



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

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

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 25, 2011

Mr. Kent Grinage
Director of Public Works
North Slope Borough
P.O. Box 1120
Barrow, Alaska 99723

CPF 5-2011-0017M

Dear Mr. Grinage:

On October 5, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected North Slope Borough's (NSB) procedures for Public Awareness Program (PAP) in Barrow, Alaska.

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

1. **§192.616 Public Awareness**
(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, 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,

NSB's PAP does not contain a written statement of management commitment. NSB's PAP must be amended to meet the requirements of Management Support, section 2.5 of API 1162.

2. **§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

NSB's PAP does not capture the unique hazards associated with non-odorized natural gas being transported in the Nuiqsut Transmission Line.

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.

A. NSB's PAP does not include the public officials in the Nuiqsut System Program or justify why they were not included.

B. NSB's PAP does list the frequency of contact with stakeholders for the distribution system.

C. NSB's PAP indicates that NSB is a member of the Alaska One Call system. This was not the case at the time of inspection. NSB's PAP must state how line locates and leaks are to be reported.

D. NSB's PAP does not specify how annual audits will be conducted and evaluated.

E. NSB's PAP does not specify how 4 year program evaluations will be conducted and evaluated.

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.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the

inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that North Slope Borough maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Dennis Hinnah, Deputy Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2011-0017M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Hinnah". The signature is written in a cursive style with a large initial "D".

Dennis Hinnah
Deputy Director, Western Region
Pipeline and Hazardous Materials Safety Administration

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

cc: PHP-60 Compliance Registry
PHP-500 B. Flanders (#135837)