

**Public Awareness Program  
Frequently Asked Questions (FAQs)**

Updated: September 6, 2011

These frequently asked questions (FAQs) and their responses are intended to provide insight into PHMSA's approach to the issues they describe. They are intended to facilitate understanding of the public awareness program rule, enhance communication with all stakeholders, and provide information to operators concerning PHMSA's inspection approach. Nothing in these FAQs alters the content of the rules, constitutes new requirements, or represents interpretations of the rules.

**1. *Where can I find public awareness program (PAP) regulations?***

Federal pipeline safety regulations, pertaining to pipeline operator public awareness (PAP), can be found under [§192.616](#), for transportation of natural gas or other gas by pipeline) and [§195.440](#), for transportation of hazardous liquids by pipeline.

Pipeline operators (except for an operator of a master meter or petroleum gas system covered under [§192.616\(j\)](#)) 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, "Public Awareness Programs for Pipeline Operators"](#) (1<sup>st</sup> edition, incorporated by reference, see [§192.7](#) or [§195.3](#)).

**2. *What are the PAP requirements of an operator?***

Pipeline operators are required to follow the requirements outlined in §192.616 and/or §195.440. The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides written justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and unnecessary for safety.

**3. *When are pipeline operators required to conduct a public awareness effectiveness evaluation?***

In order to comply with the regulatory requirements specified in the natural gas regulations under 49 CFR §192.616 and the hazardous liquid regulations under 49 CFR §195.440, pipeline operators are required to conduct periodic PAP effectiveness evaluations no more than four years apart following the effective date of program implementation. For example, if a pipeline operator implemented its PAP on June 20, 2006,

then the operator is required to complete an effectiveness evaluation no later than June 20, 2010. This requirement also pertains to inactive lines that are currently under the operator's PAP and still being maintained by the pipeline operator and that could go back in service (e.g., currently filled with nitrogen).

Regulated gas gathering line operators were required to establish a public awareness program by April 15, 2008, and will need to complete their effectiveness evaluations by April 12, 2010.

Operators of master meter or petroleum gas systems covered by § 192.616(j) are not required to complete the four-year effectiveness evaluation described in API RP 1162.

**4. *Are the terms “public education” and “public awareness” interchangeable?***

The terms “public education,” as used in the pipeline safety regulations, and “public awareness,” as used in API RP 1162, are considered synonymous and interchangeable for the purpose of pipeline operator PAP, as noted in the final rule [70 FR 28838] published on May 19, 2005.

**5. *What is the timeframe for regulators to conduct the operator PAP effectiveness inspections?***

Federal PAP inspections, including Interstate Agent Agreement inspections, will be completed by December 31, 2012. Intrastate jurisdictional agencies may conduct their PAP inspections in a similar timeframe or develop their own inspection plan and timeline to complete State inspections.

**6. *Will inspections cover the pipeline operator's entire Public Awareness Program) or will the inspection focus on program effectiveness evaluations and results only?***

PAP effectiveness inspection efforts will primarily focus on the operator's effectiveness evaluations, the results of those evaluations, and the steps taken to identify improvements and implement changes based on those evaluations. In addition, the inspections will include a general evaluation of each pipeline operator's PAP to establish a baseline on how the operator implemented its written program in the first effectiveness evaluation cycle. Where previous reviews are not adequate, the PAP effectiveness inspection may also verify that the PAP was developed on time and implemented according to API RP 1162 to meet requirements.

**7. *Will the PAP effectiveness inspection be a standalone inspection or part of an integrated inspection?***

PAP effectiveness inspections may be conducted as a standalone inspection or combined with other inspection activities.

**8. *Who will be conducting PAP effectiveness inspections?***

Both PHMSA and state pipeline safety personnel will inspect based on their appropriate regulatory authority. PHMSA Community Assistance and Technical Services (CATS) managers and other pipeline safety personnel may be involved with Federal inspection efforts. In addition, team inspections may be considered.

