



## City of Buckley

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June 13, 2012

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RECEIVED *via email*

JUN 13 2012

State of Washington  
UTC  
Pipeline Safety Program

SUBJECT: Response to 2012 Natural Gas Public Awareness Program Inspection

Dear Mr. Lykken:

Thank you for providing the recent inspection report listing probable violations related to the inspection of the City's Natural Gas Public Awareness Program conducted by pipeline safety staff in March, 2012. The City has reviewed these potential violations and is providing the following in response to these issues:

### Probable Violations

1. 49 CFR §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, see § 192.7).

a. Finding(s) - Management Support: Buckley failed to identify the implementation roles of employees listed in the PAP.

City Response: *The City disagrees with the findings which stated that we failed to identify the implementation roles of employees listed in the PAP.*

*API - 1162 - 7.1(b) states that a written program should include "a description of the roles and responsibilities of personnel administering the program."*

*In Table B.1 of the City's PAP (below) the primary role and responsibilities are listed for every position involved in administering the program. Further clarification from WUTC is needed. If additional detail is needed beyond what the City has summarized then we need to understand how much detail is needed in order to expand the responsibilities beyond the basics listed.*

**Table B.1**

<i>Primary Role</i>	<i>Responsibilities</i>
<i>Mayor</i>	<i>City Chief Executive Officer</i>
<i>City Council</i>	<i>City Legislative Body</i>
<i>City Administrator</i>	<i>Chief Administrative Officer &amp; System Administrator</i>
<i>Public Works Supervisor</i>	<i>Gas System Supervisor, PW permit review and issuance</i>
<i>Gas Department Lead</i>	<i>Gas Lead and OQ Instructor</i>
<i>Gas Department Utility</i>	<i>Gas System Operator</i>
<i>Gas Department Utility</i>	<i>Gas System Operator</i>
<i>Building Official</i>	<i>Building permit review and issuance, code enforcement</i>
<i>Finance Director</i>	<i>Chief Financial Officer</i>
<i>Contract City Planner</i>	<i>Development permit review and issuance</i>
<i>City Deputy Clerk</i>	<i>Gas department clerical support, editor annual City newsletter and other public awareness materials</i>
<i>City Utility Clerk</i>	<i>Utility billing, gas department clerical support</i>
<i>Police Chief</i>	<i>Emergency responder</i>
<i>Fire Chief/Emergency Manager</i>	<i>Emergency responder</i>

- b. **Finding(s) - Management Support:** Buckley failed to provide evidence or indication of management participation in the development and implementation of the PAP.

**City Response:** API – 1162 (2.5) Management Support. For a Public Awareness Program to achieve its objectives, ongoing support within the operator’s organization is crucial. Management should demonstrate its support through company policy, management participation and allocation of resources and funding. Funding and resource requirements for an operator’s Public Awareness Program development and implementation will vary according to the program’s objectives, design and scope. Full organizational support can make a marked difference in the way the Public Awareness Program is received and can affect the overall effectiveness and success of the program.

*The City adopted its Natural Gas System Public Awareness Program in May, 2006 utilizing the elements of API 1162 in the drafting. A copy of the initial program was submitted to WUTC for review and in response the City was directed to make three changes to the Program. These three items were revised, incorporated and listed under the City’s Gas System O&M Manual “Appendix A - Amendment Table” dated May 2, 2007. The last item is listed as “Added Resolution demonstrating administrative and legislative support for program”. A revised copy was then forwarded to WUTC and there was no further action required.*

*A copy of this Resolution and excerpts from our existing PAP were given to the WUTC inspector, but based on this finding being entered we’re assuming that WUTC’s first thought in 2007 is now incorrect. The City went to great lengths to draft a public document characterizing the management and legislative support through adoption of this policy statement. The findings in the Resolution also expressed the commitment to provide ongoing resources and fund the program.*

*The City strongly disagrees with this finding and believes that the efforts taken by the City have been entirely within the guidelines established by API – 1162 and 49 CFR §192.616.*

- c. **Finding(s) - Management Support:** Buckley failed to provide oversight of external support resources regarding implementation and evaluation efforts of PAP.

City Response: The City has no understanding of this finding and asks for further clarification from WUTC.

