



Public Awareness Public Workshop

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Quick AGA Background

- Founded in 1918
- Represents 195 local energy companies that deliver natural gas throughout the U.S
- There are nearly 70 million residential, commercial and industrial natural gas customers in the U.S.; 91% receive their gas from AGA members

Background

- The Pipeline Safety Improvement Act (PSIA) of 2002 outlines public education program activities required for pipeline operators, Department of Transportation and the State agencies.
- PSIA required operators to develop programs to educate the public on:
 - Use of the one-call notification system
 - Possible hazards associated with unintended releases from pipeline facilities
 - Physical indications that an unintended release may have occurred
 - Steps that should be take for public safety in the event of a pipeline release
 - Procedures to report such an event
- API RP 1162 was finalized in December 2003
- Final rule published May 2005

Public Awareness Industry Successes

- Public Awareness was a successful collaborative effort incorporating feedback from the regulatory community, industry and the targeted public
- Emergency responders, excavators and public officials have indicated an increased awareness of the definition of a pipeline, the information included in pipeline markers and where facilities are located in their communities
- Awareness and use of the National Pipeline Mapping System (NPMS) continues to grow, as stakeholders utilize this resource to identify facilities in their communities and locate pertinent contact information for pipeline operators
- All stakeholders indicate increased awareness of the One Call system and operators monitor the use of the One Call system in their operating systems to ensure its use continues to grow
- Key stakeholders, including emergency responders, indicate an increased awareness of the conditions that indicate a pipeline leak and the potential hazards that can result from a leak

Public Awareness Industry Successes

- Industry worked together on a regional and national basis to develop and distribute pertinent pipeline information
- Industry have implemented extensive direct mail programs and taken additional steps to reach out to all stakeholders through email, seminars and trade publications
- The public awareness programs developed by operators incorporated the general recommendations of API RP 1162 and were tailored to the specifics of the pipeline and operating location
- Public awareness materials are reaching the vast majority of the intended audience and, as a result, the public and pipeline facilities are better protected

Resources Dedicated by Industry

- The resources allocated for public awareness activities on an annual basis vary, depending on the operating size, composition, location and collaborative efforts available
- The fiscal resources allocated by AGA members who are LDC operators to comply with public awareness requirements range from roughly \$100,000 to over \$1 million each year
- Operators and regulators have focused on collaborative efforts such as the Common Ground Alliance (CGA)
 - Using CGA data, operators have been able to identify the stakeholders involved in a large portion of the excavation damages and have expended additional resources to better inform and engage these stakeholders
- LDCs have dedicated extensive resources to identify and contact the affected public (customers and non-customers)

Final Rule Overview

- Final rule published May 19, 2005
 - (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 (IBR, see § 192.7).
 - (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.
 - (c) The operator must follow the **general** program recommendations 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.

Final Rule Overview

- (d) **The operator's program must specifically** include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:
- (1) **Use of a one-call notification system prior to excavation and other damage prevention activities;**
 - (2) **Possible hazards associated with unintended releases from a gas pipeline facility;**
 - (3) **Physical indications that such a release may have occurred;**
 - (4) **Steps that should be taken for public safety in the event of a gas pipeline release; and**
 - (5) **Procedures for reporting such an event.**
- (e) The program **must** include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.
- (f) The program and the media used **must** be as comprehensive as necessary to reach all areas in which the operator transports gas.
- (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.

Final Rule Overview

- (h) Operators in existence on June 20, 2005, **must** have completed their written programs no later than June 20, 2006. As an exception, operators of small propane distribution systems having less than 25 customers and master meter operators having less than 25 customers must have completed development and documentation of their programs no later than June 20, 2007. Upon request, operators must submit their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency.
- (i) The operator's program documentation and evaluation results **must** be available for periodic review by appropriate regulatory agencies.

Important to Remember Intent of Final Rule

- All stakeholders involved in the development of API RP 1162 worked together to add the words general and specific to distinguish compliance. Operators are required to follow API RP 1162 in general and some specific provisions
- When the final rule was issued PHMSA explained in the preamble:
 - The appendices of API RP 1162 are intended to provide additional information, clarification and examples relative to the guidance provided. *The appendices do not specify compliance requirements*
 - The terms “should”, “may” and “can” will not be translated to “shall”
 - The operator is able to note procedural reasons why compliance with certain provisions of API RP 1162 is circumstantially unnecessary

Challenges Operators Face

- Evaluating effective and efficient delivery methods and/or media utilized
- Identification of the affected public non-customers
- Establishing collaborative efforts to ensure critical elements of effective communications were met
- Aligning the collaborative efforts of operators with varying stakeholder audiences and delivery frequencies (e.g. transmission and distribution operators)
- Tailoring communications content for the targeted audience and determining whether the recipient audience is absorbing the public awareness information delivered
- Determining whether or not the targeted audience demonstrated the appropriate mitigative behaviors

Industry Expectations

- Each operator should be expected to fulfill the general requirements in API RP 1162 and the additional provisions specified
- When reaching out to stakeholder audiences, it is not realistic to assume 100% of every targeted group is successfully reached. Operators should be expected to demonstrate that a considerable effort was made to reach identify and contact all members of the stakeholder audiences possible
- Despite the best public awareness efforts, operators' measurements of stakeholder audiences' understanding of pipeline safety may not always show a measured improvement. Although the operator should provide an explanation, this result is to be expected due to the difficulties of measuring program effectiveness

Industry Concerns

- Auditing the performance of RP1162 is not comparable to the prescriptive auditing of a welding procedure like API 1104
- PHMSA and state regulators should wait to see what operators provide as program evaluations before they develop audit standards
- Regulators should follow the final rule and PHMA's intent noted in the preamble

Final Comments

- Industry and the regulatory community have taken great strides to successfully educate the intended stakeholder audiences regarding pipeline facilities and pipeline safety
- Industry looks forward to continuing to identify opportunities for program improvement to ensure the affected public is educated and emergency responders are prepared
- It is important to remember the intent of the final rule when developing compliance guidance documents
- Industry is very supportive of the work that has been completed by the API RP 1162 workgroup and is hopeful that the second version of the document will be incorporated by reference when it is finalized

Questions?

