



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington DC 20590

## PIPELINE SAFETY

### 2010 State Damage Prevention Grant

for

### MICHIGAN PUBLIC SERVICE COMMISSION

Please follow the directions listed below:

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign page 2.
3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Karina Munoz  
U.S. Department of Transportation  
Pipeline & Hazardous Materials Safety Administration  
Office of Contracts and Procurement  
1200 New Jersey Avenue, SE Second Floor E22-228  
Washington, D.C. 20590**

#### **FedSTAR Information**

Submission Date: 8/26/2009 11:31:51 AM



**Pipeline and Hazardous Materials Safety Administration**  
**1200 New Jersey Avenue, SE**  
**Washington DC 20590**

## DEPARTMENT OF TRANSPORTATION

### APPLICATION

#### 2010 GRANT PROGRAM IN SUPPORT OF STATE DAMAGE PREVENTION

The MICHIGAN PUBLIC SERVICE COMMISSION hereby applies to the Department of Transportation for Federal funds appropriated for the support of State Damage Prevention Programs established under 49 U.S.C. Section 60134 et seq.

The state agency plans to carry out the State Damage Prevention Program, during calendar year 2010, as described in Attachment 1, "Project Abstract/Statement of Objectives". To accomplish the program, the state agency proposes to expend funds as set forth in Attachment 4, "State Damage Prevention Estimated Budget".

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Signature

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Title

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Date



## **Project Abstract/Statement of Objectives**

**Please provide a clear and concise description of the work this grant will fund for calendar year 2010**

This grant will fund the hiring of one statewide Damage Prevention Coordinator. Duties will include: 1) Facilitating the implementation of a statewide damage prevention organizational structure (MISS DIG Education Committee); 2) Develop a program to perform field audits of excavation worksites for safe digging practices; 3) Increasing the number of Damage Prevention Associations in the State of Michigan; 4) Provide some financial support for every Damage Prevention Association in the State of Michigan to enable continued education of safe digging practices; 5) Coordinate Pipeline Public Awareness survey among pipeline operators within the state; 6) Coordinate Damage Prevention Seminars; 7) Foster increased municipal membership in the MISS DIG one-call in an effort to encourage municipalities to actively participate in order to reduce underground damages. This grant will address Elements 2,4 and 9.



## State Damage Prevention Elements

### **ELEMENT 1 - EFFECTIVE COMMUNICATIONS**

"Participation by operators, excavators, and other stakeholders in the development and implementation of methods for establishing and maintaining effective communications between stakeholders from receipt of an excavation notification until successful completion of the excavation, as appropriate."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

MISS DIG System, Inc. has been operational for over 35 years. The System began as a joint effort of the major utilities. Since the beginning, other damage prevention stakeholders have been added to the Board of Directors of MISS DIG. The Board currently has members representing utilities, locators, municipalities, excavators and most recently design/engineering firms. The bylaws allow for the addition of other stakeholders, as necessary.

The excavator contacts MISS DIG via phone or Web Ticket Entry. MISS DIG assigns a ticket number and obtains all pertinent information (including location, scope, longitude-latitude, ongoing project, boring, etc). The ticket is then sent via computer or fax to the identified member utilities to mark the facilities. Voluntary Positive Response has been implemented and is being used by many member utilities. The positive response can be viewed via the MISS DIG website.

The range of stakeholders in the Common Ground Alliance (CGA), Michigan Damage Prevention Board (MDPB), MISS DIG Board and local damage prevention associations show the participation of the state's operators, excavators, MPSC, MIOSHA and other governmental officials in the activities associated with this element.

The State of Michigan has many individuals serving on various national and state damage prevention committees. Most notably the CGA Data Reporting and Evaluation Committee, Regional Partners Committee, Best Practices and CGA Educational, Marketing & Communications Committee. There are eight local Damage Prevention Associations (DPAs) throughout the state with representation from all stakeholders. MIOSHA has also partnered with the DPA's by providing excavator training on safe practices.

The Michigan Damage Prevention Board (MDPB) is the regional partner of CGA. It is made up of representatives from gas, electric, and phone companies along with excavators (represented by Michigan Infrastructure and Transportation Assoc), municipalities, MPSC, MISS DIG, and locators. The MDPB has established the Michigan Best Practices to clarify gray areas within PA53.