2. 49 CFR §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.

a. **Finding(s) - Unique Attributes and Characteristics:** Buckley failed to define the specific pipeline assets or systems covered in the program and assess the unique attributes and characteristics of the pipeline and facilities.

City Response: The City disagrees with the findings which stated that we failed to define the specific pipeline assets or systems covered in the program and assess the unique attributes and characteristics of the pipeline and facilities.

API - 1162 - 2.7 (Step 4) states that "the overall program may be a single Public Awareness Program for all pipeline assets, or may be divided into individual, asset-specific programs for one or more specific pipeline systems, one or more pipeline segments, one or more facilities, or one or more geographic areas. Smaller companies and LDC's may have just one overall program."

The City's natural gas system is a small company limited to less than 1,500 customers whose boundaries only encompass the area within our existing municipal limits. In the City's PAP Section A, designed as the statement of purpose provides:

The City of Buckley owns and operates its own local natural gas distribution company. The City receives natural gas from its City "gate" located at North River Avenue and distributes it throughout the distribution system. The gas distribution system consists of "gas mains" that are normally located along or under the City streets and smaller service lines that connect the mains to further distribute natural gas service through meters to local end-users - homes and businesses.

The overall goal of this City of Buckley Natural Gas System Public Awareness Program is to enhance public and environmental safety as well as property protection through increased public and key stakeholder awareness and knowledge.

The City believes that the characterizations and description included in Section A adequately meets the guidance in API - 1162 - 2.7 (Step 4). However, if more detail is needed then this needs to be clarified so that changes can be made and incorporated into the PAP.

3. 49 CFR §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:

- (1) Use of a one-call notification system prior to excavation and other damage prevention activities;
- (2) Possible hazards associated with unintended releases from a gas pipeline facility;
- (3) Physical indications that such a release may have occurred;
- (4) Steps that should be taken for public safety in the event of a gas pipeline release; and
- (5) Procedures for reporting such an event.

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

(f) The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas.

- a. **Finding(s) - Stakeholder Audience Identification:** Buckley's Program Administration failed to provide evidence of a plan that effectively identifies stakeholder audiences including recordkeeping and oversight.

*City Response:* The City was never advised of this issue nor were we asked to provide evidence of such. However, the City's PAP identifies stakeholder audiences in Tables C.1 through C.4 including affected public, emergency officials, local public officials and excavators. The Tables also list how each audience is defined. However, the actual list of stakeholder audiences did have errors that need to be corrected. These changes will be made and incorporated in the next 90 days.

- b. **Finding(s) - Stakeholder Audience Identification:** Buckley failed to provide comprehensive records used to determine each stakeholder audience.

*City Response:* The City was never advised of this issue nor were we asked to provide evidence of such. However, the City's PAP identifies stakeholder audiences in Tables C.1 through C.4 including affected public, emergency officials, local public officials and excavators. The Tables also list how each audience is defined, which is used to make the determination.

- c. **Finding(s) - Stakeholder Audience Identification:** Buckley failed to verify and review the accuracy of their stakeholder audience lists.

1. Emergency Officials

- i. Local Emergency Planning Commission (LEPC), but there is no LEPC organization identified in this list.
- ii. List includes Homeowners Associations/Groups, but there are no Homeowners Associations/Groups identified in this list.
- iii. Neighborhood Organizations, but there are no Neighborhood Organizations identified in this list.
- iv. Sheriff's Department is not included as a stakeholder in this list.
- v. City of Enumclaw is considered an emergency official by Buckley but it is not identified as a stakeholder in this list.

2. Public Officials- Buckley identified that the neighboring City of Enumclaw was included in their public officials stakeholder audience but PAP did not identify as such.

*City Response:* As indicated in the response to (a) above, the actual list of stakeholder audiences did have errors that need to be corrected. These changes will be made and incorporated in the next 90 days.

4. 49 CFR §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. **Finding(s) - Message frequency and message delivery:** Buckley failed to implement and deliver their baseline and supplemental message information in accordance with their written program for all stakeholder audiences.

*City Response:* Appendix X.4 of the City's PAP lists all records for public awareness communication. The record indicates that the City did conduct 33 separate communications during the review period. The City does concur that during this period it did fail to deliver one of the baseline message occurrences to excavators in 2011, and did fail to deliver one of the semi-annual newsletters to the general public in 2010 and 2011. In addition as discussed in #3 above errors were identified in the stakeholder list and as a result some of these

audiences did not receive messages. The City believes that all other messages were delivered pursuant to the PAP. The required changes will be made and incorporated in the next 90 days.

