



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

1200 New Jersey Avenue SE
Washington DC 20590

PIPELINE SAFETY

2011 State Damage Prevention Grant

for

MN Office of Pipeline Safety

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: Maria Munoz
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
Office of Contracts and Procurement (PHA-30)
1200 New Jersey Avenue, SE Second Floor E22-305
Washington, D.C. 20590**

FedSTAR Information

Submission Date: 9/7/2010 8:06:54 PM



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

DEPARTMENT OF TRANSPORTATION

APPLICATION

2011 GRANT PROGRAM IN SUPPORT OF STATE DAMAGE PREVENTION

The MN Office of Pipeline Safety 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 2011, 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 2011

With this grant funding approval, the Minnesota Office of Pipeline Safety (MNOPS) will continue to devote the equivalent of one Full Time Employee (FTE) from a full staff count of thirteen, for the enforcement, education, training, communication, support, analysis, partnership, and mediation activities associated with damage prevention (DP). All of these activities are tracked separately (by case number) in Minnesota's Pipeline Safety Program Management System (aka OPS System) database. It is important to note that MNOPS will likely devote more resources to this endeavor than one FTE.

The primary activity of MNOPS Outreach / Enforcement (aka Damage Prevention) during the excavation season (spring, summer, & fall) will be investigating excavation related incidents and responding to One Call (Gopher State) related complaints for the purpose of determining compliance with Minnesota's damage prevention laws contained in MS216D & MR7560. Where evidence supports an enforcement action, a penalty and/or compliance order is issued. Where an enforcement action is taken a collection process is followed and/or a compliance order is tracked. Not until compliance is realized can a case be closed. Any contested case will be reviewed by the State Fire Marshal (who is also the director of MNOPS). When a probable violation continues to be contested the case must be brought to court for final mediation.

The late winter and early spring is devoted to participating in damage prevention education seminars conducted throughout the entire state. Typically the audience is the excavation community and the message from MNOPS is compliance and safety information. Less often, other educational activities and presentations are offered to the benefit of locators, utility operators, and the general public. Training efforts are often coordinated with the stakeholders (such as pipeline operators, and Gopher State One Call - GSOC). MNOPS annually hosts an educational conference in the spring where damage prevention is given an entire track. Education, Training, and Communication are fostered at this event.

MNOPS participates in and supports the MN Regional CGA and all of the utility coordinating committees (UCCs) throughout the state. These partnerships are beneficial in fostering communications between stakeholders who might be otherwise isolated and insulated. Beyond ideas and improvements made available and shared between stakeholders, MNOPS is also made available to these entities. In situations MNOPS is also made aware of areas for improvement.

Using the OPS database, reports are run for analysis and tracking of damage prevention efforts and enforcement activities. MNOPS has also initiated a Voluntary Damage Reporting program. Similar in concept to the DIRT initiative, this analysis since 1996 has shown that an active State Agency (MNOPS) can promote safety by reducing the number of line hits through education and enforcement.

MNOPS is often asked to participate in activities (pre-construction or construction progress meetings) where an impartial 3rd party might help to mediate between parties at odds over damage prevention issues. MNOPS dispels misconceptions and offers insights. Project progress is often followed through to completion.

Though Damage Prevention efforts at MNOPS are predominately pipeline related it is not limited in that regard. Data suggests that MNOPS involvement in excavation damage cases involving utilities other than pipeline help to prevent the risk to pipelines by changing behaviors. For example, an excavator who might otherwise be a repeat offender and who might next hit a pipeline will now think twice before excavating in an unsafe manner.

Most of the 9 elements are developed in Minnesota and there are part of the processes and procedures integrated into the program as a whole. To a large extent Minnesota practice and procedure is in alignment with the CGA Best Practices. Predominantly the grant is necessary to continue this DP program.

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) Yes

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

MNOPS primary method of assuring communications is through enforcement of applicable DP laws, which first requires all operators participate in the GSOC system and that secondly requires all excavators to use the GSOC system. Communication is necessitated by many requirements of MN's DP laws and rules including

Preliminary design meets; early communication initiated by a project owner before a project is designed to give operators an early heads up about possible conflicts.

Preconstruction meets; communication initiated before excavation occurs between the project owner, designer, operators, and excavators. (CGA BP 2-1 to 2-4).

Plans for excavation; during the design phase the designer must obtain information from operators about their utilities. This must include the SUE level designation (CGA BP 2-14).

Operator must notify; If an operator cannot locate by start date and time (i.e. unlocateable) they must communicate this to the excavator.

