

 **IMTT-Pipeline**

A PARTNERSHIP

**Executive Office:** 321 St. Charles Avenue, New Orleans, La. 70130 (U.S.A.)  
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October 16, 2013

Mr. Byron Coy, PE  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration  
820 Bear Tavern Road, Suite 103  
West Trenton, NJ 08628

RE: CPF 1-2013-5014M and CPF 1-2013-5013W

Dear Mr. Coy,

In response to the PHMSA Notice of Amendment (NOA) and Warning Letters dated 24 July 2013, IMTT respectfully submits the following responses to the cited inadequacies. In July 2013, IMTT conducted an internal audit of the *IMTT-Pipeline Public Awareness Program*, developed an action plan in response to the findings of the audit, and revised the written program and supporting materials to address each action item. In addition, IMTT also incorporated several additional changes in response to the NOA and Warning Letters. The following Attachments contain the detailed responses to all identified citations listed in the PHMSA letters. Attachment A contains the IMTT responses for the NOA Letter citations; Attachment B contains the IMTT responses for the Warning Letter citations. IMTT also included Attachment C to provide PHMSA with a visual of the revised brochure.

IMTT respectfully requests that PHMSA acknowledge that IMTT has sufficiently addressed the cited NOA Letter (CPF 1-2013-5014M) and Warning Letter (CPF 1-2013-5013W).

If you have questions or comments, please feel free to contact me (contact details below).

Sincerely,



Richard Fisette  
Terminal Manager International Matex Tank Terminals (IMTT-Pipeline)  
Office: (201) 823-5301  
Email: [richardfisette@imtt.com](mailto:richardfisette@imtt.com)

## Attachment A: NOA Responses to CPF 1-2013-5014M

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Attachment A provides IMTT's responses to PHMSA's NOA Letter and the Exhibits to document IMTT's updates to its *IMTT-Pipeline Public Awareness Program*.

### 1. Notice of Amendment #1

**§195.440 Public Awareness.**

**(a) 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 §195.3).**

#### PHMSA Citation

IMTT's written continuing public education program, *IMTT-Pipeline Public Awareness Plan, 3rd Revision: May 2012*, was inadequate because it failed to reference the API RP 1162 edition as seen in §195.3. This does not ensure that the program was developed and implemented pursuant to API RP 1162, 1st edition, December 2003, as prescribed in §195.440(a).

#### IMTT Response

IMTT updated the Introduction and Scope section in the *IMTT-Pipeline Public Awareness Program* to state that it uses API RP 1162, 1st Edition, December 2003, as shown in Exhibit #1.

### 2. Notice of Amendment #2

**§195.440 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.**

#### PHMSA Citation

IMTT's written continuing public education program, *IMTT-Pipeline Public Awareness Plan, 3rd Revision: May 2012*, was inadequate because it failed to follow the general program recommendations under API RP 1162 Section 8.4 Measuring Program Effectiveness and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Specifically, the *IMTT-Pipeline Public Awareness Plan* lacks the specific details on determining program effectiveness for each individual stakeholder audience (affected public, emergency officials, local public officials, and excavators), determining sample size appropriate to draw general conclusions, and defining metrics/criteria/rational used to determine if a modification to the baseline program and/or supplemental program enhancements are necessary.

#### IMTT Response

In Section 12.1, Establish an Evaluation Process, Measure 4 – Bottom Line Results, IMTT updated *IMTT-Pipeline Public Awareness Program* to provide the types of bottom-line results tracked by IMTT as shown in Exhibit #2.

In Section 12.3: Determine Effectiveness of PA Program Activities, IMTT updated *IMTT-Pipeline Public Awareness Program* to provide the specific details on determining program effectiveness as shown in Exhibit #2. IMTT tracks information on the Annual Public Awareness Program Activities Tracking Form as shown in Warning Letter, Exhibit #5A.

## Exhibit 1. NOA Response #1

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<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>Introduction and Scope</b>

### Introduction and Scope

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In December 2003, the American Petroleum Institute (API) developed *Recommended Practice (RP) 1162* to provide guidance for operators of petroleum liquids and natural gas pipelines in the development and management of public awareness programs. *API RP 1162, 1<sup>st</sup> Edition, December 2003*, provides a framework for public awareness programs to help pipeline operators comply with federal regulatory requirements, as referenced in *Title 49 Code of Federal Regulations (CFR), Part 195*.

As a transporter of bulk liquid diesel, gasoline, heating oil, kerosene, and jet fuel, IMTT-Pipeline (IMTT) is committed to following the guidelines set forth in *API RP 1162*. IMTT developed and organized the Public Awareness Program (PA Program) based on the 12 Steps API defined within *API RP 1162*.

IMTT created its initial PA Program in May, 2006. IMTT provided the first public awareness materials in October of 2006 for emergency responders/officials. IMTT provided public awareness materials to local public officials in October and December of 2006, to excavators in October and December of 2006, and to the affected public in December of 2006. IMTT previously submitted its PA Program to the Clearinghouse on April 22, 2007, and IMTT addressed all Clearinghouse deficiencies.

The PA Program is for the exclusive use of IMTT and its employees. No employee may distribute or release this program or share information regarding this program to any person outside the company without the express written consent of executive management, except, as required by law and regulation, to a duly authorized officer of a law enforcement or regulatory agency.