- b. **Finding(s)** - Message frequency and message delivery: Buckley failed to define the combination of message, delivery method, and delivery frequency to comprehensively reach all stakeholders. Buckley failed to remove template language from their PAP, such as reference to language in Frequencies of Supplemental Message "as necessary" uses the language • "Examples" in Section #2.

*City Response:* The City identifies the stakeholder audience, message type, delivery frequency and delivery method in Table C.5 of the PAP, so the City disagrees with the finding. We do however concur that refinement needs to be made to supplemental messaging. The list identified in section #2 of the "Regulatory Compliance" section is comprehensive and will be revised as suggested by the inspector. The changes will be made and incorporated in the next 90 days.

- c. **Finding(s)** - Message frequency and message delivery: Buckley failed to provide records for delivery method and delivery frequencies for:

1. Affected Public
2. Public Officials
3. Excavators

*City Response:* The City disagrees with this finding. The City supplied the inspector with numerous documents to include signature sheets, copies of newsletters, power point presentations, surveys and Appendix X.4 of the City's PAP, which listed all public awareness communication. Records were missing for those communications that never occurred as discussed in #4(a) above.

5. 49 CFR §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.
- (i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies.

**Finding(s) -Written Evaluation Plan:** Buckley failed to evaluate their program implementation and effectiveness including required evaluation frequency.

- a. Buckley failed to provide records showing completion of annual evaluations.
- b. Buckley's written program evaluation plan is ineffective and missing procedures for completion of activities. Buckley does not have a process to complete recordkeeping and oversight activities in their plan.
- c. Buckley failed to document their sample size and margin-of-error for stakeholder audience surveys and feedback for baseline and effectiveness evaluations.
- d. Buckley failed to provide records regarding continual improvements as a result of their self-assessment tasks.

*City Response:* The City disagrees with the finding. The City provided the inspector with copies of signed annual evaluation forms for each year of the review period.

Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162. At the end of the evaluation period the City completed a basic report entitled "Natural Gas System Public Awareness Program Effectiveness". The report detailed communication, surveys and results, including sample size and number of responses for "each stakeholder audience" including general public, gas customers, local public officials, emergency responders and excavators. The City tracked and correlated this

to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached, measures to improve the delivery to specific stakeholder audiences were listed at the end.

The City provided the inspector with several documents including "management of change table", records of public awareness communication and actual revisions to messaging that demonstrated an evolution of the type and quantity of information. The City will continue to revise and refine the message and delivery to affect the bottom-line results.

**6. 49 CFR §192.616 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.**

**Finding(s) - English and other languages:** Buckley's plan failed to identify the threshold and frequency process by which they will determine the need for an alternate language review.

*City Response:* As discussed in question #2 above, the City's natural gas system is a small company limited to less than 1,500 customers whose boundaries only encompass the area within our existing municipal limits. The City owns and operates five separate utilities including natural gas, water, sewer, solid waste and stormwater. Based on the limited size and service area, the administration and billing department are well aware of the extremely small number of non-English speaking population in the area. Based on first-hand knowledge there is currently no significant number and/or concentration of non-English speaking population in the area and the City doesn't anticipate this changing any time in the near future.

If there is a need to specify this in our PAP then the City would like to have clarification from WUTC.

**7. 49 CFR §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:**
- (1) Use of a one-call notification system prior to excavation and other damage prevention activities;
  - (2) Possible hazards associated with unintended releases from a gas pipeline facility;
  - (3) Physical indications that such a release may have occurred;
  - (4) Steps that should be taken for public safety in the event of a gas pipeline release; and
  - (5) Procedures for reporting such an event.
- (f) **The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas.**
- a. **Finding(s) - Message type and content:** Buckley failed to provide records to verify all information was delivered to each of the stakeholder audiences.
  - b. **Finding(s) - Message type and content:** Buckley failed to provide evidence that all required message type and content were delivered to each of the primary stakeholder audiences.

