**2010 State Damage Prevention Program Grants Final Report**

**Funding Opportunity Number: DTPH56-10-SN-0001**

**CFDA Number: 20.720**

**Award Number:** *DTPH56-10-G-PHPS09*

**Project Title:** *MN Office of Pipeline Safety State Damage Prevention Program*

**Date Submitted:** *June 22, 2011*

**Submitted by:** *Elizabeth Skalnek*

**Specific Objective(s) of the Agreement**

*Under this grant agreement, the Minnesota Department of Public Safety will continue to devote the equivalent of one full time employee for the enforcement, education, training, communication, support, analysis, partnership, and mediation activities associated with underground utility damage prevention.*

**Workscope**

*Under the terms of this grant agreement, the Grantee will address the following elements listed in 49 USC §60134 through the actions it has specified in its Application.*

* *Element (1): 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.*
* *Element (2): A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program.*
* *Element (3): A process for reviewing the adequacy of a pipeline operator’s internal performance measures regarding persons performing locating services and quality assurance programs.*
* *Element (4): Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the one call center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators.*
* *Element (5): A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities.*
* *Element (6) A process for resolving disputes that defines the State authority’s role as a partner and facilitator to resolve issues.*
* *Element (7): Enforcement of State damage prevention law 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.*
* *Element (8): 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 analyzing information about the accuracy and effectiveness of locating programs.*
* *Element (9): A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews.*

**Accomplishments for the grant period (Item 1 under Agreement Article IX, Section 9.02 Final Report: “A comparison of actual accomplishments to the objectives established for the period.**”)

*In 2010, the Minnesota Department of Public Safety had devoted one full time employee who was tasked with coordinating and overseeing the enforcement, education, training, communication, support, analysis, partnership, and mediation activities associated with underground utility damage prevention. In addition to this employee, the entire staff was involved in the damage prevention effort. All damage prevention activities along with the employee who performed such activities were tracked separately (by case number) in the Minnesota’s Pipeline Safety Program Management System (aka OPS System) database.*

*The primary activity of the Minnesota Office of Pipeline Safety (MNOPS) damage prevention program during 2010 was investigating excavation related incidents and responding to One Call related complaints for the purpose of determining the compliance with Minnesota’s damage prevention laws contained in Min.. Statute 216D & Minn. Rule 7560. Where evidence supported the need for an enforcement action, a penalty and/or compliance order was issued. When enforcement actions were taken, a pre-established collection process was followed and the compliance orders were then tracked until case closure. Cases were not closed in the OPS system until the issues were fully resolved and/or the collection was complete. In a few instances, the case was contested and the case was brought to court for final mediation.*

*Starting in the spring, the staff devoted significant effort to damage prevention education seminars that were conducted throughout Minnesota. The next section of this report quantifiably details this effort. The audiences primarily consisted of operators, excavators and locators. The 2010 core messages were excavation safety (communication, white marking and potholing) and compliance with state law. In many instances the training was coordinated with stakeholders, such as utility coordinating committees, pipeline operators, and Gopher State One Call.*

*In April 2010, MNOPS hosted an educational conference in Northern Minnesota that focused on education, training and communications.*

*Again in 2010, MNOPS regularly participated in MN Regional CGA and all of the utility coordinating committees (UCCs) throughout the State. These partnerships continued to be beneficial in fostering communications between stakeholder who might be otherwise isolated and insulted.*

*The OPS system was and continues to be used for analysis and tracking of damage prevention efforts and enforcement activities. MNOPS has an established Voluntary Damage Reporting program. This project has been in effect since 1996 and has proven to be an effective tool that allows MNOPS to effectively communicate and promote the reduction of the number of facilities damaged in Minnesota.*

*MNOPS often is asked to participate in activities where their skills may be used to mediate between parties at odds over damage prevention issues. MNOPS dispels misconceptions and offers insights.*

*All of the 9 elements are developed in Minnesota and they are part of the processes and procedures integrated into the program as a whole. Minnesota’s procedures are in alignment with the CGA Best Practices.*

**Quantifiable Metrics/Measures of Effectiveness (Item 2 under Article IX, Section 9.01 Project Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)**

