

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion to Adopt New
Safety and Reliability Regulations for
Natural Gas Transmission and Distribution
Pipelines and Related Ratemaking
Mechanisms.

R.11-02-019
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CENTER FOR ACCESSIBLE TECHNOLOGY'S COMMENTS ON PRELIMINARY
WORKSHOP REPORT: IMPROVING EMERGENCY RESPONSE COORDINATION

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I. INTRODUCTION

As requested in the Preliminary Workshop Report: Improving Emergency Response Coordination between Natural Gas Utilities Regulated by the California Public Utilities Commission and Emergency Response Authorities, the Center for Accessible Technology (CforAT) submits these comments on the preliminary report. These comments center on the need for improving emergency response during a natural gas emergency not only between regulated utilities and emergency responders, but also with the public. The need for an effective emergency response is premised on the need to protect the public in case of emergency; thus, the preparation should also incorporate communication with the public and preparation for effective public assistance.

Effective emergency response is vital to ensuring the safety of all Californians, but it is particularly important to those who are most vulnerable in an emergency, including many people with disabilities. This population may lag in receiving information about an emergency due to inaccessible communications. They may be more likely to need assistance in an emergency, including assistance with evacuation if required, and they may have needs if they are evacuated, such as the need for medication or assistive technology, that would compromise their health and safety if unmet. For these reasons, CforAT offers the following recommendations regarding emergency preparation, with a focus on vulnerable populations.

CforAT recommends that emergency response preparations increase their focus on the following key issues:

- Faster, more effective responses by utility crews;
- Improved communications directly with the public; and
- Training and drills that involve the public as well as emergency responders (modeled after the “great shakeout” earthquake drills).

CforAT does not have any comments or recommendations on issues regarding infrastructure and mapping.

II. RECOMMENDATIONS

A. Communications

1. Decrease Utility Response Times

In its Preliminary Workshop Report, CPSD includes issues concerning the ability of utility employees to arrive to arrive promptly at the site of an emergency and to provide assistance to emergency responders in its section regarding “Communications.” In keeping with this placement, CforAT recommends a simple way to improve utility response times, that should involve little-to-no cost: provide siren access to utility responders to allow them to move through congested streets or highways as rapidly as possible.¹

CforAT was astonished to learn at the workshop (and to see in earlier media reports regarding the San Bruno explosion) that utility employees were delayed in responding because they were caught in a traffic backup and did not have any ability to move more quickly than standard traffic. The most obvious way to improve speed of response in such a situation is to give the utility employees right of way over all other traffic, which could be done by providing siren access. This could be done directly, by providing utility response vehicles with removable sirens, such as those in unmarked police cars, to be used only during an emergency response.² Alternatively, emergency responders and utilities could plan for providing a sirened escort by police, California Highway Patrol, local firefighters, or other emergency responders, in order to provide an enhanced path through traffic to allow faster access to the site of a natural gas emergency.³

2. **Provide for Direct Communication to the Public**

¹ In the Preliminary Workshop Report, CPSD identifies “traffic congestion” as one of a list of factors that can affect response time for utility workers. Preliminary Workshop Report at p. 3.

² CforAT did not research what policy changes might be required to provide direct siren access to utility workers responding to a natural gas emergency.

³ It appears that there is substantial literature regarding the effective use of lights and sirens, including appropriate training and policies that should be in place for emergency responders. *See, e.g.* materials developed by the National Academy of Emergency Dispatch, at naemd.org. If this recommendation is

In the Preliminary Workshop Report, the recommendations concerning communication primarily focus on connecting utility employees with emergency responders, first by phone and then by shortened response times. None of the recommendations address the need to communicate about the emergency with the affected members of the public. However, effective communication with the public is necessary in order to maintain safety and order during an emergency situation. In particular, emergency responders and utility workers should develop plans to communicate with people who have difficulty obtaining information through standard channels.

In any emergency situation, the public relies on those who know most about the emergency to provide accurate information and instructions on the appropriate public response. This may include sheltering in place, evacuating, or responding to ongoing instructions that develop with an emerging situation. In a natural gas emergency, this type of information will need to be conveyed to the people who are most likely to be directly affected by the emergency situation; the affected population may include vulnerable people who need assistance in responding to the emergency as well as people who have difficulty receiving information whether because of a disability or because of limited English proficiency.

In order to prepare for potential emergencies, utilities and local emergency responders should identify communities near gas facilities and develop advance plans to ensure that they can effectively reach these communities with information and provide needed assistance during an actual emergency situation. They should work with the local governments in these communities to plan for a disaster, including special preparation to assist vulnerable communities.

adopted, additional work to develop appropriate policies, either by utility employees or by police or fire services in conjunction with the utilities, should follow.

The U.S. Department of Justice has developed a document called “An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities.”⁴ This document provides information on appropriately accommodating people with disabilities through all stages of an emergency, including planning, notification, evacuation, sheltering, and returning home. While it is developed for local governments, it includes information that can help utilities work with the local governments in order to anticipate and plan for the needs of vulnerable populations in case of a natural gas emergency. Such preparation involves advanced planning for effective communication. It also involves training exercises, discussed in greater detail below.

On the specific issue of effective communication, each of the IOUs in California have taken some steps to enhance their ability to communicate with their disabled customers in an emergency, based on various agreements with advocates for people with disabilities.⁵ Protocols should be developed to use these enhanced systems in case of an emergency situation involving natural gas. Additionally, as noted, this coordination should include local government officials in at-risk communities; such officials may be able to bring additional planning efforts and resources to the table (such as those outlined in the DOJ guidance material). Many local governments also maintain contact lists of

⁴ This document can be found at <http://www.ada.gov/emereprepguidescrn.pdf>, and a copy is attached to these comments.