*City Response:* As indicated in the response to question #4(a) above, Appendix X.4 of the City's PAP lists all records for public awareness communication. The record indicates that the City did conduct 33 separate communications during the review period. The City does concur that during this period it did fail to deliver one of the baseline message occurrences to excavators in 2011, and did fail to deliver one of the semi-annual newsletters to the general public in 2010 and 2011. In addition as discussed in #3 above errors were identified in the stakeholder list and as a result some of these audiences did not receive messages. The City believes that all other messages were delivered pursuant to the PAP. The required changes will be made and

incorporated in the next 90 days.

**8. 49 CFR §192.616 Public Awareness.**

- (e) The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.
- (f) The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas.

**Finding(s)** - Messages on pipeline facility locations: Buckley failed to provide evidence that they delivered Buckley's emergency plan to Public Officials, Emergency Officials (including Sheriff's Department), and Excavator stakeholders as identified in the PAP.

*City Response:* Emergency Response Information is listed within Appendix X.1 of the PAP. Language in this plan has been used in drafting the City's Natural Gas brochure that is available in various places throughout the City including during permit issuance. The information is also posted on the City's website for download and is included in annual newsletters, contractor breakfasts and emergency responder meetings. Some stakeholders did fail to receive the information due to the reason stated in the response to questions #4(a) and #8 above.

**9. 49 CFR §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. **Finding(s)** - Baseline Message Delivery Frequency: Buckley failed to provide records evidencing what they provided to all stakeholders in each and every identified message that they were to deliver.

b. **Finding(s)** - Baseline Message Delivery Frequency: Buckley failed to provide records evidencing when they provided information to all stakeholders in each and every identified message that they were to deliver.

*City Response:* The City supplied the inspector with numerous documents to include signature sheets, copies of newsletters, power point presentations, surveys and Appendix X.4 of the City's PAP, which listed all public awareness communication. Records were missing for those communications that never occurred as discussed in #4(a) above.

**10. 49CFR §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.

**Finding(s)** - Considerations for Supplemental Program Enhancements: Buckley considered relevant factors for supplemental enhancements but failed to effectively address them.

- a. Buckley failed to provide documentation that audiences were provided all of the information content described in their plan.
- b. Buckley failed to address supplemental messages and activities with the required frequency for all stakeholders.

City Response: The City disagrees with this finding. Supplemental enhancements and frequency are identified in Table C.5 and Section #2 of the "Regulatory Compliance" section. Based on the criteria in the PAP the City has not identified a need for supplemental notification during the review period. The City would like further clarification of this issue.

**11. 49 CFR§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. **Finding(s)** - Maintaining Liaison with Emergency Response Officials: Buckley's plan failed to identify how they will maintain their liaison relationship with all required emergency officials. (Buckley identifies the City of Enumclaw as a Public Official stakeholder- if Enumclaw complete emergency response for the City of Buckley; they should be added to Buckley's emergency response official's stakeholder listing).

City Response: In Section #3 of the "Regulatory Compliance" section the PAP provides information on Emergency Responder Liaison Activities. Table C.6 in this section provides an Emergency Contact List, which lists contacts from the City of Enumclaw. The section also provides that "as part of the Citywide Emergency Operation Plan and Public Awareness Program, the Gas Department will periodically, but not less than once annually, meet and/or train with Fire, Police and other local Emergency Response officials to coordinate and share information about responding to gas emergencies. Record of these coordination meetings shall be documented using the Coordination Form in Appendix P of the Gas System Operation and Maintenance Manual."

Signature sheets with attendance records for these annual Emergency Responder meetings were presented to the inspector during review of our PAP. The one deficiency was the fact that the City of Enumclaw was not present at these meetings; however, the City has no formal mutual aid agreement with the agency for 1<sup>st</sup> response. The City intends to pursue further communication with both the City of Enumclaw and PSE to determine the need and potential for executing this type of agreement.

- b. **Finding(s)** - Maintaining Liaison with Emergency Response Officials: Buckley failed to provide records evidencing the maintaining of a liaison relationship with all required emergency officials.

City Response: Signature sheets with attendance records for these annual Emergency Responder meetings were presented to the inspector during review of our PAP.

- c. **Finding(s)** - Maintaining Liaison with Emergency Response Officials: Buckley failed to provide records evidencing what/whether emergency response organizations have adequate and proper resources to respond: Buckley's PAP does not include any mutual assistance information.

