Public Awareness and Inspection Results Overview

2016 Public Awareness Workshop

Chicago, IL

July 13, 2016

Presentation Overview

- **Public Awareness Regulations**

- **Public Awareness Inspection Program**

- **Inspection Findings and Observations**

- **Resources for Additional Information**

Public Awareness

Educating people about what they need to know about pipeline facilities so they can better understand their purpose and operation, protect them from damage, recognize if something is wrong, and know what to do in the event of a release.

Where is it?   Why do we need it?

What's in it ?   Who operates it?

How do I recognize a leak?

What are the hazards?

What's done to keep it safe?

What can I do on the ROW?

What if I see something suspicious?

Who do I contact in an emergency?

How do I get more information?

Regulatory Requirements

§ 192.616   Public Awareness (Natural Gas or Other Gas)

§ 195.440   Public Awareness (Hazardous Liquids)

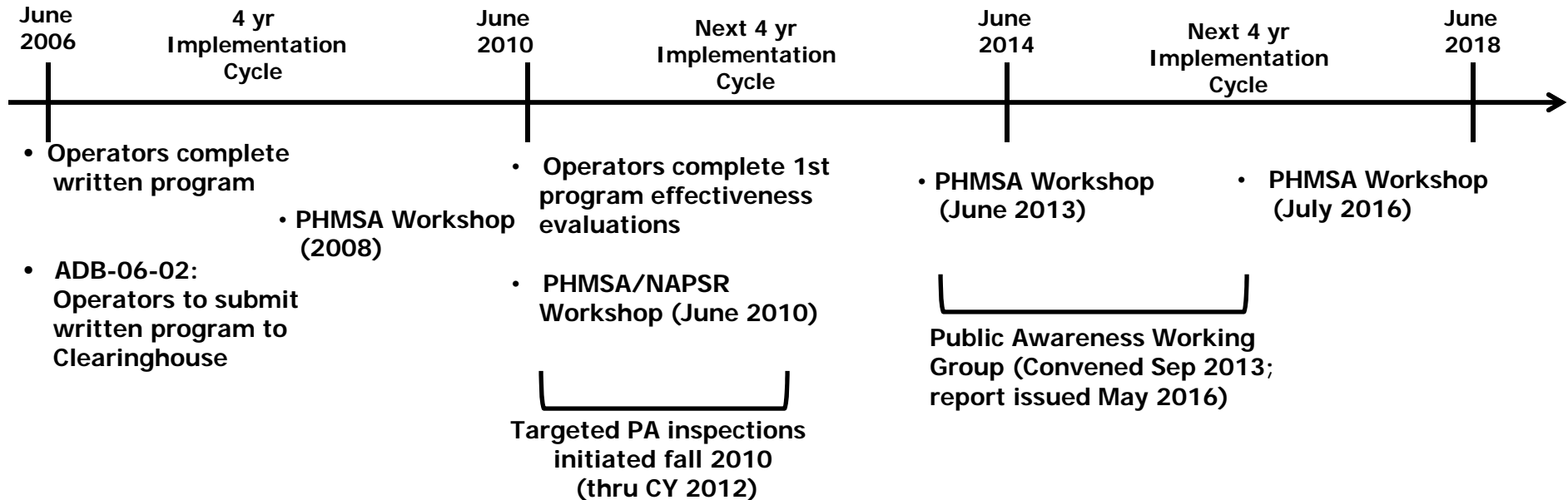API RP 1162 Incorporated By Reference (§ 192.7 and
   § 195.3)

API RP 1162

"…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."

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Public Awareness
A Continuing Timeline

June 2006 — **4 yr Implementation Cycle** — **June 2010** — **Next 4 yr Implementation Cycle** — **June 2014** — **Next 4 yr Implementation Cycle** — **June 2018**

- Operators complete written program

- ADB-06-02: Operators to submit written program to Clearinghouse

  - PHMSA Workshop (2008)

- Operators complete 1st program effectiveness evaluations

- PHMSA/NAPSR Workshop (June 2010)

  Targeted PA inspections initiated fall 2010 (thru CY 2012)

- PHMSA Workshop (June 2013)

  Public Awareness Working Group (Convened Sep 2013; report issued May 2016)

- PHMSA Workshop (July 2016)

Transitioning from Targeted Inspections to Integrated Inspections

Public Awareness Inspections

- Ongoing inspections since 2006, starting with Clearinghouse <u>review</u> (not an approval)
- Initially higher level inspections
  - Focus on 5 main messages
  - Most didn't drill down into API RP 1162 requirements
- Targeted Public Awareness Program Effectiveness Inspections focus on program details
  - Written program includes the 5 W's (who, what, when, where, why) and verify implementation
  - API RP 1162 requirements met
  - Annual Program Implementation Review procedures and records
  - Effectiveness Evaluation procedures and records