MNOPS continues to closely track excavation damages in a quantifiable manner. 2010 continued to show an encouraging declining trend of damages per 1000 excavation locate request notices as shown in the chart. In 2010, there were 1,258 gas distribution pipeline leaks caused by excavation. As the result of these figures, MNOPS has implemented a mandatory reporting requirement for intrastate gas pipeline operators. This report requires each operator to report specific information on all excavation-related gas leaks. MNOPS is also encouraging this information from not only gas operators but also from other facility owners, excavators and the public. This will allow MNOPS to analyze the effectiveness of damage prevention efforts and implement risk-based investigations to prevent recurrence.

The investigations and enforcement supported by this grant in 2010 resulted in the collection of $12,450 in civil penalties for 17 violations of the One Call law. 34 violations were resolved without civil penalty and 19 potential violations are in process. Additional enforcement was pursued using One Call grant funds.

Cost breakdown: salary and fringe: $90,043.74

travel: 845.89

indirect Costs: 9,110.37

SDP related activities from March 1st – December 31, 2010:

Hours Units Cost/Unit Description

557.75 74 $331.18 Damage Prevention Presentations supported by SDP grant

338.00 92 $161.43 One Call inquiry/complaints (significant enough to create a case)

214.75 38 $248.26 Accident investigations conducted

37.00 3 $131.82 Pipeline operator damage prevention program inspection

* 1. 1 $1,131.45 DPP prep/development

1. 1 $43.94 DIRT Report
   1. 1 $329.55 Voluntary Damage Reporting (VDR)

21.00 1 $43.94 Enforcement activities

* 1. 15 $194.80 utility coordinating committee (UCCs) meetings
  2. 2 $186.75 Gopher State One Call (GSOC) operations committee meetings
  3. 3 $300.26 GSOC communications/event support
  4. 3 $197.73 MS216D reviews

32.50 4 $352.63 Common Ground Alliance (CGA) meetings

6.00 1 $263.64 SDP grant reporting

428.50 1 $18,828.29 damage prevention program inquiries/complaints/admin

171.50 1 $7,535.71 Supervision of Damage Prevention Program

2049.25 see above Total hours @ average of ~$43.94/hour (salary + fringe)