## Exhibit 2. NOA Response #2

<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>12. Program Evaluation</b>

### Measure 1 – Outreach

This measurement indicates whether the 4 key audiences receive the public awareness communications. The third-party vendor tracks the following information:

- ◆ The size of the stakeholder audience with mailing lists for public awareness brochures.
- ◆ The number of response surveys returned from attendees at meetings for emergency responders/officials, local public officials, and excavators.
- ◆ The number of reply cards returned from the affected public.

The third-party vendor provides annual reports that include the specific numbers of stakeholders reached within each group based on the actual number of surveys returned at group meetings and of business reply cards returned by mail from the affected public.

IMTT also tracks the number of One-Call inquiries and other inquiries from stakeholders. IMTT responds to all requests for additional information whether by phone or business reply cards.

### Measure 2 – Understandability

- ◆ Pre-test all mail out/handout materials before giving to stakeholder audiences (using an internal audience or outside consultants). The third-party vendor measures the effectiveness of communication by pre-testing materials with focus groups for all 4 stakeholder audiences. Lessons learned from the focus groups are incorporated into all public awareness materials developed by the third-party vendor.
- ◆ Conduct surveys during events and meetings.
- ◆ Evaluate the results of the pre-test from the third-party vendor and surveys conducted during the events and meetings. Track these results on the Annual Public Awareness Program Activities Tracking Form. Adjust the messages sent to the 4 stakeholder audiences, if needed, based on the analysis of the results.

### Measure 3 – Desired Behavior

- ◆ Measure number of notifications to One-Call Centers and leak reports from stakeholder audiences. IMTT keeps One-Call notices and receives a monthly report from the New York One-Call Center.
- ◆ Measure number of excavations without 48 hour notifications using the Pipeline Encroachment Violation/Damage Education Form.
- ◆ Include questions in surveys (Measure 2) that ask respondents to report on actual behaviors following incidents.
- ◆ Record stakeholder responses to incidents (when possible) and compare to public awareness messages.

### Measure 4 – Bottom Line Results

- ◆ Monitor changes in the number and consequences of third-party incidents (include near misses and incidents that did/did not result in pipeline failure). Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to any of the 4 stakeholders need to be changed. IMTT evaluates the analysis of the bottom line results for each of the 4 stakeholders and tracks the results on the Annual Public Awareness Program Activities Tracking Form.

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<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>12. Program Evaluation</b>

**12.2. Determine Input Data Sources**

Measures 1 through 4, in Section 12.1 Establish an Evaluation Process, describe data sources from stakeholder audiences. IMTT also collects feedback from employees and external contractors as they implement the PA Program.

**12.3. Determine Effectiveness of PA Program Activities**

The third-party vendor conducts effectiveness surveys of meeting attendees through on-site anonymous surveys handed out during meetings and provides IMTT the data in an annual report. Since 2011, the third-party vendor mails business reply cards to the affected public with the public awareness mailing, tabulates the results, and provides a report of the compiled data. The third-party vendor uses data from the vendor report and <http://www.surveysystem.com/sscalc.htm> to determine the sample size of audiences for conducting effectiveness evaluation, for evaluating stakeholder feedback and surveys, and for measuring program outreach for the 4 stakeholder groups. Margin of error is calculated using the following standard error method:

$\sqrt{[0.9604 \cdot (X - Y)] / (X \cdot Y)}$			
Where	X	=	Population
	Y	=	Sample size

In 2013, IMTT will change its process of using business reply cards as a determination tool for the response of its mail outs to using a third-party vendor's in-house process for monitoring the number of documents mailed to each of the stakeholders and the percentage of that audience that has been reached.

The third-party's in-house process uses Delivery Point Verification (DPV) to analyze the deliverability of each address. DPV is the United States Postal Service (USPS) process for determining whether an address has a valid delivery point. IMTT uses the DPV Product to help confirm known USPS addresses and recognize potential addressing issues that may obstruct delivery.

As part of an increasing effort to improve the quality of data, the third-party vendor has established a procedure to address returned mail. Most returned mail involves only first-class or certified mailings, so the third-party vendor updates data mailed at first-class rates as follows:

- ◆ Returned mail to the third-party vendor is evaluated to determine the class of mail
- ◆ Nixie Codes (Return Reason)
  - ◆ Nixie codes classify the reason(s) an address was insufficient and not delivered, such as these codes having yellow stickers placed on the mail outs by a USPS employee
- ◆ Postal Carrier
  - ◆ Carrier markings/notes
- ◆ Recipient
  - ◆ Return to sender
- ◆ Melissa Data Address Check
  - ◆ Each address is compared to the website for status updates
- ◆ Confirmation of and/or updated address

<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>12. Program Evaluation</b>

- ◆ Third-party has generated suppression databases for returned addresses that resulted in an update by phone calls and Internet research
- ◆ Original addresses are suppressed, compared to all data each time it is refreshed, and taken out from future mailings
- ◆ Updated addresses are added to the third-party's in-house dataset and then analyzed for all future mailings.

The PA Administrator will use the results of the analysis from this process to determine if any supplemental changes need to be made to the PA Program or to the messages being sent to any of the 4 stakeholder audiences. The PA Administrator also verifies the results of the calculations from the third-party vendor and documents these results annually to determine changes needed to its PA Program. The PA Administrator uses this data from the vendor report to complete parts of the Annual Public Awareness Program Activities Tracking Form.

