



SENT VIA EMAIL, and CERTIFIED MAIL, RETURN RECEIPT REQUESTED

December 22, 2023

Dustin Hubbard
Director, Western Region, Office of Pipeline Safety
Pipeline and Hazardous Material Safety Administration
12300 W. Dakota Avenue, Suite 110
Lakewood, CO 80228

Re: Notice of Amendment; CPF 5-2023-052-NOPV

Dear Mr. Hubbard:

This letter responds to the Pipeline and Hazardous Material Safety Administration's (PHMSA) Notice of Amendment (CPF 5-2023-052-NOPV) dated October 27, 2023, resulting from the PHMSA inspection conducted by the California Public Utilities Commission (CPUC) on August 15 through August 19, 2022. Pursuant to Title 49 Code of Federal Regulations (CFR) section 190.208(2), the City wishes to submit a written explanation that may warrant mitigation or elimination of the proposed violation.

Item 1. 192.616 – Public Awareness

- (1) CPA failed to conduct an annual audit of the Public Awareness Program to measure program implementation as required by APRI RP 1162 Section 8. API RP 1162, section 8, paragraph 8.3 states in part, that the "operator should complete an annual audit or review of whether the program has developed and implemented according to the guidelines in the RP." However, during the inspection, CPA was unable to produce documentation of its annual audit for the years 2019, 2020, and 2021.

CPA Response (Item 1):

The CPA has been performing self-assessment at a minimum of once each calendar year. Supporting documentation, such as meeting invites and emails, were provided to the inspectors during the 2022 Comprehensive Inspection and it was noted in the close-out email from the inspectors that CPAU was performing self-assessments:

"In discussions with CPAU it seems that many of the pieces of the annual self-assessment are being done, but there are no specifics in the procedure and no documentation."

Although the CPA does not agree that this constitutes a Notice of Probable Violation and that no documentation exists, CPA has amended the Public Awareness Plan (PAP) to include a self-assessment interval and will begin documenting the assessment with a



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dated sign-in sheet. See the subsection titled "Annual Review Process" in the amended PAP enclosed.

Please do not hesitate to contact me at 650-496-6981 or Dean.Batchelor@cityofpaloalto.org if you have any questions.

Sincerely,

Dean Batchelor
Director of Utilities