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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

February 13, 2013

Wayne T. Lemoi  
Director, Office of Pipeline Safety  
PHMSA Southern Region  
233 Peachtree Street Ste. 600  
Atlanta, GA 30303

**CPF 2-2013-6001M**

Dear Mr. Lemoi:

On October 16-17, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety inspected Enmark Energy, Inc. (Enmark) written Public Awareness and Damage Prevention Program. The following are proposed amended procedures that will address the apparent inadequacies that were determined during the subject inspection:

- 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.**

Enmark’s written Public Awareness and Damage Prevention Program (PADPP) did not demonstrate adequate management support as required by API RP 1162.

Enmark’s PADPP Appendix D contained an undated letter titled Management Letter of Commitment. While the letter was signed by Enmark’s President, it did not contain a company policy statement concerning public awareness or give any indication that management had committed to assuring that resources and funding would be allocated to assure the successful implementation of Enmark’s PADPP.

**Enmark’s Amended Procedure**

The Management Letter of Commitment located in Appendix D of Enmark’s PADPP was revised based on comments and findings developed as a result of Enmark’s inspection. The revision incorporates a company policy statement concerning public awareness and

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management commitment to assuring the resources and funding would be allocated to assure the successful implementation of Enmark's PADPP.

See attached revised Enmark's Appendix D - Management Letter of Commitment.

**2. 195.440 Public awareness.**

**(b) 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.**

Enmark's PADPP did not adequately or consistently identify the rolls and responsibilities of personnel responsible for administering and implementing the PADPP as required by API RP 1162.

**Enmark's Amended Procedure**

Section 4.2 of Enmark's PADPP, titled "Roles and Responsibilities" and Appendix A of Enmark's PADPP, titled "Program Administration" was revised based on comments and findings developed as a result of Enmark's inspection. The revision clarifies job titles and their associated rolls and responsibilities so as to be consistent and understandable by company and regulatory personnel.

See attached revised Section 4.2 of Enmark's PADPP, titled "Roles and Responsibilities" and Appendix A of Enmark's PADPP, titled "Program Administration".

**3. 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.**

Section 5.2 of Enmark's PADPP indicates that printed brochures and public liaison meeting are delivered in English and other languages as appropriate but the program did not explain how Enmark determined what other languages were or may be appropriate.

**Enmark's Amended Procedure**

Section 5.2 of Enmark's PADPP was revised in order to explain how Enmark determines what other languages were or may be appropriate.

See attached revised Section 5.2 of Enmark's PADPP, titled "Message Type And Content".

If you should have any questions regarding Enmark's Amended Procedures, please contact me at your convenience. Thank you for your thorough inspection of our records. Pipeline Safety is extremely important to Enmark Energy, Inc.

Sincerely,

A handwritten signature in cursive script that reads "Connell Rader".

Connell Rader  
President  
Enmark Energy, Inc.

# Public Awareness and Damage Prevention Program

Enmark Energy, Inc.

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February 5, 2013

## Management Statement of Support For The Public Awareness Program

Enmark Energy's policy is to comply with federal, state, and local regulations using the Enmark Energy Public Awareness Program as the tool to develop, implement, and evaluate continuing public awareness activities. Enmark Energy fully supports the policies, goals, and objectives set forth in American Petroleum Institute (API) Recommended Practice (RP) 1162. As an organization, we are committed to providing safe and reliable transportation of energy, and a safe environment for people living and working near our pipelines. Our expectation is that each of our employees shares our commitment to fulfilling our public awareness responsibilities as described in this program.

Management support is vital to an organization's effective implementation of a public awareness program. Enmark Energy will demonstrate support by allocating the appropriate funding and resources necessary for providing timely and effective public awareness, public safety, and damage prevention communications to our affected stakeholders.

Connell Rader  
President



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**Appendix D – Management Letter of Commitment**

# Public Awareness and Damage Prevention Program

## 4.0 PROGRAM ADMINISTRATION

### 4.1 MANAGEMENT COMMITMENT AND SUPPORT

Enmark Energy's policy is to comply with federal, state, and local regulations using the Enmark Energy Public Awareness Program as the tool to develop, implement, and evaluate continuing public awareness activities. Management commits to participation, resources, and funding for the development, implementation, and management of the program. Enmark Energy is committed to conducting pipeline operations with a primary focus on protecting the safety of any people living or working near our pipelines. A formal written letter concerning management's commitment and support can be found in Appendix D.

### 4.2 ROLES AND RESPONSIBILITIES

The public awareness and damage prevention programs are an ongoing effort to promote the safe operation of Enmark Energy's pipelines and minimize the risk of injuries and deaths of the public. It requires high-level involvement of the Enmark Energy's management. The organizational outline in Appendix A outlines the roles and responsibilities of the personnel. In the event that organizational changes are made, the Supervisor of the highest ranking position shall assign permanent or interim responsibilities and communicate such assignments in writing. The details are as follows:

#### President

Corporate program sponsor responsible for allocation of resources, funding approval, and oversight of the overall public awareness and damage prevention program as part of safe operation of company pipeline facilities. In addition, this position is responsible for final approval of all printed materials before distribution.

#### Pipeline Operations and Regulatory Manager

Manager responsible for oversight of overall program development and implementation. Program Administrator for all regulated pipelines subject to this Program. Responsible for program development, including audience identification oversight, program enhancements, program change implementation, coordination of mailings, local liaison meetings, and record keeping.

#### Field Personnel

Field personnel are responsible for communications with affected stakeholders, changes in population density, and ROW activity.

# Public Awareness and Damage Prevention Program

## Appendix A - Program Administration

Corporate Structure for Program Administration of the Public Awareness and Damage Prevention Programs.

### **President - Enmark Energy, Inc.**

Corporate program sponsor responsible for allocation of resources, funding approval, and oversight of the overall Public Awareness and Damage Prevention Program as part of safe operation of company facilities. In addition, this position is responsible for final approval of all printed materials before distribution.

### **Pipeline Operation and Regulatory Manager**

Manager responsible for oversight of overall program development and implementation. Program Administrator for all regulated pipelines subject to this Program. Responsible for program development, including audience identification oversight, program enhancements, program change implementation, coordination of mailings, local liaison meetings, and record keeping.

### **Field Personnel**

Field personnel are responsible for communications with affected stakeholders, changes in population density changes and ROW activity.

# Public Awareness and Damage Prevention Program

		underground facility owner/operators of proposed excavations. Excavation One-Call Centers relevant to the area	MS One-Call TX One-Call WV One-Call TN One-Call AL One-Call

## 5.2 MESSAGE TYPE AND CONTENT

Communication materials are provided in the language(s) spoken by a significant portion of the intended audience. Enmark Energy acquires the services of a third-party vendor(s) which evaluates the stakeholder audience demographics. All Affected Public, Excavator and Farmer messages are provided to stakeholders in English and Spanish. Tables 2 and 3 provide a summary of the baseline messages conveyed to intended audiences of Enmark Energy's pipeline operations.