The PA Administrator reviewscalculates the percentages of the following:

- ◆ Stakeholders reached for each public awareness program activity
- ◆ The audience who understood and retained the key information in the message received based on data provided by the third-party in-house process
- ◆ Attendees surveyed from the Emergency Response Preparedness Report

The PA Administrator then documents this information on the Annual Public Awareness Program Activities Tracking Form to evaluate the percent effectiveness of each public awareness program activity and. The PA Administrator also continually evaluates the need for additional activities to reach members of audiences who may have been missed or who did not respond to the program activity. The PA Administrator will determine if additional supplementary materials need to be added based on the results of the evaluation of current activities and track results of the evaluation on the Annual Public Awareness Program Activities Tracking Form. IMTT uses the annual audit findings and results to improve the PA Program and/or the implementation process.

#### **12.4. Document Evaluation Results**

In compliance with *DOT 49 CFR Part 195.440*, IMTT completed an effectiveness evaluation of its PA Program on June 15, 2010, to meet the June 20, 2010, regulatory requirement. The PA Administrator documents the results of annual evaluations in the *Public Awareness Plan Effectiveness Evaluation Summary Report* and retains these documents in the Bayonne, New Jersey, office for 5 years.

## Attachment B: Warning Responses to CPF 1-2013-5013W

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Attachment B provides IMTT's responses to PHMSA's Warning Letter and the Exhibits to document IMTT's updates to its *IMTT-Pipeline Public Awareness Program*.

### 1. Warning #1

#### **§195.440 Public Awareness.**

**(a) 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 §195.3).**

#### **PHMSA Citation**

IMTT failed to develop a written continuing public education program that followed the guidance provided in API RP 1162 Section 4.2 Hazard Awareness and Prevention Measures.

Pursuant to API RP 1162 Section 4.2, "[o]perators should provide a very broad overview of potential hazards, their potential consequences, and the measures undertaken by the operator to prevent or mitigate the risks from pipelines. Additionally, operators should provide an overview of their preventative measures to help assure safety and prevent incidents." The *IMTT-Pipeline Public Awareness Plan* (including materials that were sent to stakeholders) did not contain information on the measures that IMTT undertakes to prevent or mitigate the risks from the pipelines or an overview of their preventative measures to help assure safety and prevent incidents.

#### **IMTT Response**

IMTT updated its brochure to include IMTT's preventative measures as shown in Exhibit #1.

### 2. Warning #2

#### **§195.440 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.**

#### **PHMSA Citation**

IMTT failed to develop a written continuing public education program that followed the guidance provided in API RP 1162 Section 4.3.4 Liaison with Emergency Officials.

Pursuant to API RP 1162 Section 4.3.4, the message content should have "information that describe[s] the ongoing relationship between the operator and local emergency response officials to help prevent incidents and assure preparedness for emergencies." The *IMTT-Pipeline Public Awareness Plan* (including material sent to the affected public and excavators stakeholders) did not describe an ongoing relationship between the IMTT and local emergency response officials.

#### **IMTT Response**

IMTT updated its brochure to include information about its liaison with emergency officials as shown in Exhibit #2.

### 3. Warning #3

**§195.440 Public Awareness.**

**(a) 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 §195.3).**

**PHMSA Citation**

IMTT failed to develop a written continuing public education program that followed the guidance provided in API RP 1162 Section 4.5 Damage Prevention.

Pursuant to API RP 1162 Section 4.5, "[b]ecause even relatively minor excavation activities can cause damage to a pipeline or its protective coating or to other buried utility lines, it is important that operators raise the awareness of the need to report any suspected signs of damage." The *IMTT-Pipeline Public Awareness Plan* (including material sent to the affected public and excavators stakeholders) did not include information to raise the awareness of the need to report any suspected signs of damage.

**IMTT Response**

IMTT updated its brochure to include information on how to report suspected signs of damage as shown in Exhibit #3A

In Section 3.2, Identify Roles and Responsibilities, IMTT updated *IMTT-Pipeline Public Awareness Program* to include how includes excavation activities in its PA Program as shown in Exhibit #3B.

### 4. Warning #4

**§195.440 Public Awareness.**

**(a) 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 §195.3).**

**PHMSA Citation**

IMTT failed to develop a written continuing public education program that followed the guidance provided in API RP 1162 Section 4.11 Security.

Pursuant to API RP 1162 Section 4.11, "[w]here applicable and in accordance with the national Homeland Security efforts, pipeline operators should communicate an overview pertaining to security of their pipelines and related facilities." *The IMTT-Pipeline Public Awareness Plan, 3rd Revision: May 2012* (including materials that were sent to stakeholders) did not contain information pertaining to security of IMTT's pipelines and related facilities.

**IMTT Response**

IMTT updated its brochure to include information about its security methods as shown in Exhibit #4.



## 5. Warning #5

### §195.440 Public Awareness.

(a) 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 §195.3).

### PHMSA Citation

IMTT did not implement *Section 6 Message Type and Content for Each Audience* of its written continuing public education program.

*Section 6 Message Type and Content for Each Audience of IMTT-Pipeline Public Awareness Program* stated that a "third-party vendor currently distributes all public awareness materials in English; the vendor conducts an analysis of the demographics of the area through which IMTT pipeline traverse ...." IMTT could not demonstrate that the vendor conducted an analysis.

### IMTT Response

IMTT updated Section 6, Message Type and Content for Each Audience, to state that in 2013 IMTT began to work with its third-party vendor to create a process for testing its demographics as shown in Exhibit #5A. IMTT tracks this information on the Annual Public Awareness Program Activities Tracking Form as shown in Exhibit #5B.

## 6. Warning #6

### §195.440 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.

### PHMSA Citation

IMTT failed to follow the general program recommendation including baseline and supplemental requirements of API RP 1162 Section 8.4.1 Measure 1-Outreach: Percentage of Each Intended Audience and Reached with Desired Messages.