PHMSA Inspection Evolution

Targeted Inspections

- Unit/Standard
- Integrity Management
- Operation and Maintenance
- **Public Awareness**
- Control Room Management
- Operator Qualification
- Breakout Tank
- Construction

Integrated Inspections

- Combines discrete inspection "types"
- Prioritize specific areas of inspection based on risk information
- May focus on one or more "targeted" areas

PHMSA Inspection Forms & Tracking Evolution

- 2006
  - Operators must have written PA Program
  - PA part of "Standard Inspection" (PHMSA Form-01, Form-03,…)
- 2008
  - Targeted Inspections continue
  - PA still part of "Standard Inspection"
  - Integrated Inspections begin
- 2010
    - Targeted Inspections continue
    - Added Targeted PA Program Effectiveness Inspections (PHMSA Form 21)
    - Integrated Inspection implementation continues to expand
- 2012-Present
  - Integrated Inspections
  - Inspection forms utilize Inspection Assistant questions

Public Awareness Inspections*
2009-2015

	Targeted Public Awareness Program Effectiveness Inspections	Integrated Inspections which included Public Awareness
2009	0	3
2010	2	3
2011	103	6
2012	152	52
2013	8	27
2014	1	39
2015	0	42
Total	266	172

* Targeted Public Awareness and Integrated Inspections Only;
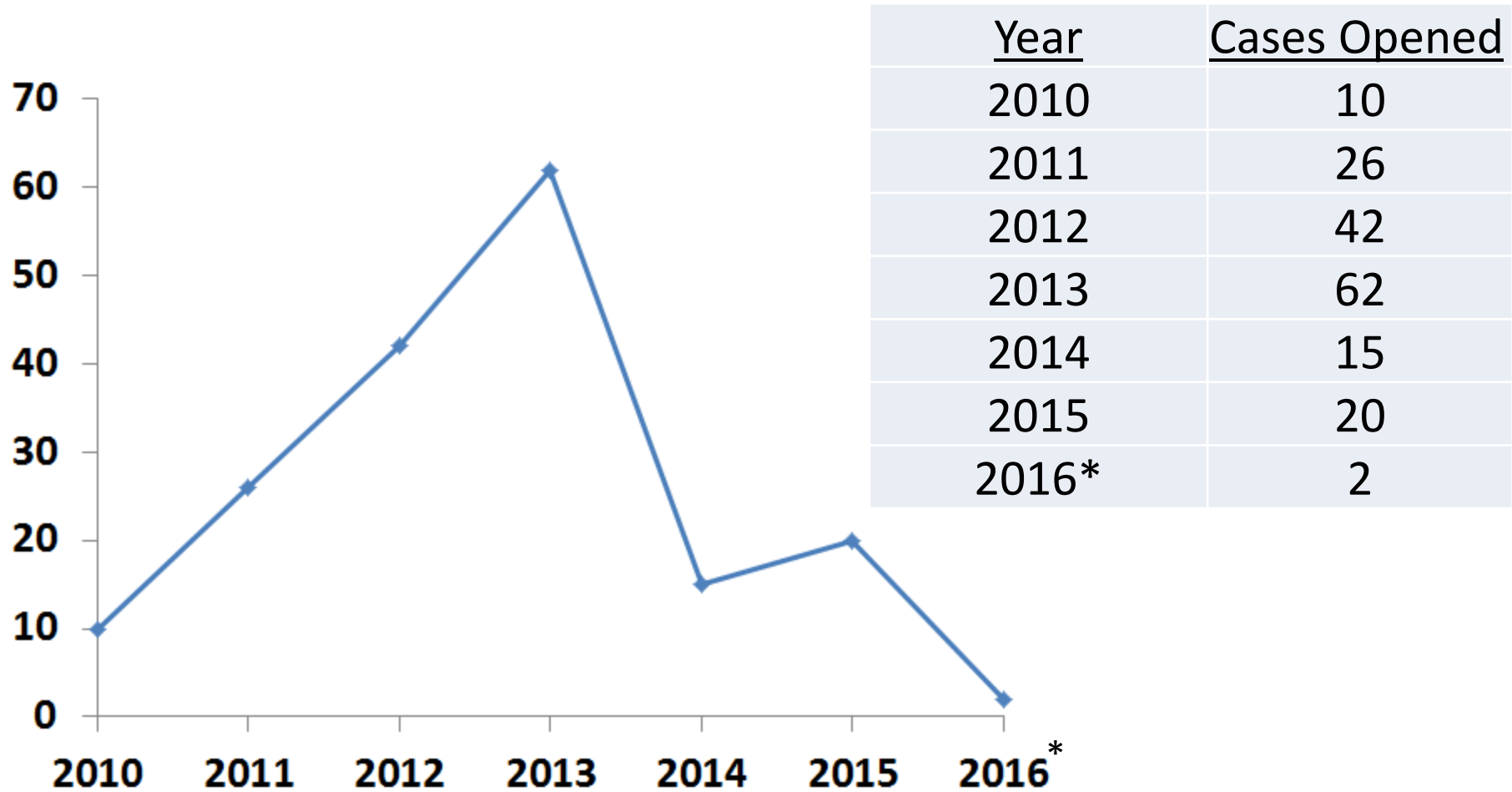   Unit/Standard Inspections Not Included

