



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

Miss Utility of West Virginia

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: 8/28/2009 1:58:19 PM



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 Miss Utility of West Virginia 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".

Signature

Title

Date



Project Abstract/Statement of Objectives

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

Miss Utility of West Virginia (MUWV) is the designated One Call system for the State of West Virginia. As such, MUWV will use funding from this grant to promote Safety and Damage Prevention throughout the state to facility owners / operators, excavators, state, county and city entities, business and residential property owners through a vigorous radio, tv, newspaper and industry newsletter advertisement campaign. MUWV will also conduct safety breakfast, safety dinner "town hall" style meetings and hold Damage Prevention meetings that will allow all stakeholders to participate in and share their knowledge and expertise in Safety and Damage Prevention.



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)

I am not aware of any state initiatives.



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)

This process is being conducted by the Gas Pipeline Safety Section of the West Virginia Public Service Commission (PSC). The PSC, a member of MUWV, focuses, in more detail on an individual gas pipeline operators locating program on an on-going basis. The internal measurements are the responsibility of each MUWV member.

This process could be extended internally by the Commission to direct Staff to review the performance measures and damage prevention practices of all regulated utilities within the framework of either a general investigation or rate case.



ELEMENT 4 - EFFECTIVE EMPLOYEE TRAINING

"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."

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

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

The member companies of MUWV have their own training programs or basic protocols to follow. The Construction Contractors' associations have their own programs, as do locating contractors' trade associations. MUWV participates in and conducts safety presentations with stakeholders on an on-going basis to enhance their safety programs.



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)

Outside of litigation of civil suits in Circuit Court, there is no defined state role to mediate or resolve disputes. Legislation that would authorize a party to establish an underground facility damage dispute mediation process would need to be enacted.



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)

I am not aware of any state initiatives.



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.

A bill to require universal membership (removing exemptions from the original statute) was reintroduced in the 2005 Regular Session. However, HB2346 was not voted out of the Judiciary Committee.

In the 2006 Regular Session, SB439 was voted out of committee and subsequently received approval from both houses. The bill modified existing §24C to require:

1. Positive response from underground facility owners with no facilities in work zone;
2. Immediate notification of appropriate emergency responders when a line is hit and creates an emergency situation;
3. Notification of the call center within 24 hours for non-emergency dig-ins; and,
4. Excavators who fail to call Miss Utility or fail to report dig-ins are subject to criminal penalties of up to \$5,000.

The law was effective on June 10, 2006.



State Damage Prevention Application Attachments

Governors_Letter_2009.pdf
Grant Budget Narrative 2010.doc



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"/>				
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"/>				

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: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify) <input type="text"/>	
* 3. Date Received: <input type="text" value="08/28/2009"/>		4. Applicant Identifier: <input type="text"/>			
5a. Federal Entity Identifier: <input type="text"/>			* 5b. Federal Award Identifier: <input type="text"/>		
State Use Only:					
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>			
8. APPLICANT INFORMATION:					
* a. Legal Name: <input type="text" value="Miss Utility of West Virginia"/>					
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="52-1225871"/>			* c. Organizational DUNS: <input type="text" value="057899903"/>		
d. Address:					
* Street1:	<input type="text" value="5608 Maccorkle Ave., S. W."/>				
Street2:	<input type="text"/>				
* City:	<input type="text" value="South Charleston"/>				
County:	<input type="text"/>				
* State:	<input type="text" value="WV: West Virginia"/>				
Province:	<input type="text"/>				
* Country:	<input type="text" value="USA: UNITED STATES"/>				
* Zip / Postal Code:	<input type="text" value="25309"/>				
e. Organizational Unit:					
Department Name: <input type="text" value="Miss Utility of West Virginia"/>			Division Name: <input type="text" value="N/A"/>		
f. Name and contact information of person to be contacted on matters involving this application:					
Prefix:	<input type="text" value="Mr."/>	* First Name:	<input type="text" value="Thomas"/>		
Middle Name:	<input type="text"/>				
* Last Name:	<input type="text" value="Taylor"/>				
Suffix:	<input type="text"/>				
Title:	<input type="text" value="Liaison Manager"/>				
Organizational Affiliation: <input type="text"/>					
* Telephone Number:	<input type="text" value="304-345-3959"/>	Fax Number:	<input type="text" value="304-345-1851"/>		
* Email:	<input type="text" value="tomtaylor@muwv.org"/>				

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 & 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:**

Miss Utility of West Virginia 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	
<input style="width: 100%;" type="text" value="Miss Utility of West Virginia"/>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 100px;" type="text" value="Mr."/>	* First Name: <input style="width: 200px;" type="text" value="Thomas"/> Middle Name: <input style="width: 150px;" type="text"/>
* Last Name: <input style="width: 300px;" type="text" value="Taylor"/>	Suffix: <input style="width: 80px;" type="text"/>
* Title: <input style="width: 250px;" type="text" value="Liaison Manager"/>	
* SIGNATURE: <input style="width: 300px;" type="text" value="Thomas Taylor"/>	* DATE: <input style="width: 150px;" type="text" value="08/28/2009"/>



State of West Virginia
Joe Manchin III
Governor

Office of the Governor
State Capitol
1900 Kanawha Boulevard, East
Charleston, WV 25305

Telephone: (304) 558-2000
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FAX: (304) 342-7025
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August 27, 2009

Pipeline and Hazardous Materials Safety Administration
Office of Contracts and Procurement
1200 New Jersey Avenue, SE, E22-228
Washington, DC 20590

Attention: Karen Munoz

Dear Ms. Munoz:

Miss Utility of West Virginia (MUWV) is applying for a federal grant that is made available through the Pipeline and Hazardous Material Safety Administration (PHMSA) for use by the state designated facility for underground utility damage prevention.

MUWV was established in 1981 as the "Call Before You Dig" one-call center in West Virginia to ensure that underground facilities are properly marked before any digging or excavation project begins and is recognized as the statewide notification authority between excavators and facility owners when excavation activity is required. MUWV promotes safe digging, pipeline safety and public awareness throughout the 55 counties of West Virginia on an ongoing basis.

This letter serves to recognize MUWV as the appropriate recipient of the following PHMSA sponsored State Damage Prevention grant.

Title:	"State Damage Prevention Program"
Funding Number:	DTPH56-10-SN-0001
CFDA Number:	20.720

West Virginia is proud to be a state where damage prevention will continue to play a significant role in the protection of our underground infrastructure, the prevention of injuries to our workforce and keeping the citizens of our state safe.

With warmest regards,

A handwritten signature in black ink, appearing to read "Joe Manchin III".

Governor Joe Manchin III