Pursuant to API RP 1162 Section 8.4.1, "[a] baseline evaluation program should establish a methodology to track the number of individuals or entities reached within an intended audience (e.g., households, excavating companies, local government, and local first responder agencies). Additionally, this measure should estimate the percentage of the stakeholders actually reached within the target geographic region along the pipeline."

IMTT could not demonstrate that it estimated the percentage of individuals or entities actually reached. IMTT was unable to produce any records that showed that it did estimate the percentage of individuals or entities actually reached.

### IMTT Response

In Section 12.3: Determine Effectiveness of PA Program Activities, IMTT updated the *IMTT-Pipeline Public Awareness Program* to state that the PA Administrator calculates the percentages of individuals or entities actually reached as shown in Exhibit #6.

## 7. Warning #7

### §195.440 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.

### PHMSA Citation

IMTT failed to follow the general program recommendation including baseline and supplemental requirements of API RP 1162 Section 8.4.2 Measure 2-Understandability of the Content of the Message.

Pursuant to API RP 1162 Section 8.4.2, "[t]his measure would assess the percentage of the intended stakeholder audience that understood and retained the key information in the message received." Also, this section states, "[o]perators should pre-test public awareness materials for their appeal and the messages for their clarity, understandability and retain-ability before they are widely used."

IMTT could not demonstrate that it assessed the understandability for each stakeholder audience group. In addition, IMTT could not demonstrate that it conducted a pre-test. IMTT was unable to produce any records that showed the aforementioned were done.

### IMTT Response

In Section 12, Establish an Evaluation Process, Measure 2, – Understandability, IMTT updated the *IMTT-Pipeline Public Awareness Program* to state that it will evaluate the results of the pre-test from the third-party vendor and surveys conducted during the events and meetings and will adjust the messages sent to the 4 stakeholder audiences, if needed, based on the analysis of the results as shown in Exhibit #7.

## Exhibit 1. Warning Response #1

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### **Our Commitment to Safety**

To insure the highest level of safety, service reliability, and security, IMTT-Pipeline:

- Works with emergency responders and state and local agencies to prevent and prepare for emergencies through training and periodic drills.
- Works closely with communities.
- Uses the latest security and safety technologies and methods.
- Meets or exceeds all federal, state and local safety regulations for transporting Hazardous Liquids.
- Constantly examines its system and seeks to improve it through its integrity – management programs.

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## **Additional Information**

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For more information about IMTT-Pipeline , please go to [www.imttpipeline.com](http://www.imttpipeline.com).

For general information, contact Randy Waters at 201-823-5334.

## Exhibit 2. Warning Response #2

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# What Do We Do If a Leak Occurs?

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*In order to prepare for the event of a leak, pipeline companies regularly communicate, plan and train with local emergency personnel such as fire and police departments. Upon the notification of an incident or leak, either by the pipeline company's internal control center or by phone, the pipeline operator will immediately dispatch trained personnel to assist public safety officials in their response to the emergency. Pipeline operators will also take steps to minimize the amount of product that leaks out and to isolate the pipeline.*

**The pipeline company's control center may:**

- *Stop or reduce the flow of product*
- *Dispatch pipeline emergency response personnel and equipment to the emergency site*
- *Inform you of any special precautionary recommendations*
- *Act as a liaison between emergency response agencies and pipeline company personnel*
- *Help bring the emergency to conclusion as quickly and safely as possible*

**Exhibit 3. Warning Response #3A**

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## **Help Prevent Pipeline Emergencies**

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The number one cause of pipeline leaks is excavation with construction equipment and tools owned by a party other than the Pipeline Company. Even a gouge or scrape could cause the pipe to leak or break. In most cases, damage is preventable by calling us before you start any construction near a pipeline. In fact, taking time to call us before you dig can prevent accidents and injuries.

Before you dig or excavate, contact your local One-Call system:

**811**



If you see someone using construction equipment or machinery near a pipeline marker, or see suspected signs of damage, call us collect at 201-437-2200.

## Exhibit 3. Warning Response #3B

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<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>3. Program Administration</b>

### Pipeline Project Manager

The Pipeline Project Manager is responsible for the following tasks:

- ◆ Work with the PA Administrator to provide feedback that can help assess the effectiveness of the PA Program or find areas that require supplemental activities (see Section 9 Assessment of Supplemental Activities)
- ◆ Maintain IMTT's pipeline markers displaying IMTT's phone number (201-437-2200)
- ◆ Document the activities of the damage prevention program and monitor the number and consequences of third-party incidents (including near misses and incidents [e.g., damages with releases and without releases] that did or did not result in pipeline failures). As needed, document other public awareness activities using the forms and procedures described in this PA Program Manual.
- ◆ Track the evaluation of near misses and incidents on the Annual Public Awareness Program Activities Tracking Form and determine if PA Program messages for any of the 4 stakeholder audiences need modification.
- ◆

## Exhibit 4. Warning Response #4

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### **Our Commitment to Safety**

To insure the highest level of safety, service reliability, and security, IMTT-Pipeline:

- Works with emergency responders and state and local agencies to prevent and prepare for emergencies through training and periodic drills.
- Works closely with communities.
- Uses the latest security and safety technologies and methods.
- Meets or exceeds all federal, state and local safety regulations for transporting Hazardous Liquids.
- Constantly examines its system and seeks to improve it through its integrity – management programs.

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## **Additional Information**

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For more information about IMTT-Pipeline , please go to [www.imttpipeline.com](http://www.imttpipeline.com).

