



# WHAT YOU SHOULD KNOW: PUBLIC AWARENESS VS. EMERGENCY LIAISON

49 CFR 192.615 vs. 49 CFR 192.616

July 2024



# Overview of 49 CFR 192.615

## 49 CFR 192.615 | Part (a)

- Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency.
- *Receive, identify, and classify* notices of events that require immediate response.
- Establishing and maintaining adequate means of communication with the appropriate public safety answering point (i.e., **9-1-1** emergency call center, fire, police, EMS, etc.).
- *Prompt and effective* response to a notice of each type of emergency.
- Actions directed toward protecting people first and then property.
- Making safe any actual or potential hazard to life or property.



Click the link below to view  
49 CFR 192.615:  
[www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-D/part-192/subpart-L/section-192.615](http://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-D/part-192/subpart-L/section-192.615)



# Overview of 49 CFR 192.615

## 49 CFR 192.615 | Part (b)

Each operator shall:

1. Furnish its supervisors who are responsible for emergency action a copy of that portion of the latest edition of the emergency procedures established under paragraph (a) of this section as necessary for compliance with those procedures.
2. Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.
3. Review employee activities to determine whether the procedures were effectively followed in each emergency.



# Overview of 49 CFR 192.615

## 49 CFR 192.615 | Part (c)

Each operator **MUST** establish and **MAINTAIN** liaison with the appropriate public safety answering point (i.e., **9-1-1** emergency call center) where direct access to a **9-1-1** emergency call center is available from the location of the pipeline, as well as **fire, police, and other public officials.**





# Overview of 49 CFR 192.615

## Why is this important?

- Everyone should know their responsibilities & resources **BEFORE**, not after the emergency.
- Additional resources (evacuations, traffic, perimeters, other utilities, etc.).
- Help minimize hazards to life and property.
- Public officials can request state and federal aid directly.





# PHMSA Point of View

Because pipelines are often located in public space, the regulations further ***require*** that operators include procedures for planning with emergency and other public officials to ensure a coordinated response.

Operators ***must*** include in their emergency plans provisions for coordinating with appropriate fire, police, and other public officials both preplanned drills and actual responses to pipeline emergencies.



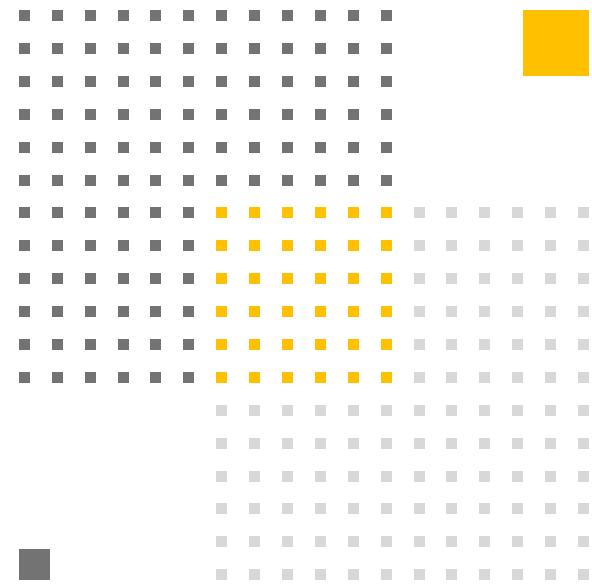
*Source: ADB-10-08 (2010)*



# PHMSA Point of View

**API RP 1162** further requires operators to develop their emergency response plans with appropriate emergency officials to include in such plans information about how emergency officials can access the operator's emergency response plan, and to conduct emergency response drills.

To ensure a prompt, effective, and coordinated response to any type of emergency involving a pipeline facility, pipeline operators are required to maintain an informed relationship with emergency responders in their jurisdiction.



Source: ADB-10-08 (2010)



# Top 3 192.615 Four Year Violation History

- 1 Establish/maintain Liaison with emergency and public officials.
- 2 Emergency plan training/review.
- 3 Review employees' activities during emergencies ensuring procedures were followed.



# 192.616 Public Awareness

Public awareness programs should help the **public** understand the steps that the **public** can take to prevent and respond to pipeline emergencies.

A more informed **public** along pipeline routes should supplement an operator's pipeline safety measures and should contribute to reducing the likelihood and potential impact of pipeline emergencies and releases.





# Overview of 49 CFR 192.616

## 49 CFR 192.616

- 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).
- The operator's program **MUST** follow the general program recommendations of API RP 1162.



Click the link below to view  
49 CFR 192.616:  
<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-D/part-192/subpart-L/section-192.616>



# Overview of 49 CFR 192.616

## 49 CFR 192.616 | Part d

The operator's program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:

1. Use of a one-call notification system prior to excavation and other damage prevention activities; (IN 811)
2. Possible hazards associated with unintended releases from a gas *pipeline facility*;
3. Physical indications that such a release may have occurred;
4. Steps that should be taken for public safety in the event of a gas pipeline release; and
5. Procedures for reporting such an event.