⁵ In a Memorandum of Understanding (MOU) between PG&E and Disability Rights Advocates, approved by the Commission in D.11-05-018, PG&E committed to conduct outreach to its Medical Baseline and/or Life Support customers regarding their preferred form of communication in an emergency, and then to use the preferred modes of communication during any emergencies. MOU at §VII.E. In a similar MOU, signed by the parties and submitted for approval as part of A.10-11-015, Southern California Edison also committed to obtain an use preferred forms of communication for medical baseline and life support customers. MOU at § IV.B. Currently, CforAT, acting as the successor to Disability Rights Advocates, is negotiating with the Sempra Utilities as part of A.10-12-005 regarding similar issues, following up on a commitment in Sempra’s prior general rate case, approved by the Commission in D.08-07-046, to obtain an outbound dialer for emergency notifications that included TTY, test and email capability, and to collect preferred means of contact from its medical baseline/life support customers for use in emergencies. MOU at §5.1.

people who need assistance in emergency situations. It may also be appropriate to work with local authorities to use resources such as emergency notification systems (“Reverse 9-1-1”) and other processes to keep the public informed. Many local governments have encouraged residents to register to participate in their emergency notification systems if they would not be automatically included (whether because they have wireless phones that are not part of the registry of listed and unlisted numbers, or because they have nontraditional telecommunications needs such as TTY). The utilities, emergency responders, and local authorities should continue to work to ensure that information provided to the public is distributed in formats that are accessible to the intended recipients.

B. Training

In its discussion and recommendations on training, the Preliminary Workshop Report focuses exclusively on joint training between utility employees and emergency responders. It also focuses primarily on territory and facilities, rather than on people who might be affected by a natural gas emergency.⁶ CforAT agrees that such training is vital and would be beneficial to the public. However, it is equally important to involve the public in training exercises, and to ensure that both utility workers and emergency responders are prepared to respond to the needs of vulnerable populations that might be impacted by a natural gas emergency.⁷

As recent history has demonstrated, vulnerable populations cannot respond to emergencies as effectively as others, and thus their needs must be taken into account and

⁶ The Preliminary Workshop Report notes that training exercises should consider “size and financial resources of the response agency, that agency’s response territory (urban/rura, type of terrain), and the number and/or complexity of utility facilities to which the agency may have to provide an emergency response. Preliminary Workshop Report at p. 4.

⁷ Appropriate “human” factors to be considered could include a review of local populations in the utility service territory, including the location of key facilities where people might need assistance in an emergency (hospitals, senior centers, group homes), population clusters of people who may not speak English as their primary language, and other demographic groups that may need extra assistance in an emergency situation.

plans must be made before disaster strikes.⁸ One potential model for planning and training for natural gas emergencies may be the earthquake preparation program known as the “Great Shakeout.” This detailed program of earthquake preparedness is sponsored by governmental and nonprofit entities as well as insurance companies, and it includes information, planning material, detailed handbooks and information packets, as well as a well-known annual training event that draws wide participation.⁹

In particular, the Great Shakeout has developed a Preparedness Guide for People with Disabilities and Access and Functional Needs. A copy of this Guide is attached to these comments.¹⁰ Organizations that advocate for people with disabilities have also worked to develop emergency preparation material,¹¹ which can be used as a starting point in developing training and readiness programs.

While it would take a long time to develop a program as advanced and detailed as the Great Shakeout for natural gas disasters, this is a potential model for how to develop materials, plan and execute training exercises, and develop collaborative relationships in advance of an actual emergency. With the additional resources that have been developed in other contexts, the planning and training steps can build on existing models to move

⁸ In disasters ranging from Hurricane Katrina to the earthquake in Haiti, people with disabilities and those who cannot effectively take care of themselves in an emergency have been among the populations at the greatest risk of death or injury. This risk has been widely documented. *See, e.g.* J. Lord, M. Waterstone, & M. Stein, “Natural Disasters and People with Disabilities.” *LAW AND RECOVERY FROM DISASTER: HURRICANE KATRINA*, Robin Paul Malloy, ed., 2009; William & Mary Law School Research Paper No. 09-29. Available at SSRN: <http://ssrn.com/abstract=1539450>.

⁹ Sponsors of the Great Shakeout appear to include the U.S. Geological Survey, FEMA, Cal-EMA, the Southern California Earthquake Center, the California Earthquake Authority, the Red Cross, and State Farm Insurance Company. *See* shakeout.org for materials, programs and training provided.

¹⁰ A link to the Guide as a pdf document can also be found at the front page of shakeout.org. The Great Shakeout website also has material available in multiple languages, though not immediately on the home page.

¹¹ *See, e.g.*, material prepared by the National Organization on Disabilities at www.nod.org/research_publications/emergency_preparedness_materials/ and information prepared by the California Foundation of Independent Living Centers at www.access2readiness.org.

quickly to readiness to help the public, including those with greater vulnerability, in an emergency situation.

Only one of the presentations made at the workshop addressed direct work with the public in response to a major natural gas fire/explosion incident.¹² While it is not surprising that the Menlo Park Fire Prevention District, which was the only presenting entity that is directly responsible for assisting the public in an emergency, was also the only entity to talk about the need for public planning, this points up the need to broaden the conversation to ensure that potentially affected communities receive effective assistance.

III. CONCLUSION

For the foregoing reasons, CforAT respectfully requests that its recommendations be incorporated into the final workshop report and presented to the Commission as appropriate preparation for any future pipeline emergencies.

Respectfully submitted,

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¹² Presentation by the Menlo Park Fire Prevention District at p. 20, available from http://www.cpuc.ca.gov/PUC/events/110926_27Workshop.htm.