external entities on a routine basis and they concluded that there is a high security risk in providing copies of maps showing locations of pipelines that could be considered crucial to infrastructure. DTI will review requests made directly to the company on an individual basis.

Lastly, since the general map that DTI was using as a reference on its corridor mailings is being misrepresented for a purpose other than how it was intended, DTI has removed these maps from all communication materials being sent to residents along our rights-of-way.

7. §192.616 Public awareness

(a) ...

(b) The operator's program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Dominion's written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow the general program recommendations of API RP 1162 Section 8 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Specifically, Dominion's *Pipeline Public Awareness Plan* did not describe the process in which periodic evaluation of the program implementation and effectiveness were conducted.

API RP 1162 Section 8 Program Evaluation states “[t]he overall written plan for the Public Awareness Program should include a section describing the operator’s evaluation program that includes the baseline elements... operators to consider in periodically supplementing their evaluation efforts in a particular segment....”

Dominion’s *Pipeline Public Awareness Plan* lacks the specific details on what metrics/criteria/rationale are used to determine if a modification to the baseline program and/or supplemental program enhancements are necessary.

DTI Response:

DTI’s PPAP includes a section entitled “Program Assessment and Evaluation” which complies with the Section 8 of API RP 1162. This section describes what is being evaluated, as well as, when, how and who is responsible for reviewing the evaluation results. DTI’s evaluations consist of:

- An annual Self-Assessment.
- A 4-year cycle Effectiveness Survey. (The baseline was completed in 2006 and the survey was conducted again in 2010; and 2014 has been scheduled.)
- An annual internal audit that reviews the adherence and execution of our PPAP.
- An evaluation of new material.

With regard to Section 8 of API RP 1162, DTI’s Public Awareness Program consists of three main components:

1. DTI’s PPAP
2. The completion of our evaluations and surveys, and
3. DTI’s enhancements to the PPAP as a result of the recommendations from the evaluations and surveys

During the 2010 audit, DTI provided copies of its PPAP, its annual self-assessment metrics, the results of our internal auditing, the completions of our periodic Self-Assessments (2006 & 2010) and our response to each of the findings contained in these reports. These are all well documented and a summary is distributed to DTI’s Executive Sponsors annually.

8. §192.616 Public awareness

(a) ...

(b) The operator’s program must follow the general program recommendations of API RP1162 and assess the unique attributes and characteristics of the operator’s pipeline and facilities.

Dominion’s written continuing public education program, *Pipeline Public Awareness Plan, Rev 5.0, effective 5/21/2010*, was inadequate because it failed to follow the general program

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recommendations of API RP 1162 Section 8.4.2 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

API RP 1162, Section 8.4.2 Measure 2 - Understandability of the Content of the Message states that "[o]perators should pre-test public awareness materials for their appeal and the messages for"

An OPS inspector requested a copy of procedures that addressed this section of API RP 1162. Dominion provided *Appendix D - Process Flow for Testing New Material* of its *Pipeline Public Awareness Plan*. Dominion's *Appendix D - Process Flow for Testing New Material* did not provide an adequate process to pre-test materials. First, it had a flowchart that was missing steps and decision points. Second, the list of steps within it did not correspond with the steps in the flowchart diagram. The flowchart was not an effective procedure. In addition, *Appendix D - Process Flow for Testing New Material* was not included in the table of contents in Dominion's *Pipeline Public Awareness Plan*.

DTI Response:

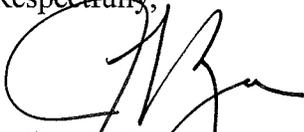
Appendix D - Process Flow for Testing New Material was updated following the feedback from PHMSA's inspectors in December, 2010 and has been added to the Table of Contents. NOTE: the process flow is now entitled "*Appendix C - Process Flow for Testing New Materials*" (see attachment).

Conclusion:

DTI would like to note that immediate action was taken based upon the limited feedback provided by PHMSA's inspection team 28-months ago. I trust that DTI's responses adequately address PHMSA's concerns; however, it is extremely difficult to promptly respond to audit findings over two (2) years after the fact when minimal guidance or information was provided by PHMSA's inspectors during the exit interview.

If you have any questions, please do not hesitate to contact Jim Shafer at (304) 627-3430.

Respectfully,


Jeffrey L. Barger
Vice President, Pipeline Operations
Dominion Transmission, Inc.