# Overview of 49 CFR 192.616

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

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

The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.



# API RP 1162 1st edition

## The main outline of a Public Awareness Plan (PAP)

- Program Development
- Stakeholder Audiences
- Message Content
- Message Delivery, Methods, and Media
- Recommendations for supplemental/enhancements (not enforceable)
- Program Documentation and Recordkeeping
- Program Evaluation (Four Year Evaluation)



# What about INPAA?

## Indiana Pipeline Awareness Association (INPAA)

- Stakeholders
- Messaging outreach
- Trainings (excavator breakfast/ER tabletops)
- Baseline compliance of 1162
- Four Year Survey
- Help ***establish liaison*** communications

*IAC 170 5-3-2(q) 49 CFR 192.616 (Public Awareness) is augmented to include an additional paragraph "(i) The operator's public awareness program shall include, at a minimum, a plan to directly contact appropriate government organizations and emergency responders at least once every four years for organizations that have not affirmatively attended group public awareness meetings at least once every four years.*



# Supplemental or Required?

## Liaison efforts with emergency personnel

- Personnel and resources available for YOUR company
- Response times
- Contact information
- Expectations





# PHMSA 2023 192.616 FAQ's



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.



# PHMSA 2023 192.616 FAQ's



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.



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.



# PHMSA 2023 192.616 FAQ's



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



Pipeline operators are required to conduct periodic PAP effectiveness evaluations ***no more than four years*** apart following the effective date of program implementation. 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.



# PHMSA 2023 192.616 FAQ's



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 operator 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. *IAC 170-5-3-1-part b - Records required to document compliance with this rule shall be preserved for a minimum of seven (7) years.*



# PHMSA 2023 192.616 FAQ's



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.



# PHMSA 2023 192.616 FAQ's



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.



# Top 3 192.616 Four Year Violation History

1

**API RP 1162 8.3** - Measuring Program Implementation - The operator should complete an annual audit or review of whether the program has been developed and implemented according to the guidelines in this RP.

2

**API RP 1162 2.3.2** - Emergency Responder Liaison Activities.

3

**49 CFR 192.616 (g)** - The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area. (not having a process in place).



# What's the difference?

## 49 CFR 192.615

**How you are going to be **reactive** to a natural gas emergency.**

- Must have a plan.
- Must have communication established and maintained with appropriate emergency personnel (i.e., fire, police, public officials, and call takers).
- Must train the appropriate emergency personnel.
- Appropriate personnel should know their responsibilities **and** how to respond.
- Priority to protect life.

## 49 CFR 192.616

**How you are going to be **proactive** to **prevent** a natural gas emergency.**

- Must have a written continuing public education program.
- Must follow the program recommended by API 1162.
- This program should include education to ALL stakeholders i.e., emergency responders, public officials, excavators, customers, and affected public, i.e., schools, businesses and residents along the pipeline.
- Priority to protect life.



# You Can't Have One without the Other

## 192.616 complements 192.615

If the operator hasn't established a relationship with first responders, public officials, customers, or the public, how is the operator educating?

- 192.615 requires operators to "train"
- 192.616 requires operators to "educate"



The priority is to protect life & property.



# Questions and Answers

Q: Why is it important to reach out to the police? What are we expecting the police to do when they arrive?

A: Police may be needed for the evacuation and hot zone. Police may beat FD and/or Gas Company to the scene and should know the basics of response.

Q: Can you use a damage/pipeline event as a liaison effort?

A: It Depends! Don't stop in the middle of a emergency to train, but discussing post-repair and making those contacts and DOCUMENTING it can indeed help prove your 192.615 compliance.



# Questions and Answers

**Q: What version of API RP 1162 is incorporated by Reference?**

**A: API RP 1162's 1st edition from December 2003 is incorporated by reference under 49 CFR 192.7(b)(5)**

**Q: Can you use the Damage Prevention Council's mock-dig in as a liaison effort?**

**A: If you are actively engaged in the exercise and working with the emergency responders and educating them during the mock training, than yes. You do have to document however the drill, who participated and what you trained on.**



# Questions and Answers

Q: What do you do when you cannot get an Emergency Official to return calls/show up to events?

A: try going to their office in person. **Document** when/who/how you reached out. If it is a pattern, reach out to PSD and we will do our best to help!

Q: What do you do in areas with a dense Amish population?

A: English is their first language; despite statistical data suggesting they speak Pennsylvania Dutch 90% over the age of 10 speak English. I would document this for the Amish communities and not necessarily require a Pennsylvanian Dutch PA flyer.



# Questions and Answers

Q: INPAA – What does PSD expect from the operators?

A: Show up. Participate, introduce yourself and your pipeline system. Make contact with your Emergency Officials, note who's not there. Most importantly, FOLLOW UP with all the emergency officials to offer more specific training on your capabilities and needs.

Q: What about API RP 1185?

A: API RP 1185 is NOT incorporated into 192 nor Indiana State Code. You can use it as a recommended practice but it DOES NOT replace API RP 1162 or 49 CFR 192.614.



# THANK YOU

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