City Response: See (a) and (b) above.

**12. 49 CFR §192.615 Emergency plans.**

(c) Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to:

- (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;
- (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;
- (3) Identify the types of gas pipeline emergencies of which the operator notifies the

- officials; and,
- (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.
- a. **Finding(s):** Buckley failed to provide records evidencing they have established and maintained liaison with appropriate fire, police, and other public officials.

*City Response:* See (a) and (b) in #11 above.

- b. **Finding(s):** Buckley failed to provide records evidencing that they learned the responsibility and resources of each government organization that may respond to a gas pipeline emergency. (Buckley's PAP identifies they will also provide a copy of their emergency plan to public officials).

*City Response:* 1<sup>st</sup> responders for the City's Natural Gas System consist of internal public works gas operators, fire department personnel and police department personnel. Representatives of each department are present at annual meetings conducted for emergency response, a record of which has been provided to the inspector. Availability of resources within the City as a whole is known; however if adjustments to our program need to be made to memorialize this then the City is asking for further clarification and guidance.

**13. 49 CFR §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.
- (i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies.
- a. **Finding(s) - Measuring program implementation:** Buckley failed to include a process for the completion of self-audits.

*City Response:* The City disagrees with the finding. The City provided the inspector with copies of signed annual evaluation forms for each year of the review period.

Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162.

- b. **Finding(s) - Measuring program implementation:** Buckley's PAP failed to include methodologies used to measure their program implementation.

*City Response:* The City disagrees with the finding. Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162.

**14. 49 CFR §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.

**Finding(s) - Acceptable methods for program implementation audits:** Buckley failed to identify the method used to complete the PAP annual audit/review of its program implementation.

City Response: The City disagrees with the finding. Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162.

**15. 49 CFR §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. **Finding(s) - Program Changes and Improvements:** Buckley failed to develop and implement changes in its program as a result of their annual assessment audit.
- b. **Finding(s) - Program Changes and Improvements:** Buckley's plan failed to identify a timeframe for changes/improvements/corrective action documented in their annual audit/review.

City Response: The City disagrees with this finding. The City provided the inspector with several documents including "management of change table", records of public awareness communication and actual revisions to messaging that demonstrated an evolution of the type and quantity of information.

Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162. Paragraph #5 of this section provides;

"Remedial Action. Based upon information obtained from the program evaluation and make changes to the program accordingly. After the initial survey, improvements will be incorporated into the program and update every 4 years thereafter, unless major redesign of the program is implemented."

Paragraph #6 of this section provides; "Summary Baseline Evaluation. A summary of the baseline evaluation program is as follows in Table E.1";

**Table E.1**

<b>Evaluation Approaches</b>	<b>Evaluation Techniques</b>	<b>Evaluation Frequency</b>
Self Assessment of Implementation	Internal staff review and audit	Annually
	Regulatory inspection	Once every two years
Pre-Test of Evaluation Materials	In -house Utilities Subcommittee Review	Upon design or major redesign of public awareness materials or messages
Evaluation of effectiveness of program implementation: <ul style="list-style-type: none"> <li>▪ Outreach</li> <li>▪ Level of Knowledge</li> <li>▪ Changes in Behavior</li> <li>▪ Bottom-line results</li> </ul>	<ol style="list-style-type: none"> <li>1. Survey: to assess outreach efforts, audience knowledge and changes in behavior using operator design survey in Appendix III sent to targeted stakeholder sampling groups</li> <li>2. Review notifications and incidents to determine anecdotal changes in behavior.</li> <li>3. Documented records and industry comparisons of incidents to evaluate bottom-line results.</li> </ol>	<p>No more than 4 years apart.</p> <p>More frequently as a supplement or upon major redesign of the program.</p>
Implement changes to the Public Awareness Program as assessment methods suggest	As designated by Program Administration	As required by evaluation findings.

*As illustrated in both paragraph #5 & #6 above frequency and timing of changes and/or improvements are to occur as assessment methods suggest and as required by evaluation findings. In other words on a continuous basis as deficiencies are noted as a result of evaluations.*

API – 1162 – 2.7 (Step 12) “Implement Continuous Improvement”[in part]

- Determine program changes or modifications based on results of the evaluation to improve effectiveness.
- Document program changes.
- Determine future funding ...
- Implement changes.

