



October 2, 2013

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Ms. Linda Daugherty  
Director, Central Region  
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VIA ELECTRONIC DELIVERY AND COURIER

Re: Response to Notice of Amendment in CPF 3-2013-1016M

Dear Ms. Daugherty,

TransCanada's Public Awareness Program was inspected in July 2011 and the inspection was led by Mr. Harold Winnie. Mr. Winnie shared that TransCanada has many of the right processes, but believed these processes needed to be in the overall Pipeline Public Awareness Program Plan (the "Plan"). TransCanada appreciated the feedback and began considering and crafting revisions to the Plan which were implemented in June 2012, a year prior to the issuance of the Notice of Amendment. The following outlines the apparent inadequacies identified in your letter and the corresponding clauses in the Plan (version six) that were revised.

TransCanada requires continuous improvement to its Public Awareness Program and hence, updated its plan again this year. This version, version seven, is also enclosed.

If you require additional information please contact me.

Respectfully,

Ken Crowl  
Director, Regulatory Compliance  
Pipeline Safety & Compliance  
TransCanada Corporation  
717 Texas Street  
Houston, TX 77002

Enclosures: TransCanada's Pipeline Public Awareness Program, version 6 and version 7

**1. § 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.**

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process for conducting an annual implementation review per API RP 1162 that verifies the program has been implemented.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.10 Program Evaluation**

**4.10.1 Annual Assessment**

Consisting of three components:

- Measuring Program Implementation
- Measuring Program Effectiveness
- Program Changes & Continuous Improvements

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process for conducting the annual supplemental review for the entire system according to all twelve elements listed in API RP 1162. In addition, the plan does not reference the use of the supplemental review template located on internal SharePoint site.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.10 Program Evaluation**

- “The PA Program will be evaluated according to the specifics as described in API RP 1162, which require, at a minimum, an annual assessment....”

**4.10.1 Annual Assessment**

- “The PA Team will compile the regional plans and reports into a single document and include it in this section of the overall annual assessment. Measuring Program implementation will consist of measuring. Regional Plan activities against the Annual Regional Plans.”

**4.5.2 Regional Community Relations**

- This section references the Regional Plan Template. The template is included as Appendix F in the program document. The section also directs that the template may be accessed from the SharePoint site. The twelve elements listed in RP 1162 are included in the “Potential Regional Risks” section of the Regional Plan Template. This template is on SharePoint.

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process ensuring that information about its response capabilities is shared and that a liaison relationship with emergency officials is maintained at an acceptable interval.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.6.3 Emergency Officials**

“Key baseline messages to this audience are based on the delivery frequencies which vary by Region and are outlined in more detail below. Supplemental messages to this audience (i.e., more detailed maps, HCA information; regional contact information; etc.,) are determined by an internal process which allows Regional Community Relations the flexibility to determine the need for further educational opportunities. If a need is identified, personal contact is made with the stakeholder. Further contact with this stakeholder could possibly include (but not be limited to) field exercises; provision of the ER Guiding Document (upon request); as well as an Awareness Presentation. This process is outlined in more detail in Appendix H.”

U.S.

“Emergency Officials are contacted at least once every year through the distribution of an awareness package with all relevant Baseline messages”.

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process for documenting the annual implementation review at the corporate or regional level.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.5.1 Operations**

**1. Pipe Integrity**

- Design, compile, and distribute metrics to internal stakeholders for the purpose of Program monitoring, evaluation, and improvement (as appropriate). Stakeholders include Regional Community Relations, Regional directors, Pipe Integrity management and the PA Steering Committee (among others).

**4.10.1 Annual Assessment**

- “...document the completion of the annual program, results of effectiveness measurements and continuous improvement of the PA Program.”

**4.10.2 Public Awareness TOP (PAP)**

- “Review of the TOP will be conducted annually at a minimum.”

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process to document the results of the annual implementation review. The Plan does not identify what was changed; when the change was to be completed; who completed the change; and when the change was

completed.

### **TransCanada Program Revisions Addressing Inadequacy:**

#### **4.10.1 Measuring Program Implementation**

- The PA Team will compile the regional plans and reports into a single document and include it this section of the overall annual assessment.

#### **4.10.3 Program Changes & Continuous Improvement**

- “..suggested improvements will be assessed by the PA Program Manager. After approval, improvements will be implemented.”

#### **4.11 Document Management**

- Document Management will be in accordance with TransCanada’s Policy and Procedure (TPP) entitled Information Management and Security Policy.

Retained documents include:

- All Program evaluations including current results, follow-up actions, and expected results
- Program activities for each stakeholder group shall be documented on an on-going basis (annually as a minimum) and shall include:
  - Assessments of Program implementation
  - Copies of evaluations of effectiveness
  - Copies of any independent or outside evaluations
  - Recommendations for improvements to the Program

### **Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process for measuring "Understandability of Message Content" that assess the percentage of the intended stakeholder audiences that understood and retained key information for stakeholder audiences.

### **TransCanada Program Revisions Addressing Inadequacy:**

#### **4.10 Program Evaluation**

##### **4.10.1 Annual Assessment**

#### **2. Measuring Program Effectiveness**

- Understandability of the Message:
  - Business Reply Cards (BRC) will be used to assess effectiveness of Baseline messages and stakeholder response in both Canada and the US.
  - Stakeholder Behaviours (Bottom Line Results):
  - Monthly and Quarterly IIT reports are to be used to assess bottom-line results of Public Awareness efforts. This information is directly linked with the behaviour of third parties, and is quantifiable.

