**2012 State Damage Prevention Program Grants Progress Report**

**CFDA Number: 20.720**

**Award Number**: DTPH56-12-G-PHPS09

**Project Title:** MD Underground Facilities Damage Prevention Authority State Damage Prevention

**Date Submitted:** March 1, 2013

**Submitted by:** James A. Barron

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

Under this grant agreement, the MD Underground Facilities Damage Prevention Authority will:

* Laws and regulations of the damage prevention process

**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 (7):* 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.

**Accomplishments for this period (Item 1 under Article IX, Section 9.01 Progress Report: “A comparison of actual accomplishments to the objectives established for the period.**”)

As noted above our primary objective is enforcement as detailed in *Element (7)* of 49 USC§60134. In order to work toward and meet that objective, certain preliminary steps needed to achieved first. Specifically a website needed to be launched to disseminate Maryland’s damage prevention laws and regulations for all aspects of the damage prevention process. Once the website is established an office, equipment and staff will be needed to initiate and deliver on-line enforcement capability and implement a complaint review process along with hearing procedures and processes. To date, the website is up and running, an office has been established and computer equipment has been purchased. The MD Underground Facility Damage Prevention Authority (“the Authority”) has hired an executive director and support staff working directly for “the Authority” who are charged with continued monitoring and updating of the website; the receipt, investigation and review of probably violations filed electronically with “the Authority’ on its website; and the presentation of the probably violations to “the Authority” at its monthly meeting for review, hearings if necessary and the use of civil penalties and/or education for violations assessable by “the Authority”.

**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.”)**

The majority of the time during the mid-term of our grant has been spent in setting up the website**,** establishing a permanent office, equipping that office with necessary equipment and supplies and the hiring of an executive director and support staff. We are currently 90% up and running. In the month of January two probable violations were submitted to “the Authority” for review and returned to the complainant requesting additional information. In the month of February eight additional probably violations have been received and will be presented to “the Authority” at the March 6, 2013 meeting for review and probable action

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

The work under this grant agreement has moved steadily forward after receiving the 50% grant allocation in November 2012. With the holidays; the solicitation, interview and hiring process of an executive director was somewhat delayed however members of “the Authority” covered the needed bases until the executive director was hired. Two specific problems occurred in the first quarter. (1) Probable violations were not being submitted to “the Authority” in the quantities “the Authority” had expected. It was determined that the $250.00 filing fee was a deterrent for complainants to file probable violations. Therefore, the filing fee has been waived and probable violations are now being submitted. (2) After the first two probable violations were submitted it was determined that “the Authority” needed to go back to the complainant for additional information. After a review of the website template used in filing the probable violations it has been determined the format needs to be expanded in order to get as much information about the probable violation on the first submission thus moving the review, hearing, and penalty and/or education process along more efficiently.

**Mid-term Financial Status Report**

The Mid-Term Federal Financial Report (Standard Form SF-425) is attached hereto. A breakdown of line (e.) is shown below. Documentation such as invoices, receipts, spreadsheets, etc. will be forwarded to the GOTR and GA within a week of this March 1, 2013 submission.

Website $ 1,803.00

Consulting 3,830.00

Computer Equipment 10,710.00

Supplies 2,180.00

Total $ 18,523.00

**Plans for Next Period (Remainder of Grant)**

The plans for the remainder of this grant are consistent with the objectives outlined in the grant application. As stated in the “Quantifiable Metrics…” section of this report, we are 90% operational at the time of this report. We will be 100% operational within the month. The executive director will continue to assume administrative duties currently being handled by members of the authority. Current detailed job descriptions for the executive director and staff will be reviewed and modified to create efficiency with “the Authority” office. Probable violation procedures and processes will be reviewed and updated to reduce the time from receipt of the probable violation to its introduction to “the Authority” for review. And a hearing procedure and process will be developed along with standard hearing schedules so all stakeholders in Maryland Damage Prevention can participate in this important part of the enforcement process.

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

No actions requested at this time.