For general information, contact Randy Waters at 201-823-5334.

## Exhibit 5. Warning Response #5A

<b>IMTT-Pipeline</b>	Public Awareness Program
<b>6. Message Type and Content for Each Audience</b>	

### 6. Message Type and Content for Each Audience

The PA Program provides guidelines for the message content for each type of audience. Messages include a broad overview of potential hazards, potential consequences, and measures undertaken by IMTT to prevent or mitigate the risks from pipeline incidents. Prevention measures include design, maintenance, operations, inspection, and testing of IMTT’s pipelines to help assure safety and prevent incidents. For emergency responders/officials, IMTT presents a more detailed hazard awareness and prevention message than for other audiences and includes how to obtain more specific information upon request from IMTT. IMTT also provides a general explanation of pipeline purpose and reliability even though this is not a primary objective of the PA Program.

The third-party vendor currently distributes all public awareness materials in English; in 2013, IMTT began to work with the third-party vendor ~~conducts~~ to conduct an analysis of the demographics of the area through which IMTT pipelines traverse. If the county population shows 20% or more of a non-English speaking population, the vendor will conduct further analysis of the buffer for the pipelines to determine if 20% or more of the population within the buffer are non-English speaking persons. For IMTT, this buffer is 660 feet for all pipelines. If the third-party vendor identifies the need for public awareness materials in another language, IMTT will contract with the third-party vendor to prepare and distribute a supplemental public awareness brochure to this specific audience. The third-party vendor utilizes the United States Census data, which is updated every 10 years, to determine the non-English speaking population. The third party vendor re-evaluates the demographics when new data is available. IMTT tracks the evaluation of the demographic analysis and reviews the need to update the messages to another language on the Annual Public Awareness Program Activities Tracking Form.

~~Emergency responders/officials are required to speak English. The third-party vendor reviewed the local public official audience and determined that materials in alternate languages were unnecessary.~~

Table 7 displays the message type and content for each of the 4 stakeholder audiences.



### Exhibit 5. Warning Response #5B

<b>IMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

#### Annual Public Awareness Program Activities Tracking Form

IMTT uses the Annual Public Awareness Program Activities Tracking Form to plan, schedule, track, and document program implementation.

#### Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
Affected Public	<input type="checkbox"/> Annual Targeted Mailing			<input type="checkbox"/> ROW Encroachment Prevention		
				<input type="checkbox"/> Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to the affected public need to be changed.		
	<input type="checkbox"/> Check Pipeline Markers during ROW Patrol			<input type="checkbox"/> Planned Maintenance / Construction Activity		
	<input type="checkbox"/> Evaluate results from third-party vendors and surveys conducted during events and meetings.			<input type="checkbox"/> Overview of IMP in HCAs		
				<input type="checkbox"/> Incident Response or Evacuation Notification for Product or Facility		
				<input type="checkbox"/> Facility Purpose		
			<input type="checkbox"/> Evaluate the results of the demographics test and determine need to develop messages in other languages.			

<b>iMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
				<input type="checkbox"/> Evaluate the analysis of the bottom line results.		
				<input type="checkbox"/> Evaluate the number of stakeholders reached for public awareness activities.		
				<input type="checkbox"/> Evaluate that the audience understood and retained the key information in the message received based on data provided by the third-party in-house process.		
Emergency Responders/ Officials	<input type="checkbox"/> Annual Targeted Mailing			<input type="checkbox"/> HCA Designation and IMP Measure Taken		
	<input type="checkbox"/> Annual Group Meetings			<input type="checkbox"/> Planned Maintenance / Construction Activity		
	<input type="checkbox"/> Evaluate results from third-party vendors and surveys conducted during events and meetings.			<input type="checkbox"/> Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to the Emergency Responders/ Officials need to be changed.		
				<input type="checkbox"/> Evaluate the analysis of the bottom line results.		

<b>iMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
				<input type="checkbox"/> Evaluate the percentages of the number of stakeholders reached for public awareness activities.		
				<input type="checkbox"/> Evaluate that the percentage of the audience understood and retained the key information in the message received based on data provided by the third-party in-house process.		
				<input type="checkbox"/> Evaluate the percentage of attendees surveyed from the from the Emergency Response Preparedness Report		
Local Public Officials	<input type="checkbox"/> Annual Group Meetings			<input type="checkbox"/> HCA Designation and IMP Measure Taken		
	<input type="checkbox"/> Annual Targeted Mailing			<input type="checkbox"/> ROW Encroachment Prevention		
				<input type="checkbox"/> Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to the Local Public Officials need to be changed.		
	<input type="checkbox"/> Evaluate results from third-party vendors and surveys conducted during events and meetings.			<input type="checkbox"/> Planned Maintenance / Construction Activity		

<b>IMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
				<input type="checkbox"/> Evaluate the results of the demographics test and determine need to develop messages in other languages.		
				<input type="checkbox"/> Evaluate the analysis of the bottom line results.		
				<input type="checkbox"/> Evaluate the number of stakeholders reached for public awareness activities.		
				<input type="checkbox"/> Evaluate that the audience understood and retained the key information in the message received based on data provided by the third-party in-house process.		
				<input type="checkbox"/> Evaluate the percentage of attendees surveyed from the from the Emergency Response Preparedness Report		
Excavators	<input type="checkbox"/> Annual Targeted Mailing			<input type="checkbox"/> Pipelines Purposes, Prevention Measures, and Reliabilities		
	<input type="checkbox"/> One-Call Center Outreach			<input type="checkbox"/> Evaluate the results of the demographics test and determine need to develop messages in other languages.		