- Public Perception:
  - To evaluate and assess the perception of the public, the PA Program Manager will gather a summary from TransCanada's External Communications Team. The PA Team will also include survey results if a survey takes place during the annual execution of the Program.
- Regional Evaluation:
  - Regions will annually evaluate the effectiveness of the Regional Plans by keeping records of:
    - Face-to-face contacts and attempts
    - Input received via audience feedback (i.e., letters, personal contact, etc.)
    - Attendance and participation of stakeholders at Regional events

### **Appendix M**

Evaluation of effectiveness of program implementation:

- Outreach
- Level of knowledge
- Changes in behavior
- Bottom-line results

### **Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process that defines what are appropriate preventive behavior measures, appropriate responses, and appropriate mitigating behaviors that augment the Plan's performance.

### **TransCanada Program Revisions Addressing Inadequacy:**

#### **4.10 Program Evaluation**

##### **4.10.1 Annual Assessment**

#### **2. Measuring Program Effectiveness**

- Understandability of the Message:
  - Business Reply Cards (BRC) will be used to assess effectiveness of Baseline messages and stakeholder response in both Canada and the US.
  - Stakeholder Behaviours (Bottom Line Results):
    - Monthly and Quarterly IIT reports are to be used to assess bottom-line results of Public Awareness efforts. This information is directly linked with the behaviour of third parties, and is quantifiable.
- Public Perception:
  - To evaluate and assess the perception of the public, the PA Program Manager will gather a summary from TransCanada's External Communications Team. The PA Team will also include survey results if a survey takes place during the annual execution of the Program.

- Regional Evaluation:
  - Regions will annually evaluate the effectiveness of the Regional Plans by keeping records of:
  - Face-to-face contacts and attempts
  - Input received via audience feedback (i.e., letters, personal contact, etc.)
  - Attendance and participation of stakeholders at Regional events

#### **Exhibit M**

Evaluation of effectiveness of program implementation:

- Outreach
- Level of knowledge
- Changes in behavior
- Bottom-line results

#### **Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process to measure bottom line results, such as affected public's perception of the safety of the operator's system or provide justification in its program.

#### **TransCanada Program Revisions Addressing Inadequacy:**

##### **4.10 Program Evaluation**

##### **4.10.1 Annual Assessment**

##### **2. Measuring Program Effectiveness**

- Understandability of the Message:
  - Business Reply Cards (BRC) will be used to assess effectiveness of Baseline messages and stakeholder response in both Canada and the US.
- Stakeholder Behaviors (Bottom Line Results)
  - Monthly and Quarterly IIT reports are to be used to assess bottom-line results. This information is directly linked with the behavior of third parties, and is quantifiable
- Public Perception:
  - To evaluate and assess the perception of the public, the PA Program Manager will gather a summary from TransCanada's External Communications Team. The PA Team will also include survey results if a survey takes place during the annual execution of the Program.
- Regional Evaluation:
  - Regions will annually evaluate the effectiveness of the Regional Plans by keeping records of:
    - Face-to-face contacts and attempts
    - Input received via audience feedback (i.e., letters, personal contact, etc.)
    - Attendance and participation of stakeholders at Regional events

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process that documents the changes, recommendations, responsibilities, and completion of changes during the effectiveness evaluation.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.10.1 Annual Assessments**

**4.10.3 Program Changes & Continuous Improvement**

- After completion of an annual assessment, suggested improvements will be assessed by the PA Program Manager. After approval by the PA Program Manager the improvements will be implemented.

**4.11 Document Management**

- Document Management will be in accordance with TransCanada's Policy and Procedure (TPP) entitled Information Management and Security Policy.
- Retained documents include:
  - All Program evaluations including current results, follow-up actions, and expected results
- Program activities for each stakeholder group shall be documented on an on-going basis (annually as a minimum) and shall include:
  - Copies of evaluations of effectiveness
  - Copies of any independent or outside evaluations
  - Recommendations for improvements to the Program

**Appendix C: RACI chart**

Check/Review Activities section

**2. § 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:**

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan's baseline messaging to public officials and excavators does not contain all the messages required from API RP 1162.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.6.2 Excavators / Contractors**

- "...to be contacted at least once every year through the distribution of an awareness package with all relevant Baseline messages."

- **4.6.4 Local Public Officials**

- “...to be contacted at least once every three years through the distribution of an awareness package with all relevant Baseline messages.”

TransCanada uses PAPA to provide messages to these two stakeholder groups. Since the Public Awareness Program Inspection in 2011, PAPA has modified its program to ensure it meets the requirements of API1162 at appropriate intervals.

**3. § 192.616 Public Awareness**

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

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process to ensure that affected schools are properly advised of appropriate safety messages including the pipeline facility locations.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.6.1 Affected Public**

- Encompasses people residing or working along the pipeline ROW:
- Places of congregation (identified places where people assemble) such as businesses, schools, places of worship, etc.

The minimum ‘buffer zone’ for making contact to the Affected Public shall be the **larger** of:

- U.S.: 1,000 feet on either side of the pipeline or the calculated Applicability of .69 Factor for PIR Calculations TER-HCA-PIR-US for Potential Impact Radius distance.

The Affected Public is to be contacted at least once every two years through the distribution of an awareness package with all relevant Baseline messages.



**4. § 192.616 Public Awareness**

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

**Inadequacy:**

TransCanada's procedures are inadequate because its Public Awareness Plan does not include a written process for periodically evaluating the need for using other languages to communicate with its stakeholder audiences and determining when to provide messaging in alternate languages.

**TransCanada Program Revisions Addressing Inadequacy:**

**4.8.1 Language Considerations**

- United States: materials are required to be distributed in English and shall be distributed in Spanish or any additional language as determined by the Regional Community Relations.
- Appendix D contains a flowchart which outlines the internal methodology used to determine the need for additional languages in the Canadian and U.S. Regions. The threshold for requiring an additional language need is 10 percent for baseline communication materials.
- The next annual review of the program will specify a frequency at which the evaluations take place