**9. *Will the PAP effectiveness inspections be prioritized?***

A risk-based prioritization approach may be considered when planning public awareness inspections. PHMSA is prioritizing pipeline operator inspections by gas transmission, hazardous liquid, and then gas distribution. In addition, the initial focus will be on larger operators (mileage or # of customers) that may have a greater potential to affect the public. Inspections will also focus on operators with prior incidents/accidents/violations relating to the public awareness requirements.

**10. *How long will the PAP effectiveness inspection take?***

The inspection duration may vary, from less than a day up to three days. The time depends largely on the size of the operator and how well the operator is prepared for the inspection.

**11. *What constitutes completion of an operator's PAP effectiveness evaluation?***

Gathering survey/assessment data alone does not constitute a pipeline operator's completion of a PAP effectiveness evaluation. The operator must be able to:

- Specify any findings or conclusions related to its program effectiveness, based on the gathered data;
- Identify and implement recommended changes and improvements to its program based on its conclusions; and
- Discuss the methodology used to evaluate its program effectiveness for all stakeholder audiences.

**12. Will PAP effectiveness inspections be conducted onsite at the pipeline operator's facility?**

PAPs effectiveness inspections may be conducted onsite at the pipeline operator's facility or in another appropriate location. PHMSA and State pipeline safety personnel will determine the appropriate inspection venue.

**13. What documentation should pipeline operators provide for the PAP effectiveness inspection?**

Operators should have their written PAP and records such as stakeholder lists, brochures, or pamphlets indicating message, documentation of sent messages, maps, procedures, plans, evaluation results, follow-up actions, and other relevant documentation that supports compliance.

Operators must maintain records of key program documentation to demonstrate compliance with the public awareness regulations. Under §192.616(c) and §195.440(c), each operators must follow the general program recommendations which include retaining records for each category listed in API RP 1162 Section 7.2 for a minimum of five (5) years, or as defined in the operator's PAP, whichever is longer.

**14. Where can I find the PAP inspection form?**

The Public Awareness Program Effectiveness Inspection Form (PHMSA Form-21) is available on PHMSA's website at: <http://phmsa.dot.gov/pipeline/library/forms>. PHMSA may update inspection documents as necessary.

**15. Where can I find the public awareness enforcement guidance document?**

The Public Awareness Enforcement Guidance for [gas](#) and [hazardous liquid](#) pipelines is also available. PHMSA may update these guidance documents from time to time, as necessary.

**16. Are the appendices in API Recommended Practice (RP) 1162 enforceable?**

As stated in the final rule, the appendices to API RP 1162 provide additional information and resources but do not specify additional requirements. The public awareness regulations only specify baseline and supplemental requirements; therefore, for inspection purposes, the API RP 1162 appendices are not enforceable. Appendices are intended to provide clarification, examples, and additional information and together can be viewed as a separate document.

**17. *Are generic messages acceptable?***

While collaboration is acceptable and encouraged, the operator's use of generic messages that are not specific to a particular pipeline system, stakeholder audience, and/or product information is likely to be unacceptable in most cases. If generic messages are used, operators are still required to ensure the baseline messages are communicated to each stakeholder audience group.

There may be limited cases when the use of generic messages is acceptable. If an operator uses generic messages, then the operator is required to demonstrate that their message content and distribution for each stakeholder audience meets the PAP requirements and is specifically appropriate to the unique attributes and characteristics of each pipeline system for which the message is used and appropriate to the specific stakeholder audiences to which the message is targeted.

**18. *Is there a required limit or percentage of delivery outreach messages to stakeholder audiences?***

The operator is required to deliver the baseline message to each stakeholder audience based on the delivery frequency outlined in the API RP 1162. The operator should determine the need for additional message delivery efforts based on the operator's results. Limits, rates, or percentages are not prescribed by regulators for sample sizes, outreach messages, or similar parameters. Instead, the expectation is for each pipeline operator to set these parameters and be able to explain the methodology used. The message delivery method, frequency, and content should be determined by the operator based on the operator's specific needs.

