

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 19, 2013

Mr. Royce Ramsay
Vice President, Operations
Northern Natural Gas Company
1111 South 103rd Street
Omaha, Nebraska 68124-1091

CPF 3-2013-1013M

Dear Royce Ramsay:

On June 28-30, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Northern Natural Gas Company's (NNG) procedures for Public Awareness Program Effectiveness in Omaha, Nebraska.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within NNG's plans or procedures, as described below:

- 1. § 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.

NNG's procedures are inadequate because its Public Awareness Plan (PAP) does not include a process for evaluating a baseline affected public corridor discussed in section 5.4 for considerations such as the potential impact radius (PIR) to insure that all the affected public are reached according to the requirements of API RP 1162.

NNG's procedures are inadequate because its PAP does not include a process for evaluating the number of items mailed from the stakeholder audience and included in determining the number reached in implementation review and in future effectiveness reviews.

NNG's procedures are inadequate because its PAP does not include a process that uniformly gathers information from the field by emergency responders and public officials for inclusion in their implementation and effectiveness reviews.

NNG's procedures are inadequate because its PAP does not include a process for confirming that brochures were mailed to all stakeholders.

NNG's procedures are inadequate because its PAP does not include a process to include data from business reply cards (BRC's) for trending and analysis of message content. Also, the procedures do not include a process to document the outcome of the review, the action items, and a plan to implement action items.

NNG's procedures are inadequate because its PAP does not include a process to measure the percentage reached by each stakeholder audience.

NNG's procedures are inadequate because its PAP does not include a process that defines the information to be used to determine understandability of the message content by stakeholder audience.

NNG's procedures are inadequate because its PAP does not include a process to measure desired stakeholder behavior by stakeholder audience.

NNG's procedures are inadequate because its PAP does not include a process that identifies the necessary results as identified in the four objectives outlined in the NNG PAP purpose section 1 of 80.405, page 1 and other items as NNG deems appropriate, and a process that identifies changes, tracks changes and tracks progress in making changes based on the findings of the effectiveness evaluation.

2. § 192.616 Public awareness.

(d) The operator's program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:

(5) Procedures for reporting such an event.

NNG's procedures are inadequate because its PAP states that the baseline messages to public officials should contain the message "report a suspected leak to 911 and NNG," but the message is not in the public official brochure.

3. § 192.616 Public awareness.

(e) The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.

NNG's procedures are inadequate because its PAP does not include a process to ensure that affected schools are properly advised on appropriate safety messages including pipeline facility locations.

4. § 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.

NNG's procedures are inadequate because its PAP states in section 5.4.1.1 that the distribution of direct mail would occur every two years unless near an LNG facility and states in section 5.4.3 that the distribution of direct mail would occur every three years unless near an HCA, and then annually. Since "near" is not defined in NNG's program, this does not ensure that all affected public within the defined area are reached.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In correspondence concerning this matter, please refer to **CPF 3-2013-1013M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Since the Public Awareness Program Inspection, Northern Natural Gas has submitted revised procedures to resolve the inspection issues. PHMSA Central Region personnel have reviewed the revised procedures and determined that the revisions satisfy the deficiencies identified in all of the above items. Therefore, no further action is required and this enforcement action is considered closed.

Sincerely,

Linda Daugherty
Director, Central Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*