

**2010 State Damage Prevention Program Grants Progress Report**  
**Funding Opportunity Number: DTPH56-10-SN-0001**  
**CFDA Number: 20.720**

**Award Number:** DTPH56-10-G-PHPS05

**Project Title:** Kansas Corporation Commission State Damage Prevention

**Date Submitted:** August 30, 2010

**Submitted by:** Leo Haynos, Robert Jackson

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

Under this grant agreement, the Kansas Corporation Commission will continue the successful pilot program begun in 2008 to augment the enforcement of the Kansas Underground Utility Damage Prevention Act.

**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.”)**

For Calendar year 2010, the Kansas Corporation Commission employed one FTE dedicated to damage prevention enforcement and education in the Wichita metropolitan area. The inspector’s duties consist primarily of on-site field inspections of utility damage locations. To perform this function, the inspector relies on real time reports of damages from two gas distribution utilities, one electric utility in the area as well as occasional reports from a cable TV company. Also, the One Call ticket database is monitored for emergency locate requests that may indicate a facility damage has occurred. As part of the onsite damage investigations, the damage prevention inspector issues citations for violations of the Kansas Underground Utility Damage Prevention Act and its associated regulations. To date in 2010, the Wichita damage prevention inspector has issued 12 notices of probable noncompliance to excavators and utility operators for various violations of Kansas law. These actions resulted in seven civil penalties being issued for a total of \$4,000 in fines. In addition to damage investigations, the inspector conducts other site investigations of locating activity. In total, the inspector has performed 120 on-site investigations over the first six months of 2010. Because communication is an integral part of the damage prevention process, the inspector also dedicates a significant amount of time to education and training of excavators and facility operators. In the first 6 months of 2010, the KCC inspector initiated 32 meetings regarding damage prevention issues. Of significance is the effort to establish a regional common ground alliance chapter in the Wichita area. Also worthy of noting is a seminar

given by the KCC inspector to students of a community college enrolled in a heavy equipment operator training program.

**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.”)**

For the first 7 months of 2010, the Wichita area generated 53,000 excavation locate requests or 18% of the Kansas statewide total. For the first six months of 2010, there have been 269 damages reported for the Wichita area. Of this amount, 121 damages, (45% of total), were reported as damages to natural gas distribution facilities. Of the 121 damages to natural gas facilities, the KCC inspector performed an on site inspection for 65 (54%) of the natural gas facility damages. Based on the locate requests received by the gas distribution operators in the Wichita area, this sector suffered 2.4 damages per 1,000 locate requests. Although there is still room for improvement in this metric, it compares favorably to the telecommunications industry for the same area which appears to be approximately 5 damages per 1,000 locates requested. We believe our enforcement and training presence in the construction activities of Wichita is beginning to lower the number of damages to the natural gas infrastructure when normalized by the number of locates requested.

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

No issues or problems to date.

**Mid-term Financial Status Report**

The mid-term financial report has been sent as a separate attachment to the AA.

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

For the remainder of the grant period, we expect to continue working on the above stated objectives. In addition to on-site inspection and enforcement activities, we also plan to complete the establishment of the regional CGA chapter in Wichita.

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

No actions requested at this time.