The MISS DIG Board is made up of representatives from the gas, electric, phone, pipeline, cable, municipalities, locators, designers and contractors. The MISS DIG system has established positive response and the contractor assistance program (CAP).

Eight local Damage Prevention Associations (DPA's) provide a local forum for contractor, locator, MISS DIG and utility representatives to meet and discuss damage prevention issues. These meetings are held monthly and/or annually. Topics at these forums include: education of the MISS DIG One Call processes, locating practices, damage reporting and "what have we learned", and safety training. Excavator seminars are held throughout the state, hosted by the DPA's or MISS DIG.



**ELEMENT 3 - OPERATOR INTERNAL PERFORMANCE MEASUREMENT**

"A process for reviewing the adequacy of a pipeline operator's internal performance measures regarding persons performing locating services and quality assurance programs."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

MISS DIG is working to implement a process to collect virtual private DIRT from all stakeholders involved in damage prevention. This data will support the development of statewide measures for all operators regarding locating services and quality assurance programs.

Gas Pipeline Operators are required to file an annual report that includes, among other items, the number of gas leaks repaired that were due to excavation. The MPSC also receives and reviews staking and damage statistics from gas pipeline operators.



Associations (DPA's) within the state. Excavator safety awareness information and educational items for these newly established DPA's and existing Damage Prevention Associations in the State of Michigan will be provided. In addition, efforts to foster increased municipal membership in the MISS DIG one-call will be made to encourage municipalities to actively participate in order to reduce underground damages. Educational materials will be developed, printed and distributed for locator training for municipalities and small utilities.



**ELEMENT 5 - PUBLIC EDUCATION**

"A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

The Raise the Flags committee has had participation in the past by Consumers Energy, DTE, Michcon and Ameritech. Cable companies and MITA have donated public service announcements and ad space in magazines.

The Miss Dig Board has established a Public Education Committee to foster participation of all stakeholders in the design and implementation of efforts to increase public awareness of damage prevention.

The MISS DIG Public Education Committee was also established to foster participation of all stakeholders in the design and implementation of efforts to provide education to employees involved in the damage prevention process. The Public Education Committee has recently collaborated with MITA to hold breakout sessions at MITA Superconference's in 3 areas of the State to help educate and train excavators.

Key stakeholders sponsored a Michigan 811 Summit to update people interested in damage prevention about the promotional campaign to support the introduction of 811 as a national phone number to contact one-call centers for staking requests and follow-up contacts. Additionally, through collaborative efforts, in 2007 and 2008 resolutions proclaiming May as "Michigan Safe Digging Month" were adopted.





**ELEMENT 6 - DISPUTE RESOLUTION**

"A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

The Michigan Damage Prevention Board has completed the drafting of revisions to PA53 that will incorporate a process for a State authority to enforce PA53. The proposed revisions will be presented to the State Legislature for consideration after the MDPB reaches consensus on the revisions.

Currently, a dispute resolution is done on a case by case basis between the damaging party and the facility owner. If no resolution is determined, then the process in the State of Michigan is to bring disputes involving PA53 before the courts for resolution. Outside of the court system, there is no State authority or mediation process for resolving disputes.



**ELEMENT 7 - ENFORCEMENT**

"Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

The Michigan Damage Prevention Board has drafted revisions to PA53 that will incorporate a process for a State authority to enforce PA53. The proposed revisions will be presented to the State Legislature for consideration after the MDPB reaches consensus on the revisions.

The MPSC audits and enforces the gas and pipeline companies compliance with PA53 and Rule 192.614 (Damage prevention program) and 192.616 (Public education) of the Michigan Gas Safety Code. MIOSHA has authority to enforce the excavators' compliance with excavation safety (including the protection of underground facilities.)

Beyond the authority of the MPSC and MIOSHA, there is no State authority for enforcement of the damage prevention process. "Self service" enforcement takes the form of operators and excavators bringing their disputes (i.e., damage and downtime claims) before the courts. The courts are relied upon to rule upon the cases in accordance with PA53. Civil penalties are spelled out in sections 15 and 16 of PA 53 for multiple damages and removal of stakes.



