

**SUPPLEMENTARY INFORMATION:****Background**

The existing pipeline safety regulations at 49 CFR parts 192 and 195 require operators of natural gas and hazardous liquid pipelines to establish continuing education programs to enable customers, the public, appropriate government organizations, and persons engaged in excavation related activities to recognize a pipeline emergency for the purpose of reporting it to the operator or the appropriate public officials. The regulations also require that operators carry out written programs to prevent pipeline damage from excavation activities. Accordingly, pipeline operators have previously conducted public awareness programs with the affected public, emergency responders, and excavators along their routes.

The Pipeline Safety Improvement Act of 2002 (PSIA) requires that each owner or operator of a natural gas or hazardous liquid pipeline facility must carry out a continuing program to educate the public on the use of a one-call notification system prior to excavation and other damage prevention activities, the possible hazards associated with unintended releases from the pipeline facility, the physical indications that such a release may have occurred, what steps should be taken for public safety in the event of a pipeline release, and how to report such an event.

The PSIA requires that by December 17, 2003, each owner or operator of a gas or hazardous liquid pipeline facility must review its existing public education program for effectiveness and modify the program as necessary. The completed program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations. The completed program must be submitted to the Secretary of Transportation or, in the case of an intrastate pipeline facility operator, the appropriate State agency, and shall be periodically reviewed by the Secretary or, in the case of an intrastate pipeline facility operator, the appropriate State agency.

The PSIA also provides that the Secretary of Transportation may issue standards prescribing the elements of an effective public education program. The Secretary may also develop material for use in the program.

In anticipation of this requirement and in response to recommendations from the National Transportation Safety Board (NTSB), RSPA/OPS has encouraged the pipeline industry to work on improving public education

programs. The pipeline industry formed a Task Force with representatives from natural gas and liquid petroleum transmission companies, local distribution companies, gathering systems, and industry trade associations. The Task Force has developed a consensus standard establishing guidelines for pipeline operators on development, implementation, and evaluation of public education programs for operating pipeline systems. American Petroleum Institute (API) Recommended Practice (RP) 1162, "Public Awareness Programs for Pipeline Operators." The Task Force sought feedback from local public officials, the public and interested parties. Representatives from RSPA/OPS and NAPS observed and provided input into the development of the standard. On January 29, 2003, RSPA/OPS hosted a public meeting on this standard in Bellevue, Washington, to encourage additional public participation.

RP 1162 was developed under the guidelines of both API and the American National Standards Institute (ANSI). Following formal adoption, RP 1162 is expected to be published as a national consensus standard in September 2003.

The level of public education and awareness regarding operating pipelines and pipeline safety can only be increased through demonstrably effective education and communication programs. Therefore, RSPA/OPS is considering incorporating RP 1162 into the pipeline safety regulations.

RSPA/OPS has evaluated the PSIA requirements that operators review and modify their public education programs and submit their completed programs to RSPA/OPS. RP 1162 contains guidance on program effectiveness that amply satisfies the statutory requirement. RSPA/OPS and pipeline industry trade associations encourage pipeline operators to complete a formal self-assessment of their public education programs against the guidelines provided in RP 1162. To assist them in this, RSPA/OPS is developing an Internet-based self-assessment that operators can complete electronically. These self-assessments will help operators identify gaps in their public education programs and the improvements needed to align it with the guidance of RP 1162. This will assist operators in meeting the statutory requirement by December 17, 2003.

RSPA/OPS will co-sponsor two workshops with the pipeline industry trade associations (API, Interstate Natural Gas Association of America, Association of Oil Pipelines, American

Gas Association, and American Public Gas Association,) to facilitate these operator self-assessments. Each workshop will provide an industry-facilitated review of RP 1162 and a panel discussion of successful public education practices. RSPA/OPS will describe the self-assessment process and will facilitate sessions on effective program evaluation techniques. RSPA/OPS will conduct breakout sessions during these workshops for the hazardous liquid and natural gas transmission pipeline operators. The breakout sessions will provide a more in-depth overview of the self-assessment process and attempt to gauge the current status of public education programs for the transmission pipeline operators by completion of informal self-assessments in advance of the formal self-assessment required by December 17, 2003. All hazardous liquid and natural gas transmission pipeline operators are urged to attend the breakout sessions. It is important that the attending representative be familiar with the operating systems that are covered under the operator's public education program.

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**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

**[STB Finance Docket No. 34368]**

**Douglas S. Golden—Acquisition of Control Exemption—Carolina Coastal Railway, Inc.**

Douglas S. Golden (Golden), a noncarrier individual, has filed a notice of exemption to acquire control, through stock purchase from Rail Link, Inc. (Rail Link), of Carolina Coastal Railway, Inc. (CLNA), a Class III railroad.<sup>1</sup>

The transaction was scheduled to be consummated on or about July 21, 2003.

Golden states that: (i) The railroads he would control will not connect; (ii) the transaction is not part of a series of anticipated transactions that would connect these railroads with each other

<sup>1</sup> CLNA is an indirect wholly owned subsidiary of noncarrier Genesee & Wyoming Inc., which acquired control of CLNA with its acquisition of control of noncarrier Rail Link. See *Genesee & Wyoming Inc.—Control Exemption—Rail Link, Inc.*, STB Finance Docket No. 33291 (STB served Nov. 18, 1996). Golden already controls, through stock ownership, Landisville Terminal and Transfer Company, a Class III rail carrier.