Enforcement Cases By Year

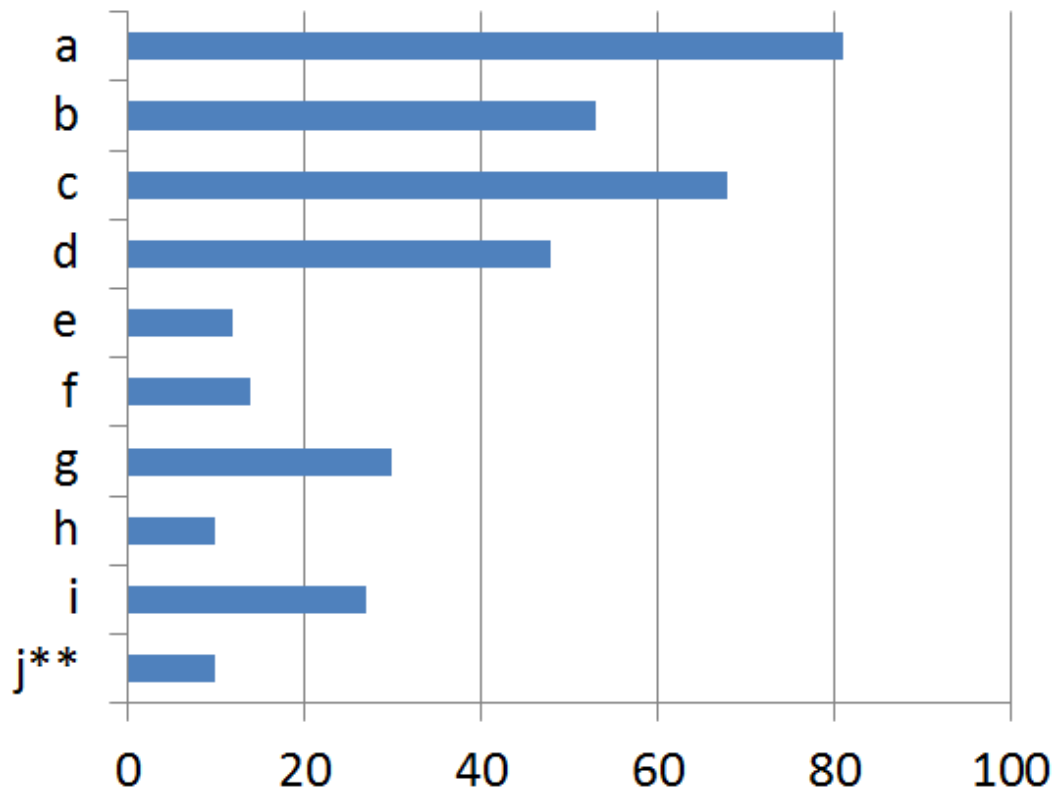| Year	Cases Opened
2010	10
2011	26
2012	42
2013	62
2014	15
2015	20
2016*	2

* As of May 30, 2016

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Hazardous Materials Transportation

Public Awareness (PA) Paragraphs Cited in Enforcement Cases 2010-2016*

PA Paragraph Cited	Number of Times Cited
a	81
b	53
c	68
d	48
e	12
f	14
g	30
h	10
i	27
j**	10

*As of May 30, 2016   ** Part 192 Only

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Inspection Findings & Enforcement
Overall Program Administration & Development Shortfalls

- Did not identify assets/facilities covered and/or product
- Inadequate Statement of Management Support
    - Missing
    - Not current/updated
    - Made for assets over which not responsible
- Referenced incorrect edition of API RP 1162
- Lacked details on who, what, when where, how, why

Inspection Findings & Enforcement
Lack of Consideration for Unique Attributes

– Messages did not match product(s)
  - One brochure for entire multi-product system; may not apply to all areas
  - Indications of release not representative of product
  - Generic information for natural gas; no distinction for odorized/unodorized gas

– Messages did not promote understanding of facilities
  - Type of lines (gathering, distribution, transmission)
  - Aboveground facilities (compressor stations, pump stations, breakout tanks)
  - Operational characteristics and events (blowdowns, emergency shutdowns, etc.)