**19. *Will deficiencies not addressed previously from the Clearinghouse review be considered a violation?***

PHMSA issued a final rule on May 19, 2005, that required each operator of a gas or hazardous liquid pipeline to develop and implement a written continuing public education program. In June 2005, PHMSA issued Advisory Bulletin (ADB-06-02) requesting pipeline operators to submit their written PAP to the PHMSA Public Awareness Program Clearinghouse for review. PHMSA's Community Assistance and Technical Services (CATS) managers followed-up with pipeline operators, who submitted Public Awareness Programs to the Clearinghouse, regarding identified deficiencies. A pipeline operator may not be in compliance if the public awareness requirements, stated in the pipeline safety regulations, are not met and/or identified deficiencies have not been addressed.

**20. *Is it acceptable for each pipeline operator to set its own baseline, particularly since operators have completed only one cycle?***

Operators are required to follow the Federal pipeline safety regulations in 49 CFR §192.616(c) and/or §195.440(c). These regulations specify that an operator must follow the general program recommendations in API RP 1162 for both the baseline and supplemental requirements, unless the operator provides a valid written justification for program exclusions.

In addition, API RP 1162 requires that operator's written PAP, as well as the operator's actual records or documentation meet or exceed the baseline and supplemental delivery frequencies identified Tables 2-1 thru 2-3 of API RP 1162.

**21. *What are some examples of how to identify individuals within each stakeholder audience (affected public, local public officials, emergency officials, and excavators)?***

Information and examples of stakeholder audiences can be found in Sections 3.1, 3.2, 3.3, and 3.4 in API RP 1162, First Edition, December 2003.

**22. *Are pipeline operators permitted to use external resources or third-party vendors to support the development, implementation, and/or evaluation of their public PAP?***

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 required to comply with federal requirements and provide documentation, justifications, and methodologies during inspections.

**23. *Are pipeline operators required to use more than one message delivery per delivery period?***

The operator is required to deliver the baseline messages to each stakeholder audience based on the delivery frequencies outlined in API RP 1162. The operator should determine the need for additional message delivery based on the operator's results. The operator should determine the need for additional message delivery based on the operator's results. For example, if a large percentage of mailed documents were undeliverable, perhaps a second mailing would be warranted.

**24. *What annual audit methods are acceptable?***

As indicated in API RP 1162, there are three acceptable annual audit methods: internal self-assessments, third-party audits, or regulatory inspections.

**25. *Is the use of non-operations pipeline operator personnel acceptable for pre-testing PAP messages?***

The use of pipeline operator personnel not associated with or familiar with pipelines, pipeline operation, or pipeline terminology is one acceptable method to pre-test PAP messages.

**26. *Are all pipeline operator personnel responsible for the operator's public awareness program?***

The operator should specify relevant company personnel involved in PAP activities in its written PAP.

**27. *Can a pipeline operator combine two or more stakeholder audience groups into one process?***

Pipeline operators can combine stakeholder audiences into one process, provided the minimum message delivery requirements of API RP 1162 are met or exceeded. The messages, delivery methods, and delivery frequencies must be appropriate as needed for each audience.

**28. *Are pipeline operators required to provide messages in languages other than English for local public officials and emergency response officials since their activities require them to conduct their business primarily in English?***

Each operator is required to implement its program in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in its areas. Each operator should be able to provide the basis for their decisions with respect to this question.

**29. *How should operators proceed with ongoing PAP implementation?***

An operator must follow existing requirements, including baseline and supplemental requirements of API RP 1162. PHMSA and states have the option to conduct follow up inspections in the future to evaluate if operators have incorporated improvements from their program effectiveness evaluations into their PAP.

**30. *When does the next PAP e implementation cycle begin for operators?***

After a pipeline operator evaluates its program for effectiveness, the next implementation cycle begins. The operator should incorporate identified changes and improvements into its PAP and continue implementing the program.

**31. *Can an operator use an industry survey for its PAP effectiveness evaluation?***

An industry-conducted survey may be used for an operator's PAP effectiveness evaluation, provided the operator can extract information specific to the type of system, product, and geographic locations.