

Lemoi, Wayne (PHMSA)

From: Luis Rodriguez <plprinc@yahoo.com>
Sent: Thursday, November 01, 2012 5:58 PM
To: Lemoi, Wayne (PHMSA)
Cc: Mataich, Joseph (PHMSA); Robert Wood
Subject: NOA PAP RECOMMENDD CHANGES
Attachments: NOA PAP Recommended Changes.docx

Mr. Wayne T. Lemoi:
Director, Office of Pipeline Safety
PHMSA Southern Region

In reference to the Notice of Amendment CPF-2-2010-6019M please see attached recommended changes to comply with PHMSA's request.

Sincerely,
Luis A. Rodriguez
General Manager
The Pipelines of Puerto Rico

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1. § 195.440 Public awareness

- (a) 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 § 195.3).**

The American Petroleum Institute's Recommended Practice 1162 (API RP 1162), *Section 3 Stakeholder Audiences* states "One of the initial tasks in developing a Public Awareness Program is to identify the audience(s) that should receive the program's messages." Despite this requirement, PLPR's PAP procedures did not establish a method to identify the stakeholder audiences nor did it define the various stakeholder audiences in adequate detail to assure the proper audience members were identified. Moreover, the PAP did not provide a measurable way of identifying the audience members, such as by proximity to the pipeline or by some other meaningful metric.

Change to Paragraph 1.5:

PLPR General Manager is responsible for identification of stakeholder audiences. The General Manager has personally assessed and determined applicable stakeholder audiences and affected dwellings along pipeline right-of-way. Although certain sources are identified for use in determining each stakeholder audience, the General Manager has full authority to modify each audience list from any available source determined to enhance program outreach. List of stakeholder audience should be kept current and accuracy verified prior to disseminating communications.

- Affected Public; communication coverage area developed to ensure residents and places of congregation considering physical location and proximity to the pipeline ROW impact area. General Manager verifies this affected stakeholder audience going through neighborhood and determining dwellings that may be affected by leak. (see Section 2.0 A., The Affected Public List)
- Local Public Officials; stakeholder list developed using local company resources and local phone book. General Manager is responsible for identifying and insuring Public Officials that is to receive awareness communications. (see Section 2.1, Local Public Official List)
- Emergency Officials; communication coverage developed to include emergency officials having jurisdictional responsibility along the pipeline route. (see Section 2.2, Local Emergency Official List)
- Excavators; identifying excavators that perform or direct excavation work developed utilizing company resources, information from One-Call Center data, and self developed list of excavators who normally conduct excavation activities near the pipeline. PLPR provides supplemental awareness communications to excavators actually conducting or planning to conduct excavation on pipeline ROW in accordance with section 4 of this plan and member responsibilities under One-Call System Program. (see Section 4.0, Damage Prevention Plan)

2. § 195.440 Public awareness

- (a) 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 § 195.3).**

PLPR's written PAP did not provide adequate procedures nor did it establish methods for conducting an annual audit or review to determine whether the program had been developed and implemented in accordance with *API RP 1162, Section 8.3 Measuring Program Implementation*. While the PAP stated "The program will be evaluated annually to ensure API 1162 compliance," it did not provide procedures on how this would be done.

Section 1-10, insert as 2nd paragraph;

PLPR General Manager will utilize internal self-assessment review as primary method of performing PAP annual audit. Changes to program should be made addressing results of PAP internal reviews and program audits conducted by inspectors working for federal or state regulators.