*Based on a review of the guidelines provided under API 1162 and language within the City’s PAP Section E., we believe that our existing method and/or timeline of updating/improving/changing the program continuously based on deficiencies noted as a result of evaluations fully meets the general program recommendations. However, the City concurs that there are corrections that need to be made to the remedial action language because it is incomplete. These corrections will be made and incorporated into the PAP within 90 days.*

*If more is needed then the City needs additional clarification and/or guidance from WUTC.*

**16. 49 CFR§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.**

**Finding(s) - Evaluating program effectiveness:** Buckley failed to complete an effectiveness evaluation of their program that meets with regulatory requirements.

**City Response:** *The City disagrees with this finding. As stated in the response to question #5 above, the City provided the inspector with copies of signed annual evaluation forms for each year of the review period.*

*Evaluation of the City’s PAP is listed in Section E of the program manual and is based entirely on API – 1162. At the end of the evaluation period the City completed a basic report entitled “Natural Gas System Public Awareness Program Effectiveness”. The report detailed communication, surveys and results, including sample size and number of responses for “each stakeholder audience” including general public, gas customers, local public officials, emergency responders and excavators. The City tracked and correlated this to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached, measures to improve the delivery to specific stakeholder audiences were listed at the end.*

**17. 49 CFR §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.**

**Finding(s) - Measure program outreach:** Buckley failed to measure program outreach by tracking actual program outreach for each stakeholder audience within all areas along all assets and systems covered by their program.

City Response: The City disagrees with this finding. As indicated in question #2 above, API – 1162 – 2.7 (Step 4) states that “the overall program may be a single Public Awareness Program for all pipeline assets, or may be divided into individual, asset-specific programs for one or more specific pipeline systems, one or more pipeline segments, one or more facilities, or one or more geographic areas. Smaller companies and LDC’s may have just one overall program.”

The City is a small system where the PAP encompasses a single program for all pipeline assets. Evaluation of the City’s PAP is listed in Section E of the program manual and is based entirely on API – 1162.

At the end of the evaluation period the City completed a basic report entitled “Natural Gas System Public Awareness Program Effectiveness.” The report detailed communication, surveys and results, including sample size and number of responses for “each stakeholder audience” including general public, gas customers, local public officials, emergency responders and excavators. The City tracked and correlated this to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached measures to improve the delivery to specific stakeholder audiences were listed at the end.

The City will continue to revise and refine the message and delivery to affect the bottom-line results.

**18. 49 CFR §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.

**Finding(s) - Measure percentage stakeholder reached:** Buckley failed to demonstrate how they measure the percentage of stakeholders reached.

City Response: As discussed in question #17 above, the City completed a basic report entitled “Natural Gas System Public Awareness Program Effectiveness.” The report detailed communication, surveys and results, including sample size and number of responses for “each stakeholder audience” including general public, gas customers, local public officials, emergency responders and excavators. The City tracked and correlated this to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached, measures to improve the delivery to specific stakeholder audiences were listed at the end.

The City did fail, in the report, to estimate the percentage of stakeholders reached within the geographic target area. These numbers will be estimated and added to the report in the next 90 days.

**19. 49 CFR §192.616 Public Awareness.**

- (c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP j 162, 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.

**Finding(s) - Measure understandability of message content:** Buckley failed to evaluate effectiveness and assess the percentage of intended stakeholder audiences that understood and retained the key information in messages received, within all assets and systems covered by its program,

City Response: The City disagrees with this finding. As discussed in question #17 above, the City completed a basic report entitled "Natural Gas System Public Awareness Program Effectiveness." The report detailed communication, surveys and results, including sample size and number of responses for "each stakeholder audience" including general public, gas customers, local public officials, emergency responders and excavators.

Beginning on page #7 of the report with evaluation question #2, the City assessed understandability of message content for "each stakeholder audience" including public, local public officials, emergency responders and excavators.

The City tracked and correlated this to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached, measures to improve the delivery to specific stakeholder audiences were listed at the end.

**20. 49 CFR §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.

**Finding(s) - Measure Desired Stakeholder Behavior:** Buckley failed to evaluate effectiveness and examine results to determine if the stakeholders have demonstrated the intended learned prevention behaviors.