| **SDP Damage Prevention Presentations (DPP) 2010** | |
| --- | --- |
| **Date** | **ShortDescription** |
| 3/8/2010 | City of Afton |
| 3/8/2010 | DPP Presentation sponsored by the C/ St. Cloud |
| 3/9/2010 | DPP Presentation sponsored by the C/ St. Cloud |
| 3/9/2010 | DSM - DPP, MUCC, Oakdale |
| 3/10/2010 | Austin/Albert Lea DPP (201 attendees) |
| 3/10/2010 | City of Afton |
| 3/10/2010 | DPP Presentation sponsored by the C/ St. Cloud |
| 3/10/2010 | DSM - DPP, LUCC, Road Authority Workshop |
| 3/10/2010 | DSM - DPP, MP Nexlevel, Maple Lake |
| 3/10/2010 | Rochester DPP Holiday Inn South (103 attendees) |
| 3/11/2010 | DSM - DPP, Hinckley Area Excavators |
| 3/11/2010 | Winona DPP |
| 3/12/2010 | Owatonna DPP |
| 3/15/2010 | DPP Presentation sponsored by the C/ St. Cloud |
| 3/15/2010 | DSM - DPP, VLUCC in Alexandria |
| 3/15/2010 | Mankato DPP |
| 3/16/2010 | DPP at Mystic Lake Casino |
| 3/16/2010 | DPP for Rochester Sand & Gravel (83 attendees) |
| 3/16/2010 | DSM - DPP, VLUCC in Alexandria |
| 3/17/2010 | DSM - DPP, CPE, ULS joint locator training |
| 3/17/2010 | Willmar Area DPP |
| 3/18/2010 | Hutchinson Area DPP |
| 3/19/2010 | Mlaskoch Utility Construction DPP (25 attendees) |
| 3/19/2010 | New Ulm Area DPP |
| 3/23/2010 | DPP - Worthington |
| 3/23/2010 | DSM - DPP, MUCC at Maple Grove |
| 3/24/2010 | Chard Tiling 2010 DPP |
| 3/24/2010 | DPP - DSM, TD&I Cable, Hudson, WI |
| 3/24/2010 | DPP - Worthington |
| 3/24/2010 | DPP Presentation at Design Electric |
| 3/24/2010 | DSM - DPP, Connexus Sponsored, Ramsey |
| 3/24/2010 | St. Cloud UCC |
| 3/25/2010 | Chard Tiling 2010 DPP |
| 3/25/2010 | DSM - DPP, LUCC Excavators Safety Seminar, C/Brainerd |
| 3/25/2010 | DSM - DPP, MUCC at Maple Grove |
| 3/25/2010 | St. Cloud UCC |
| 3/26/2010 | Chard Tiling 2010 DPP |
| 3/26/2010 | Connexus Energy - Fehn Excavation and Gravel |
| 3/26/2010 | Danner DP in Inver Grove Heights |
| 3/26/2010 | DSM - DPP, LUCC Excavators Safety Seminar, C/Brainerd |
| 3/29/2010 | Chard Tiling 2010 DPP |
| 3/31/2010 | DSM - DPP, Grand Forks & East Grand Forks UCC |
| 3/31/2010 | DSM - DPP, Two Harbors Area Excavators |
| 3/31/2010 | DSM - Duluth Area Locator Roundtable |
| 3/31/2010 | MUCC Presentation: Rosemount Community Center |
| 3/31/2010 | Utility Damage Reduction Advisory Committee |
| 4/1/2010 | DSM - DPP, Grand Forks & East Grand Forks UCC |
| 4/2/2010 | DSM - DPP, Grand Forks & East Grand Forks UCC |
| 4/5/2010 | DSM - DPP, Grand Rapids - Northern Region UCC |
| 4/6/2010 | DSM - DPP, Grand Rapids - Northern Region UCC |
| 4/6/2010 | MUCC Presentation: Rosemount Community Center |
| 4/6/2010 | Perham DPP - 278 attendees |
| 4/6/2010 | Valley Paving DPP |
| 4/7/2010 | DSM - DPP, Hibbing - Northern Region UCC |
| 4/7/2010 | MUCC Presentation: Rosemount Community Center |
| 4/7/2010 | Perham DPP - 278 attendees |
| 4/7/2010 | Valley Paving DPP |
| 4/8/2010 | Comcast DPP - 52 attendees |
| 4/8/2010 | DSM - DPP, LUCC Locator Workshop |
| 4/8/2010 | MUCC Presentation: Rosemount Community Center |
| 4/8/2010 | Valley Paving DPP |
| 4/9/2010 | DPP - St. Cloud/Foley |
| 4/9/2010 | Valley Paving DPP |
| 4/12/2010 | DPP - NPL Lakeville |
| 4/12/2010 | Duluth DPP - 118 attendees |
| 4/13/2010 | Carlton DPP - 156 attendees |
| 4/20/2010 | DPP, MPWA - Undeground Utilities Inspection School (27 attendees) |
| 4/20/2010 | DSM - DPP, Bemidji |
| 4/27/2010 | DSM - DPP, International Falls |
| 4/28/2010 | DSM - DPP, Baudette |
| 4/30/2010 | DPP-Crookston |
| 4/30/2010 | DSM - DPP, Warroad-Roseau |
| 9/21/2010 | DSM DPP - MN Dept of Labor and Industry / MN OSHA - 100921 0700 |
| 10/4/2010 | St. Cloud Excavator Training |

**Issues, Problems or Challenges (Item 3 under Article IX, Section 9.01 Project Report: “The reasons for slippage if established objectives were not met. “)**

*Aside for the delayed submission of the final report, there are no issues, problems or challenge to report. The supervisor for the damage prevention program resigned at the end of February; it was thought that he had already submitted the final report.*

**Final Financial Status Report**

*The final financial report has been sent as a separate attachment to the AA.*

**Requests of the AOTR and/or PHMSA**

*No actions requested at this time*