- The annual program review should answer two basic questions:
 1. Has the Public Awareness Program been developed and written to address the objectives, elements and baseline scheduled as described in API RP 1162 and PAP?
 - Public Awareness of Pipeline: Does PAP raise awareness of affected public and key stakeholder of the presence of pipeline and increase understanding of the role of pipeline serves in transportation of jet fuel.
 - Prevention: Does PAP inform the public their role in reducing the occurrences of pipeline emergencies caused by third-party damage through awareness of safe excavation practices and use of the One-Call System.
 - Response: Does PAP inform public in communicating the appropriate steps to take in the event of a pipeline release or emergency and what steps to take to prevent and respond to pipeline emergencies?
 2. Has the Public Awareness Program been implemented and documented according to the written program?
- Annual Audit and Program Effectiveness Review form with attached summary sheet or memos further explaining areas checked may be utilized in documenting each annual audit. For additional recordkeeping requirements, see Appendix 5 and Section 1.8 of this plan

3. § 195.440 Public awareness

- (a) 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 § 195.3).**

API RP 1162, Section 8.4 Measuring Program Effectiveness requires a PAP program effectiveness evaluation to be conducted using the following measures:

- *Whether the information is reaching the intended stakeholder audiences*
- *If the recipient audiences are understanding the message delivered*
- *Whether the recipients are motivated to respond appropriately in alignment with the information provided*
- *If the implementation of the Public Awareness Program is impacting bottom-line results (such as reduction in the number of incidents caused by third-party damage).*

While the PAP stated "the program will be completely evaluated every 4 years to ensure its effectiveness," it did not provide procedures on how this would be done.

Section 1-10, insert following last paragraph;

- Program Effectiveness review is used to assess that program implementation is meeting goals and objectives.
 - Is information reaching intended stakeholder audiences
 - Does audiences understand delivered messages
 - Is audiences motivated to respond according to information provided
 - Is Public Awareness Program impacting bottom-line results
- Primary message delivery method PLPR utilizes for Affected Public, Businesses, Emergency Responders, One-Call Center, and Excavators is in person, face-to-face meetings. Feedback received from these meetings should be captured when completing the Annual Audit and Program Effectiveness Review form with attached summary sheet and/or office memos.
- Measures that PLPR will use to evaluate effectiveness of program implementation.
 - Measure 1 – Outreach: Percentage of intended audience reached with messages. Annual Audit and Program Effectiveness Review form with attached summary sheets or memos may be used for documenting number of individuals or entities reached within intended audience. Documenting this measure should include number of message delivered and estimate percentage of stakeholders actually reached.
 - Measure 2 – Understandability of Message Content: Intent of this measure is to assess the percentage of the intended stakeholder audience that understood and retained the key information of message delivered. Stakeholder surveys should be conducted about every four years. Sample survey questions located in Appendix 1 through 4 of this plan.
 - Measure 3 – Desired Behaviors by Intended Stakeholder Audience: This measure helps determine that appropriate damage prevention behaviors identified in measure 2 above have been learned and is taking place. Review of company records and pipeline personnel vigilance on ROW of a decrease in number of unauthorized ROW encroachment and increase number of excavation One-Call notices are good indication that desired stakeholder behaviors are being achieved.
 - Measure 4 – Achieving Bottom-Line Results: Reducing number and consequences of third-party damage is the desired bottom-line goal of the PAP. PLPR bottom-line goal is for zero (0) third-party damage to our pipeline facilities. To attain bottom-line goal and attempt to prevent/stop unauthorized encroachment, PLPR maintains a vigilant ROW patrol policy.
- Annual Audit and Program Effectiveness Review form with attached summary sheet or memos further explaining areas checked may be utilized in documenting program effectiveness review. For additional recordkeeping requirements, see Section 1.8 and Appendix 5 of this plan

4. § 195.440 Public awareness

.... (g) The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.

PLPR's written PAP did not provide for the program to be conducted in English. That is, the requirement public awareness education materials were to be in Spanish only.

Section 1.2, Objectives, last paragraph changed

The program is provided in both English and Spanish. However, to prevent any misinterpretation of the educational material, PLPR uses for meetings its promotional and didactical written material in Spanish's language, which is commonly spoken throughout the Commonwealth of Puerto Rico and is its official language. An English translated copy of educational material delivered to stakeholders will be maintained for future audit purposes.

Section 1.8 Program Documentation and Record Keeping, second paragraph, second bullet

Copies of all educational materials provided to each stakeholder audiences. An English translated copy of educational material delivered to stakeholders will be maintained for future audit purposes