City Response: The City disagrees with this finding. As discussed in question #17 above, the City completed a basic report entitled "Natural Gas System Public Awareness Program Effectiveness." The report detailed communication, surveys and results, including sample size and number of responses for "each stakeholder audience" including general public, gas customers, local public officials, emergency responders and excavators.

Beginning on page #11 of the report with evaluation question #3, the City assessed effectiveness and examined results to determine if the stakeholders have demonstrated the intended learned prevention behaviors for stakeholders.

The City tracked and correlated this to the record of public awareness communications listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results. Based on the conclusion reached measures to improve the delivery to specific stakeholder audiences were listed at the end.

**21. 49 CFR §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.

**Finding(s) - Measure Bottom-Line Results:** Buckley considered but failed to evaluate effectiveness and examine bottom-line results of its program.

City Response: The City disagrees with this finding. As discussed in question #17 above, the City completed a basic report entitled "Natural Gas System Public Awareness Program Effectiveness". The report detailed communication, surveys and results, including sample size and number of responses for "each stakeholder audience" including general public, gas customers, local public officials, emergency responders

and excavators.

Beginning on page #13 of the report with evaluation question #4, the City assessed the record of public awareness communications, including surveys, listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results for "each stakeholder audience" including public, local public officials, emergency responders and excavators.

Based on the conclusion reached, the City identified areas of improvement needed for two of the four stakeholder audiences and listed measures to improve the delivery to these stakeholder audiences at the end.

**22. 49 CFR §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. **Finding(s)** - Program changes: Buckley's PAP failed to include procedures for implementation of program changes.

City Response: Same as response to question #15, the City disagrees with this finding. Evaluation of the City's PAP is listed in Section E of the program manual and is based entirely on API – 1162. Paragraph #5 of this section provides:

"Remedial Action. Based upon information obtained from the program evaluation and make changes to the program accordingly. After the initial survey, improvements will be incorporated into the program and update every 4 years thereafter, unless major redesign of the program is implemented."

Paragraph #6 of this section provides; "Summary Baseline Evaluation. A summary of the baseline evaluation program is as follows in Table E.1";

Table E.1

<i>Evaluation Approaches</i>	<i>Evaluation Techniques</i>	<i>Evaluation Frequency</i>
<i>Self Assessment of Implementation</i>	<i>Internal staff review and audit</i>	<i>Annually</i>
	<i>Regulatory inspection</i>	<i>Once every two years</i>
<i>Pre-Test of Evaluation Materials</i>	<i>In -house Utilities Subcommittee Review</i>	<i>Upon design or major redesign of public awareness materials or messages</i>
<i>Evaluation of effectiveness of program implementation:</i> <ul style="list-style-type: none"> <li>▪ <i>Outreach</i></li> <li>▪ <i>Level of Knowledge</i></li> <li>▪ <i>Changes in Behavior</i></li> <li>▪ <i>Bottom-line results</i></li> </ul>	<ol style="list-style-type: none"> <li><i>1. Survey: to assess outreach efforts, audience knowledge and changes in behavior using operator design survey in Appendix III sent to targeted stakeholder sampling groups</i></li> <li><i>2. Review notifications and incidents to determine anecdotal changes in behavior.</i></li> <li><i>3. Documented records and industry comparisons of incidents to evaluate bottom-line results.</i></li> </ol>	<p><i>No more than 4 years apart.</i></p> <p><i>More frequently as a supplement or upon major redesign of the program.</i></p>

Implement changes to the Public Awareness Program as assessment methods suggest	As designated by Program Administration	As required by evaluation findings.
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As illustrated in both paragraph #5 & #6 above frequency and timing of changes and/or improvements are to occur as assessment methods suggest and as required by evaluation findings. In other words on a continuous basis as deficiencies are noted as a result of evaluations.

API – 1162 – 2.7 (Step 12) “Implement Continuous Improvement”[in part]

- Determine program changes or modifications based on results of the evaluation to improve effectiveness.
- Document program changes.
- Determine future funding ...
- Implement changes.

Based on a review of the guidelines provided under API 1162 and language within the City’s PAP Section E., we believe that our existing method and/or timeline of updating/improving/changing the program continuously based on deficiencies noted as a result of evaluations fully meets the general program recommendations.