**ELEMENT 8 - TECHNOLOGY**

"A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs."

**Does the proposed project address this element? (Required)** No

**Describe any existing state initiatives that support this element: (Required)**

The MISS DIG Board has implemented web based ticket entry, a mapping grid coordinate system used for the entry of staking requests to assure accurate information for the location of the request, and a voluntary positive response system to allow excavators to research the status of their staking request.

The DPAs provide forums for updates on the use of various technologies in improving the results of damage prevention efforts (vacuum excavation, ground penetrating radar, etc.) Various utilities in the state submit DIRT data to CGA.



### **Legislative/Regulatory Actions**

**Provide a description of any legislature or regulatory actions (including legislative/regulatory studies) taken by the State within the past five (5) years pertaining to damage prevention program improvement, even if those actions were not completely successful.**

The Michigan Damage Prevention Board has drafted a revision to PA53 (current Protection to Underground Facilities Law) that will incorporate a process for a State authority to enforce PA53. The proposed revision will be presented to the State Legislature in the fall of 2009 for consideration.



**State Damage Prevention Application Attachments**

Governor letter 2010 SDP Grant.pdf



SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	State Damage Prevention Program	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
11.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
12. TOTAL (sum of lines 8-11)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. Non-Federal	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	State Damage Prevention Program	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
17.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
18.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
19.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
20. TOTAL (sum of lines 16 - 19)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: <input type="text"/>	22. Indirect Charges: <input type="text"/>
23. Remarks: <input type="text"/>	

## Application for Federal Assistance SF-424

Version 02

## \* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

## \* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

## \* If Revision, select appropriate letter(s):

## \* Other (Specify)

## \* 3. Date Received:

08/27/2009

## 4. Applicant Identifier:

## 5a. Federal Entity Identifier:

## \* 5b. Federal Award Identifier:

## State Use Only:

## 6. Date Received by State:

## 7. State Application Identifier:

## 8. APPLICANT INFORMATION:

## \* a. Legal Name:

MICHIGAN PUBLIC SERVICE COMMISSION

## \* b. Employer/Taxpayer Identification Number (EIN/TIN):

38-6000134

## \* c. Organizational DUNS:

148674265

## d. Address:

## \* Street1:

P O Box 30221

## Street2:

## \* City:

Lansing

## County:

## \* State:

MI: Michigan

## Province:

## \* Country:

USA: UNITED STATES

## \* Zip / Postal Code:

48909

## e. Organizational Unit:

## Department Name:

MICHIGAN PUBLIC SERVICE COMM

## Division Name:

Operations &amp; Wholesale Markets

## f. Name and contact information of person to be contacted on matters involving this application:

## Prefix:

Mr

## \* First Name:

John

## Middle Name:

## \* Last Name:

King

## Suffix:

## Title:

Manager Gas Operations Section

## Organizational Affiliation:

## \* Telephone Number:

517-241-6132

## Fax Number:

## \* Email:

kingj5@michigan.gov

## Application for Federal Assistance SF-424

Version 02

## 9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

## \* 10. Name of Federal Agency:

Pipeline &amp;Hazardous Material Safety Administration

## 11. Catalog of Federal Domestic Assistance Number:

20.720

CFDA Title:

Pipeline Safety

## \* 12. Funding Opportunity Number:

DTPH56-10-SN-0001

\* Title:

State Damage Prevention Grants

## 13. Competition Identification Number:

Title:

## 14. Areas Affected by Project (Cities, Counties, States, etc.):

## \* 15. Descriptive Title of Applicant's Project:

MICHIGAN PUBLIC SERVICE COMMISSION State Damage Prevention

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



**Application for Federal Assistance SF-424**

Version 02

**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### \* APPLICANT'S ORGANIZATION

MICHIGAN PUBLIC SERVICE COMMISSION

#### \* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Mr. \* First Name: Orjiakor Middle Name:   
\* Last Name: Isiogu Suffix:   
\* Title: Chairman

\* SIGNATURE: Mary Cupp

\* DATE: 08/27/2009