<b>iMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
	<input type="checkbox"/> Check Pipeline Markers during ROW Patrol			<input type="checkbox"/> Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to the Excavators need to be changed.		
	<input type="checkbox"/> Annual Group Meetings			<input type="checkbox"/> Evaluate the analysis of the bottom line results.		
	<input type="checkbox"/> Evaluate results from third-party vendors and surveys conducted during events and meetings.			<input type="checkbox"/> Evaluate the number of stakeholders reached for public awareness activities.		
				<input type="checkbox"/> Evaluate that the audience understood and retained the key information in the message received based on data provided by the third-party in-house process.		
Land Developers	Not Applicable			<input type="checkbox"/> Pipelines Purposes, Prevention Measures, and Reliabilities		
				<input type="checkbox"/> Awareness of Hazards and Prevention Measures		
				<input type="checkbox"/> Damage Prevention Awareness		
				<input type="checkbox"/> One-Call Requirements		
				<input type="checkbox"/> Leak Recognition and Response		

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<b>IMTT-Pipeline</b>	Public Awareness Program
	Appendix A – Forms

Annual Public Awareness Program Activities Tracking Form

Audience	Baseline Messages			Supplemental Messages		
	Messages Sent	# Audience or # Times Performed	Date Complete	Messages Sent	# Audience or # Times Performed	Date Complete
				<input type="checkbox"/> ROW Encroachment Prevention		
				<input type="checkbox"/> Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to the Land Developers need to be changed.		
				<input type="checkbox"/> List of Operators in NPMS		
One-Call Centers	Not Applicable			<input type="checkbox"/> One-Call System Performance and Improvements		
				<input type="checkbox"/> Accurate Line Location Information		
				<input type="checkbox"/>		

## Exhibit 6. Warning Response #6

<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>12. Program Evaluation</b>

- ◆ Third-party has generated suppression databases for returned addresses that resulted in an update by phone calls and Internet research
- ◆ Original addresses are suppressed, compared to all data each time it is refreshed, and taken out from future mailings
- ◆ Updated addresses are added to the third-party's in-house dataset and then analyzed for all future mailings.

The PA Administrator will use the results of the analysis from this process to determine if any supplemental changes need to be made to the PA Program or to the messages being sent to any of the 4 stakeholder audiences. The PA Administrator also verifies the results of the calculations from the third-party vendor and documents these results annually to determine changes needed to its PA Program. The PA Administrator uses this data from the vendor report to complete parts of the Annual Public Awareness Program Activities Tracking Form.

The PA Administrator ~~reviews~~ calculates the percentages of the following:

- ◆ Stakeholders reached for each public awareness program activity
- ◆ The audience who understood and retained the key information in the message received based on data provided by the third-party in-house process
- ◆ Attendees surveyed from the Emergency Response Preparedness Report

The PA Administrator then documents this information on the Annual Public Awareness Program Activities Tracking Form to evaluate the percent effectiveness of each public awareness program activity and. The PA Administrator also continually evaluates the need for additional activities to reach members of audiences who may have been missed or who did not respond to the program activity. The PA Administrator will determine if additional supplementary materials need to be added based on the results of the evaluation of current activities and track results of the evaluation on the Annual Public Awareness Program Activities Tracking Form. IMTT uses the annual audit findings and results to improve the PA Program and/or the implementation process.

### 12.4. Document Evaluation Results

In compliance with *DOT 49 CFR Part 195.440*, IMTT completed an effectiveness evaluation of its PA Program on June 15, 2010, to meet the June 20, 2010, regulatory requirement. The PA Administrator documents the results of annual evaluations in the *Public Awareness Plan Effectiveness Evaluation Summary Report* and retains these documents in the Bayonne, New Jersey, office for 5 years.

## Exhibit 7. Warning Response #7

<b>IMTT-Pipeline</b>	<b>Public Awareness Program</b>
	<b>12. Program Evaluation</b>

### Measure 1 – Outreach

This measurement indicates whether the 4 key audiences receive the public awareness communications. The third-party vendor tracks the following information:

- ◆ The size of the stakeholder audience with mailing lists for public awareness brochures.
- ◆ The number of response surveys returned from attendees at meetings for emergency responders/officials, local public officials, and excavators.
- ◆ The number of reply cards returned from the affected public.

The third-party vendor provides annual reports that include the specific numbers of stakeholders reached within each group based on the actual number of surveys returned at group meetings and of business reply cards returned by mail from the affected public.

IMTT also tracks the number of One-Call inquiries and other inquiries from stakeholders. IMTT responds to all requests for additional information whether by phone or business reply cards.

### Measure 2 – Understandability

- ◆ Pre-test all mail out/handout materials before giving to stakeholder audiences (using an internal audience or outside consultants). The third-party vendor measures the effectiveness of communication by pre-testing materials with focus groups for all 4 stakeholder audiences. Lessons learned from the focus groups are incorporated into all public awareness materials developed by the third-party vendor.
- ◆ Conduct surveys during events and meetings.
- ◆ Evaluate the results of the pre-test from the third-party vendor and surveys conducted during the events and meetings. Track these results on the Annual Public Awareness Program Activities Tracking Form. Adjust the messages sent to the 4 stakeholder audiences, if needed, based on the analysis of the results.

### Measure 3 – Desired Behavior

- ◆ Measure number of notifications to One-Call Centers and leak reports from stakeholder audiences. IMTT keeps One-Call notices and receives a monthly report from the New York One-Call Center.
- ◆ Measure number of excavations without 48 hour notifications using the Pipeline Encroachment Violation/Damage Education Form.
- ◆ Include questions in surveys (Measure 2) that ask respondents to report on actual behaviors following incidents.
- ◆ Record stakeholder responses to incidents (when possible) and compare to public awareness messages.

