

TR Number	23-13
Primary	192.616
Purpose	To review recently issued PHMSA FAQs issued in May 2023 on public awareness and determine if additional guide material is needed
Origin/Rationale	
Assigned to	DP/ER Task Group

## Section 192.616

### 1 GENERAL

(a) The public education program should be tailored to the type of pipeline operation (transmission, distribution, gathering) and the environment traversed by the pipeline. Section 192.616(b) requires the operator to assess the unique attributes and characteristics of the operator's facilities. The public education program must should include regulated pipelines that are currently transporting gas and inactive lines that are still being maintained by the operator and that could be placed back into service.

Operators in the same area should attempt to coordinate their program activities to properly direct reports of emergencies and to avoid inconsistencies.

(b) Operators of Part 192 regulated gathering lines must follow the requirements for gathering lines as outlined in API RP 1162 (see §192.7 for IBR). (§192.616(b) and (c)).

(c) Some activities performed as requirements for public awareness may also be used to satisfy similar program requirements under §§192.614, 192.615, 192.620(d)(2), and 192.935.

(d) Operators of petroleum gas distribution systems or smaller natural gas systems ...

### 2 API RP 1162

#### 2.1 Recommended Practice (RP).

Guidance provided in API RP 1162 ~~(see §192.7 for IBR)~~ is represented as "recommended practices"; however, §192.616(b) and (c) require the operator to follow the general program recommendations of API RP 1162 unless the operator justifies in its written program or procedural manual why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety. There are several versions of API RP 1162. The operator must use the version incorporated by reference in §192.7. API RP 1162 includes appendices that provide additional information and resources, but do not specify additional requirements. The appendices provide guidance but are not mandatory.

#### 2.2 Written public awareness program.

(a) — Each operator must develop and follow a written Public Awareness Program (PAP) (see §192.616(a)). The general elements that must be included in the PAP are described in API RP 1162. Elements include:

(1) — Stakeholder audiences.

(2) — Message content.

(3) — Message delivery methods and/or media.

(4) — Recommendations for supplemental enhancements of baseline PAP.

(5) — Program documentation and recordkeeping.

(6) — Program evaluation and effectiveness.

- (a) The Public Awareness Program (PAP) should identify operator personnel responsible for each activity identified in the PAP. Listing personnel by job title rather than name may minimize the need to revise the PAP when individuals change jobs.
- (b) Operators may use external support resources or third-party vendors to develop, implement, and/or evaluate their PAP. If external support is used, the operator is still responsible required to comply with federal requirements and be prepared to demonstrate compliance with §192.616 and API RP 1162 requirements during inspections.

2.23 Stakeholder audiences. ...

2.34 Message content. ...

2.45 Additional information. ...

2.56 Message delivery methods.

- (a) Guidance is provided in API RP 1162, Section 5 for several delivery methods and tools available for communicating with the stakeholder audiences. See 2.4 of the guide material under §192.614 for additional information regarding delivery methods for excavators and the affected public. However, the operator is required by §192.616(c) to justify in its program or procedural manual if it does not follow the general program recommendations of API RP 1162 regarding message delivery methods.
- (b) Operators may choose to collaborate with other operators of similar pipeline systems to deliver public awareness messages that are common to each participating operator. For example, operators of gas distribution systems in a region may collaborate to deliver common safety messages such as “Call if you smell gas” or “Call before you dig”. Such collaborative programs can offer benefits such as pooling resources to increase the effectiveness of outreach efforts, minimizing duplication of messages to target audiences, avoiding inconsistencies, and directing reports of emergencies to the appropriate operator.
- (c) Operators using collaborative programs should confirm that the programs convey the required messages, deliver messages at the intervals/frequencies specified in their PAPs, and meet the individual objectives of their PAP.

2.7 Program evaluation.

- (a) API RP 1162 requires that operators conduct two different program evaluations.
  - (1) Program implementation evaluation.

The operator must assess whether the PAP addresses the objectives, elements and baseline schedule prescribed in API RP 1162 and whether all elements of the PAP have been implemented and documented as required by the PAP (API RP 1162, Section 8.5). The operator must conduct the program implementation evaluation at least annually or as specified in the operator’s written PAP, whichever is more frequent. (API RP 1162, Section 8.5)
  - (2) Program effectiveness evaluation.

The operator must evaluate whether the PAP is achieving its intended goals and objectives (API RP 1162) by conducting a program effectiveness evaluation at least every four years or as specified in the operator’s written PAP, whichever is more frequent (API RP 1162, Section 8.5). The program effectiveness evaluation should include the following.

    - (i) Gathering data from each of the stakeholder audiences.
    - (ii) Analyzing the gathered data to determine the extent to which the program objectives are achieved for each stakeholder audience. The analysis should compare the most recent program evaluation results with results of prior evaluations (e.g., “the baseline”) to identify potential trends and determine if

changes to the PAP are necessary. The analysis may include calculating the statistical margin of error and confidence level of the results. Common statistical methods for identifying trends include but are not limited to regression analysis and the Mann-Kendall test.

- (iii) An industry-conducted or other 3<sup>rd</sup>-third-party survey may be used for an operator's program effectiveness evaluation, provided the operator can extract from the broader survey results information specific to its system.

- (b) See Guide Material Appendix G-192-3 for additional guidance on effectiveness evaluations.

## 2.8 Recordkeeping

- (a) Records demonstrating compliance with the written PAP may include the following.
  - (1) Stakeholder lists.
  - (2) Materials used to communicate required messages to each stakeholder audience, such as copies of written materials, web pages, radio and TV scripts, and documentation of any other delivery method specified in the written plan.
  - (3) Documentation of when and to which stakeholder audience(s) each item listed under (b) was delivered.
  - (4) Results of program evaluations.
  - (5) Other documentation necessary to demonstrate compliance with the written PAP.
- (b) Records must be maintained for at least five years or as defined in the operator's written PAP according to the operator's recordkeeping procedures, whichever is longer (API RP 1162, Section 8.1).

## **3 LANGUAGE**

Section 192.616(g) requires that the program 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. The following may provide indications of languages in addition to English to consider when conducting public education programs.

- (a) Languages prescribed by state or local governments for election ballots, educational purposes, or other public purposes.
- (b) Commercial non-English radio, television, and print media.
- (c) U.S. Census data.

## ~~4 PROGRAM EFFECTIVENESS EVALUATION~~

~~See Guide Material Appendix G-192-3.~~

## 54 REFERENCES ...