



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 25, 2013

Mr. Alan Bradley
President
Questar Pipeline Company
333 South State Street
Salt Lake City, UT 84111-2302

CPF 5-2013-1008W

Dear Mr. Bradley:

On November 28-29, 2012, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), the Arizona Corporation Commission, the Idaho Public Utilities Commission, the Utah Department of Commerce, and the Wyoming Public Service Commission pursuant to Chapter 601 of 49 United States Code, inspected Questar Pipeline Company's and Questar Gas Company's (Questar) procedures for its Public Awareness Program required under 49 C.F.R. §192.616. Total combined pipeline mileage for these pipeline systems is 114,552 miles.

As a result of the inspection, it appears that Questar has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

- 1. §192.616 Public Awareness**
(b) The operator's program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities. Per API RP 1162 Section 2.7 and Section 4 the communications should include enough information so that in the event of a pipeline emergency, the intended audience will know how to identify a potential hazard, protect themselves, notify emergency response personnel, and notify the pipeline operator.

Questar has not provided key emergency response information, specifically outreach communications, to the stakeholders near storage facilities and critical valves. Questar's Public Awareness Program (PAP) lists all of the operator's gas and storage fields but does not communicate relevant safety information concerning gas and storage fields to the potentially affected residents. Furthermore, references to the unique attributes and characteristics of these facilities were not provided in Questar's Public Awareness Plans.

2. **§ 192.616 Public Awareness**

(f) The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas. Per API RP 1162 Section 2.2, Section 3 and Appendix B.1.1 For the sub-groups Residents located along transmission pipeline ROW and Places of Congregation, it is recommended that transmission pipeline operators provide communications within a minimum coverage area distance of 660 feet on each side of the pipeline, or as much as 1000 feet in some cases. The transmission pipeline operator should tailor its communications coverage area (buffer) to fit its particular pipeline, location, and potential impact consequences.

The distances for its communication coverage areas were not calculated or verified by Questar. Questar listed minimum communication distances per API 1162 recommendations without verifying that 660 feet is adequate. Questar needs to document a method to confirm their distances are adequate to cover potentially impacted parties.

3. **§ 192.616 Public Awareness**

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

(i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies.

Per API RP 1162 Section 8, 8.1 A secondary purpose for Public Awareness Program evaluation is to demonstrate to company management and regulators, for pipelines subject to federal or state pipeline safety jurisdiction, the status and validity of the operator's Public Awareness Programs.

Questar did not have procedures or document how they determine a statistical sample size and margin-of-error for performing Public Awareness Program Effectiveness Evaluations (PAPEEs) when using stakeholder surveys. Questar PAP, Part 5.4.8, also did not specify that the reviews would be performed annually. In addition, Questar did not have written documentation that the required effectiveness evaluations would be conducted on a set periodic cycle.

4. **§ 192.616 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. Per API 1162 Section 2.3.1 Regulations require pipeline operators to establish continuing education programs to enable the public,

appropriate government organizations, and persons engaged in excavation-related activities to recognize a pipeline emergency and to report it to the operator and/or the fire, police, or other appropriate public officials. The programs are to be provided in both English and in other languages commonly used by a significant concentration of non-English speaking population along the pipeline.

Questar or their contractor, Paradigm, did not document their process for determining whether there was a significant Spanish speaking population along the pipeline. In addition, Questar's PAPs did not specify how Questar determines whether there are other areas along the ROW where non-English was the primary spoken language.

5. §192.616 Public Awareness

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 4.4 Communicating periodically with local emergency officials is an important aspect of all Public Awareness Programs. Operators should provide a summary of emergency preparedness information to local public officials and should indicate that detailed information has been provided to emergency response agencies in their jurisdictions.

In Section 3, Questar did not have a procedure stating how they follow up with Emergency Responders that do not attend their Paradigm/PAPA Emergency Responder meetings. Questar did not have any documentation verifying that the Emergency Responders have adequate and proper resources to respond to a pipeline emergency. Questar did not document how information was provided to those emergency responders that did not attend the operator's training and information sessions.