If this is not true then the City needs additional clarification and/or guidance from WUTC.

- b. **Finding(s) - Program changes:** Buckley failed to address why no improvements for stakeholder groups are included in bottom line results for changes.

City Response: The City disagrees with this finding. At the end of the evaluation period the City completed a basic report entitled “Natural Gas System Public Awareness Program Effectiveness.” The report detailed communication, surveys and results, including sample size and number of responses for “each stakeholder audience” including general public, gas customers, local public officials, emergency responders and excavators.

Beginning on page #13 of the report with evaluation question #4, the City assessed the record of public awareness communications, including surveys, listed in Appendix X.4 and historical record of damage statistics to conclude whether or not implementation of the program was affecting bottom-line results for “each stakeholder audience” including public, local public officials, emergency responders and excavators. Evaluation of #4 and improvements are included below;

**Evaluation Question #4:**

- Is implementation of the program affecting bottom-line results? Through analysis and evaluation of target survey results, face to face discussion with excavating contractors, low incidence of damage through incident statistics and tracking, and emergency response characteristics the City can conclude that the program is effective. However the analysis has identified areas that could be improved to enhance the communication of information to target audiences as follows;
  - a. Public survey results from the telephonic survey conducted in September, 2011 reveal that a low percentage of natural gas customers are aware of the information being distributed in their utility bill inserts. Although the information is getting to the audience the message is not being seen or heard. Therefore future actions and/or alternate delivery methods to remediate this lack of communication may consist of one or more of the following;
    - ~ Revising the message format (font size, color, photos, etc.) in the utility newsletter;
    - ~ Distributing gas information from a booth at the annual Logger’s Rodeo;

- ~ Distributing gas information from a booth at the annual National Night Out event;
  - ~ Delivering door hangers and recording visits when call to individual residences for service.
- b. Emergency responder survey results indicate that there was a lack of knowledge from Police Department personnel concerning pipeline safety. Results illustrate that 20% had not received or seen information in the last 12 months; 26.7% were not aware that the City has a response plan and/or had received training in leak response. This reveals that additional action is warranted. Actions to take to remediate this lack of communication may consist of one or more of the following;
- ~ Ensure that each emergency responder has a copy of the City's pipeline safety handout and any corresponding updates and/or amendments; and
  - ~ Ensure that a copy of the City's emergency response plan is delivered to each emergency responder; and
  - ~ Scheduling annual leak response training by the City's lead operator to both the Police, Fire and 911 Dispatch departments.
- c. **Finding(s)** - Program changes: Buckley's PAP failed to include a definition, recordkeeping, and procedure associated with the program language "Targeted distribution of print materials".

City Response: "Targeted distribution of print materials "is a term used in the City's PAP as a method of outreach/notification under the City's supplemental activity. This term is clearly identified in API – 1162 – 5.1 which states; "The use of print materials is an effective means of communicating with intended audiences. Because of the wide variety of print materials, operators should carefully select the type, language and formatting based on the audience and message to be delivered. Generally, an operator will use more than one form of print materials in its Public Awareness Program."

API – 1162 – 5.1 goes on to identify various types to include brochures, flyers, pamphlets, leaflets, letters, maps, response cards and bill stuffers.

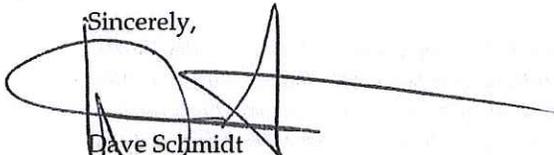
The City utilizes all of these methods depending upon the situation/circumstance including the audience and message to be delivered.

Record keeping is distinctly called out in Section D of the PAP and the procedure is part of the "supplemental frequency" guidelines listed in the PAP, as well.

Therefore this finding is somewhat confusing and the City would like to have additional clarification on this issue.

The City appreciates the knowledge, expertise, cooperation and assistance of the safety inspector(s) during the latest inspection. Our goal is to "provide natural gas and operate the system in a manner that maximizes safety and service to its customers. If I can provide further information or clarify this response in any way, please feel free to contact me at Buckley City Hall (360) 829-1921 ext 200. Thank you.

Sincerely,



Dave Schmidt  
City Administrator