### Measure 4 – Bottom Line Results

- ◆ Monitor changes in the number and consequences of third-party incidents (include near misses and incidents that did/did not result in pipeline failure). Evaluate the results of the near misses and incidents, and analyze if the PA Program needs to be updated or if messages to any of the 4 stakeholders need to be changed. IMTT evaluates the analysis of the bottom line results for each of the 4 stakeholders and tracks the results on the Annual Public Awareness Program Activities Tracking Form.



## **Attachment C: Brochure**

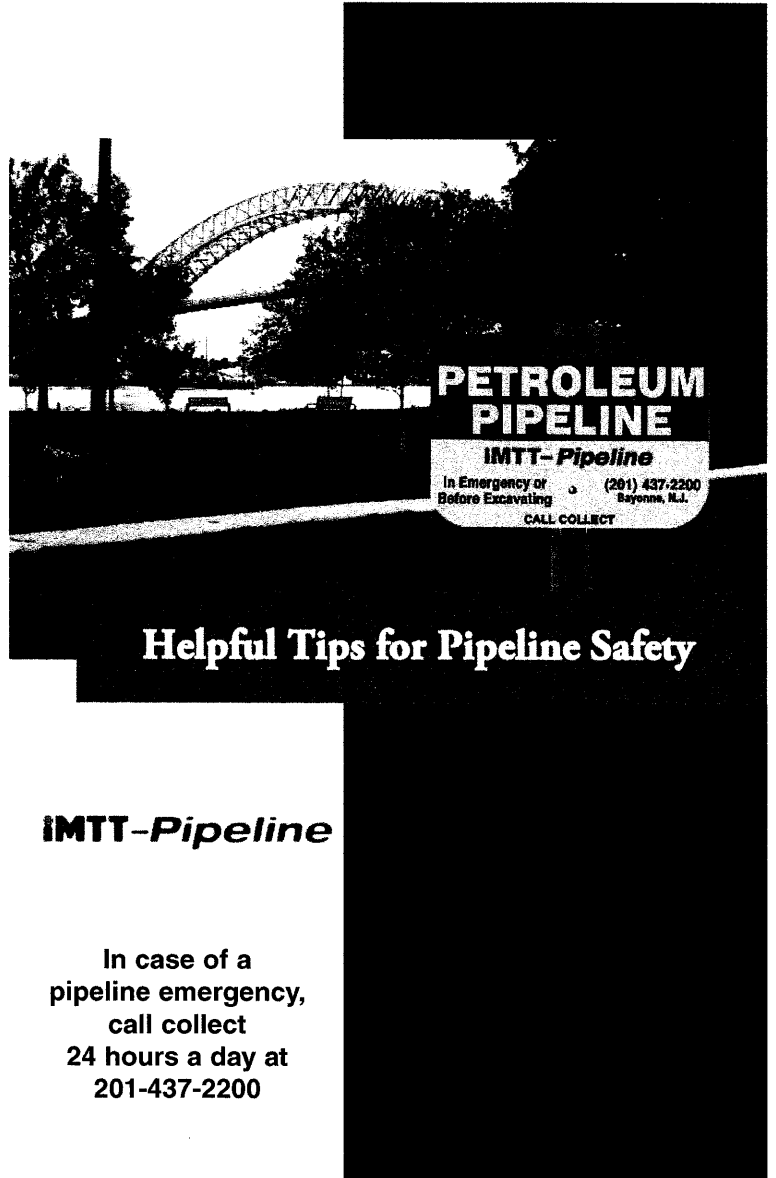
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Attachment C provides PHMSA with a visual of the revised brochure.

250 E 22nd Street • PO Box 67 • Bayonne, NJ 07002

**IMTT-Pipeline**

PRSRT STD  
U.S. Postage  
**PAID**  
Paradigm



**PETROLEUM  
PIPELINE**

**IMTT-Pipeline**  
In Emergency or Before Excavating (201) 437-2200  
Bayonne, N.J.  
CALL COLLECT

**Helpful Tips for Pipeline Safety**

**IMTT-Pipeline**

In case of a pipeline emergency,  
call collect  
24 hours a day at  
201-437-2200

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## Why Pipelines?

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Pipelines are the safest means of transporting liquids. That is why nearly 50% of interstate tonnage shipped in the United States is shipped via pipeline. There are 173,000 miles of liquid pipelines in the United States that transport tens of millions of gallons of products each day and even with such a high volume of combustible liquids carried, pipelines have the safest record in the land transportation industry. Before a pipeline is put into operation, it must be tested at a higher pressure than it will be used on a daily basis to ensure its safety. Once the pipeline is functional, it is monitored 24 hours a day by manned control centers.



IMTT-  
Pipeline  
is committed  
to providing  
a safe way  
to transport  
petroleum  
product.

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## IMTT-Pipeline

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IMTT-Pipeline is committed to providing a safe way to transport petroleum product. We also want to supply you with all the necessary guidelines and precautions when it comes to pipeline safety. This brochure was designed to keep you informed of the appropriate methods and precautions needed in case of a pipeline emergency. If you should encounter an emergency, always call us collect at 201-437-2200.

### Working Together

IMTT-Pipeline monitors and inspects its Pipeline System to ensure public safety. Please take an active role in helping us keep our pipeline safe. Be alert to suspicious individuals or activities around our pipeline. If you see something suspicious, call the police.