Inspection Findings & Enforcement
Stakeholder Identification Shortfalls

– Lack of process for how stakeholder information developed, maintained and updated

– Lack of defined method and rational for stakeholder identification

  • Buffers used? How determined? Adequate? (PIR>660', HCAs, special permits, HVLs, tank farms)
  • Geographic boundaries used? No consideration for those outside, i.e. "boarder" responders /mutual aid, utilities, etc.
  • No process for updating lists, returned mail, non-attendees, changing stakeholders

– No QA/QC process

Who, how, when for each stakeholder audience

Inspection Findings & Enforcement
Messaging Shortfalls

- Not tailored to products(s), facilities, and unique attributes
- Not tailored to audience (i.e. excavators vs emergency responders)
- Baseline message didn't contain all required content (192.616/195.440 + API RP 1162)
- No process for pre-testing for appeal and message clarity, understandability and retain-ability
- No process for conducting program in English and other languages
- No procedures for Supplemental Program Enhancements
- Master meter/petroleum gas system operators didn't provide customers PA messages twice annually.

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Inspection Findings & Enforcement
Implementation & Effectiveness Evaluation Review Shortfalls

- Annual Implementation Reviews
  - Lack of procedures
- Effectiveness Evaluations
  - Lack of procedures
  - No defined metrics/criteria/rational established up front – what's effective vs. what triggers change
  - Effectiveness not evaluated for <u>each</u> stakeholder audience
  - Stopped at data collection and/or surveys; findings/conclusions/improvements/plan to implement?

General Observations

- Most operators putting forth effort and improving programs with creative approaches

- Program documentation needs improvement
  - More detailed procedures
  - Include decisions and supporting rational

- A "one-size-fits-all" Public Awareness program typically doesn't work
  - differences in pipeline types, consequences, population, property development, excavation activities, HCA, results of evaluations, etc.
  - Some stakeholders need more detail (i.e. emergency responders)

- Balancing information overload with specific messages
- Operator not taking credit for all the good things they're doing...need to document

Inspection Forms & Enforcement Guidance

- **Inspection Forms**
  Available in Library (Inspection, Evaluation, and Qualification Forms)
  http://www.phmsa.dot.gov/pipeline/library/forms

  Includes PHMSA Form-21 – Pubic Awareness Program Effectiveness Inspection

- **Enforcement Guidance**
  Available in Electronic Reading Room
  http://www.phmsa.dot.gov/foia/e-reading-room
  Includes:
  – **Public Awareness Enforcement Guidance Part 192**
  – **Public Awareness Enforcement Guidance Part 195**

PHMSA Form 21 Question Set (IA Equivalent)
PHMSA PUBLIC AWARENESS PROGRAM EFFECTIVENESS INSPECTION FORM

Public Awareness and Damage Prevention - Public Awareness

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For More on Public Awareness

Public Awareness Stakeholder Communications
http://primis.phmsa.dot.gov/comm/PublicAwareness/
PublicAwareness.htm?nocache=8541

Includes information on:
- **-** Regulatory Requirements
- - API RP 1162
- - Public Awareness Workshops
- - Pubic Awareness Working Group
- - Frequently Asked Questions
- - Strengths, Weaknesses, Opportunities, and Threats (SWOT) Report

Additional Important Links

- **Federal Regulations:**
  http://www.ecfr.gov

- **PHMSA, Office of Pipeline Safety:**
  http://www.phmsa.dot.gov/pipeline

- **PHMSA Enforcement Website:**
  http://www.phmsa.dot.gov/pipeline/enforcement

- **PHMSA Regulations Website**
  http://www.phmsa.dot.gov/regulations
  Rulemakings, Notices, Safety Advisory Bulletins, Interpretations, and more…

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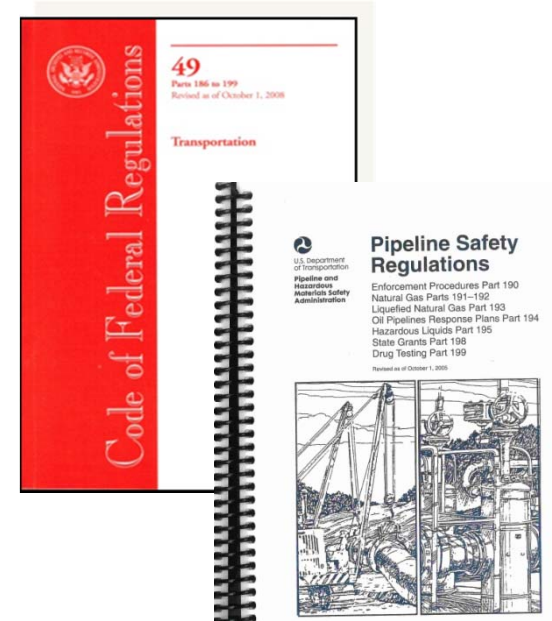
Thank You!!

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