6. §192.616 Public Awareness

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 8.3

**(i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies. Per API RP 1162 Section 8.3 The operator should complete an annual audit or review of whether the program has been developed and implemented according to the guidelines in this RP. The purpose of the audit is to answer the following two questions:
Has the Public Awareness Program been developed and written to address the objectives, elements and baseline schedule as described Section 2 and the remainder of this Recommended Practice? Has the Public Awareness Program been implemented and documented according to the written program?**

Questar did not document the occurrence of annual reviews between 2007 thru 2011. Questar developed a form for recording annual reviews but it appears they performed only one annual review on 10/31/2012. Even though Questar worked with Paradigm and PAPA to acquire public awareness review data, Questar did not have specific annual review documentation. Questar now has a process to ensure annual reviews and Public Awareness Programs (PAPs) changes are made and documented. Regardless, Questar did not document these changes in their written PAPs from 2006 to 2011.

7. **§192.616 Public Awareness**

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 8.4.1 This is a basic measurement indicating whether the operator's public awareness messages are getting to the intended stakeholders. A baseline evaluation program should establish a methodology to track the number of individuals or entities reached within an intended audience (e.g., households, excavating companies, local government, and local first responder agencies). Additionally, this measure should estimate the percentage of the stakeholders actually reached within the target geographic region along the pipeline. This measurement will help to evaluate the effectiveness of the delivery methods used.

Paradigm determined the statistical size and margin of error per Section 1.06 of Questar's PAPs. However, Questar did not document this in their procedures in Section 1.06 of their PAPs.

8. **§192.616 Public Awareness**

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 8.4.2 This measure would assess the percentage of the intended stakeholder audience that understood and retained the key information in the message received. This measurement will help to evaluate the effectiveness of the delivery media and the message style and content. This measurement will also help to assess the effectiveness of the delivery methods used.

Questar did not provide a process for verifying they assessed the percentage of intended stakeholder audience that understood and retained the key information provided. Questar also did not have a process or document how they are going to pretest the delivery media message and content.

9. §192.616 Public Awareness

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 8.4.3 This measure is aimed at determining whether appropriate prevention behaviors have been learned and is taking place when needed and whether appropriate response or mitigation behaviors would occur and have taken place. This is a measure of learned and, if applicable, actual reported behavior.

Questar did not specify how they determined whether appropriate prevention behaviors have been learned and are taking place when needed.

10. §192.616 Public Awareness

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 8.4.4 One measure of the bottom-line results is the damage prevention effectiveness of an operator's Public Awareness Program and the change in the number and consequences of third-party incidents. As a baseline, the operator should track the number of incidents and consequences caused by third party excavators. This should include reported near misses; reported pipeline damage occurrences that did not result in a release; and third-party excavation damage events that resulted in pipeline failures. The tracking of leaks caused by third-party excavation damage should be compared to statistics of pipelines in the same sector (e.g. gathering, transmission, local distribution). While third-party excavation damage is a major cause of pipeline incidents, data regarding such incidents should be evaluated over a relatively long period of time to determine any meaningful trends relative to the operator's Public Awareness Program. This is due to the low frequency of such incidents on a specific pipeline system. The operator should also look for other types of bottom-line measures. One other measure that operators may consider is the affected public's perception of the safety of pipelines.

Questar Gas uses a customer satisfaction survey and bounce back cards. Questar did not specify that they use a customer satisfaction survey and bounce back cards in their written Public Awareness plans.

11. §192.616 Public Awareness

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. Per API RP 1162 Section 2.7 Step 12 and 8.5 SUMMARY

OF BASELINE EVALUATION PROGRAM Table 8-1—Summary of Baseline Evaluation Program. The results of the evaluation need to be considered and revisions/updates made in the public awareness program plan, implementation, materials, frequency and/or messages.

Questar did not have a written Public Awareness evaluation that was based on a four (4) year cycle. Also, they could not document that one was performed. Furthermore, Questar did not have a process for making changes in their Public Awareness plans.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 for each violation for each day the violation persists up to a maximum of \$2,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in Questar Gas Company and/or Questar Pipeline Company being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, please send all documents to our office at 12300 West Dakota Avenue, Suite 110, Lakewood, CO 80228, and in your correspondence please refer to **CPF 5-2013-1008W**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,



Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 T. Finch (#141036)
Questar - Mr. Craig Wagstaff
Arizona Corporation Commission - Robert Miller and Ryan Weight
Idaho Public Utilities Commission – Ellis Hire
Utah Department of Commerce – Al Zadeh
Wyoming Public Service Commission – David Piroutek