### Our Commitment to Safety

To insure the highest level of safety, service reliability, and security, IMTT-Pipeline:

- Works with emergency responders and state and local agencies to prevent and prepare for emergencies through training and periodic drills.
- Works closely with communities.
- Uses the latest security and safety technologies and methods.
- Meets or exceeds all federal, state and local safety regulations for transporting Hazardous Liquids.
- Constantly examines its system and seeks to improve it through its integrity – management programs.

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## Additional Information

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For more information about IMTT-Pipeline, please go to [www.imttpipeline.com](http://www.imttpipeline.com).

For general information, contact Randy Waters at 201-823-5334.

## Products We Transport Via Pipeline

PRODUCT	LEAK TYPE	VAPORS
HAZARDOUS LIQUIDS [SUCH AS: CRUDE OIL, DIESEL FUEL, JET FUEL, GASOLINE, AND OTHER REFINED PRODUCTS]	Liquid	Initially heavier than air and spread along ground and collect in low or confined areas. Vapors may travel to source of ignition and flash back. Explosion hazards indoors, outdoors or in sewers.
<b>HEALTH HAZARDS</b>	Inhalation or contact with material may irritate or burn skin and eyes. Fire may produce irritating, corrosive and/or toxic gases. Vapors may cause dizziness or suffocation. Runoff from fire control or dilution water may cause pollution.	

## Help Prevent Pipeline Emergencies

The number one cause of pipeline leaks is excavation with construction equipment and tools owned by a party other than the Pipeline Company. Even a gouge or scrape could cause the pipe to leak or break. In most cases, damage is preventable by calling us before you start any construction near a pipeline. In fact, taking time to call us before you dig can prevent accidents and injuries.

Before you dig or excavate, contact your local One-Call system:

811



If you see someone using construction equipment or machinery near a pipeline marker, or see suspected signs of damage, call us collect at 201-437-2200.

## What Do We Do If a Leak Occurs?

In order to prepare for the event of a leak, pipeline companies regularly communicate, plan and train with local emergency personnel such as fire and police departments. Upon the notification of an incident or leak, either by the pipeline company's internal control center or by phone, the pipeline operator will immediately dispatch trained personnel to assist public safety officials in their response to the emergency. Pipeline operators will also take steps to minimize the amount of product that leaks out and to isolate the pipeline.

The pipeline company's control center may:

- Stop or reduce the flow of product
- Dispatch pipeline emergency response personnel and equipment to the emergency site
- Inform you of any special precautionary recommendations
- Act as a liaison between emergency response agencies and pipeline company personnel
- Help bring the emergency to conclusion as quickly and safely as possible

## Pipeline Precaution

Pipeline markers are located along pipeline routes in order to identify the approximate location of our pipeline. The information listed on the markers includes the Pipeline Company and the emergency telephone number. It is important to remember that pipeline markers may not illustrate the exact location of the pipeline and do not indicate pipeline depth.

For more information about other pipelines in your area, visit the National Pipeline Mapping System (NPMS) at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov). Within the NPMS, PHMSA has developed the Pipeline Integrity Management Mapping Application (PIMMA) for use by pipeline operators and Federal, state, and local government officials only. The application contains sensitive pipeline infrastructure information that can be viewed via internet browser. Access is only for direct employees of a government agency.

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## How Can You Recognize a Pipeline Leak?

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A pipeline leak can be extremely dangerous. In the event of a possible leak, use your senses.

### **Sight.**

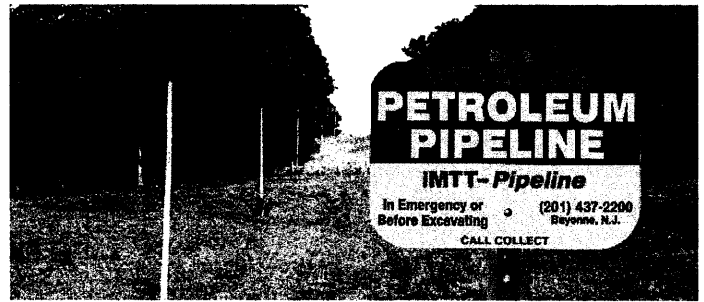
The majority of pipeline leaks can be detected visually. A liquid leak may appear as a pool of liquid or discolored earth. A vapor may be seen as a foggy mist or dense white cloud around the pipeline. Dead or discolored vegetation in an otherwise green and fertile environment is another sign of possible leakage.

### **Sound.**

A pipeline leak may be identified by a sound that can range from a slight hissing to a loud roaring. The sound will vary depending on the leak size.

### **Smell.**

One of the first indications of a leak may be a strange or unusual odor in the vicinity of a pipeline. Each petroleum product has a unique and distinct smell, making it easier to identify the product type.



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## What You Should Do If You Encounter a Leak

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If you encounter a pipeline leak, you should follow these important guidelines:

- Leave the area immediately and direct any bystanders to leave.
- Avoid direct contact with the escaping liquids.
- Avoid driving into any vapor clouds.
- Avoid creating sparks or sources of heat that could cause the liquids or vapors to ignite and burn.
  - Do NOT light a match.
  - Do NOT start an engine or an electric light.
  - Do NOT ring doorbells or use spark-causing knockers to notify others of the leak. Knock with your hand instead.
- Immediately notify the pipeline operator. Always call collect.
- If the pipeline operator number is not easily accessible, contact your local fire department, police department or state police.
- NEVER try to shut a pipeline valve.