Abandoned, private, markouts; operator must locate or otherwise provide (communicate) best available information on these types of facilities (consistent with CGA BP 4-11).

Protect and preserve; In the event the excavator has reason to believe markings are missing they are required to contact the operator for remarks.

Meet documentation; Any locate meet initiated by an excavator must be documented (consistent with CGA BP 4-14) MNOPS designed a meet documentation form and it has been made available on the website for several years. See Attached

ExcavatorMeetAgreementRev32406.pdf

positive response; consistent with CGA BP 4-9 facilities are either marked out on site or a no conflict notification is left and/or the locate ticket can be "stated" at GSOC. A web based application that anyone can use to determine actions taken by affected operators.

Marking standards; Markouts identify operator and stand colors and identifiers are specified (consistent with CGA BP 4-13)

White lining & precise excavation descriptions; reducing over notification and over locating.

The early meeting requirements (preliminary design meets & preconstruction meetings) where initiated by MNOPS and are unique to MN. To aid in the education of stakeholders, a new ticket matrix was developed by GSOC the operations committee. See attached New Ticket Type Matrix.pdf

GSOC has many methods of fostering communications, including taking GPS coordinates, email and web based applications for ticket taking, Web based excavation polygons (maps),

and web based operator polygons (base maps). Further the ticket status system was put into use after 2005 when MNOPS changed the rules requiring positive response. This Ticket status system is web based and available to anyone with internet access.

Operator contact information is provided on every excavation notice (aka ticket), including contact numbers for Marking Concerns, Damage/Repair, and for Customer Service. Excavator Contact information is also included on each ticket; office phone, field phone, fax number, email address, and alternate contact names and numbers.

Further MNOPS is involved with the Road Authority Workshops which is basically an early spring meeting where road authorities (state, counties, townships, and cities) meet to present their upcoming projects, projects being planned, and projects in the "still just thinking about it" stage.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS endeavors to continue implementation through enforcement and active participation in Regional CGA, UCCs, and GSOC operations and communications committees. Project and meet handling is a focus of MNOPS. Recognizing that locate meets account for only a small percentage of tickets (less than 5%) but projects account for ~30% of the utility strikes, more work in this area needs to be done. Will likely be accomplished with partnerships through the MN Regional CGA and the UCCs.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$3,391.69
b. Fringe Benefits:	\$956.63
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$4,348.32
j. Indirect Charges:	\$439.18
k. TOTAL (sum of i and j):	\$4,787.50

Budget Narrative for this element: (Required only if proposal addresses this element)

The budget calculations are based on the percentages of time spent YTD 2010 as tracked in the OPS database. The projections are further based on an extrapolation of what the rest of the calendar year should be. This Element was most difficult to differentiate from the rest as it is a crossover and a necessary component into just about every other element.

ELEMENT 2 - COMPREHENSIVE STAKEHOLDER SUPPORT

"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."

Does the proposed project address this element? (Required) Yes

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

MNOPS has initiated the "MS216D Review Committee" which invites all associations and stakeholders to participate. This law and rule review and discussion occurs at least annually. Invitation to attend is open and agendas are usually loosely formatted to allow for anyone to bring issues and ideas forward for discussion. The MS216 Review Committee meetings are often held in conjunction with other events like Regional CGA Meetings and the MNOPS Spring Educational Conference.

The MNOPS Director holds a seat at the GSOC board where all stakeholders participate. This participation includes municipalities, investor owned utilities, contactors, excavators, the MN Dept of Transportation, association representatives (i.e. MN Association of Plumbing, MN Nursery and Landscape Association), and others.

MNOPS is available 24/7/365 for any type of inquiry, complaint, or incident. Contact is initiated with on call personnel through the MN duty officer afterhours and office attendant during office hours.

The local and regional Utility Coordinating Committees (UCCs) are fully supported by MNOPS. MNOPS is also very active with the MN Regional CGA. These interactions with persons throughout the state are essential in building networks and keeping the lines of communication open between MNOPS, GSOC, and stakeholders. These interactions are opportunities for sharing ideas and processes to enhance damage prevention and public safety.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS desires to continue hosting the MS216D committees and subcommittees and will continue to respond to all types of interactions which enhance stakeholder support for Damage Prevention in MN

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$8,140.05
b. Fringe Benefits:	\$2,295.91
c. Travel:	\$500.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$10,935.96
j. Indirect Charges:	\$1,054.04
k. TOTAL (sum of i and j):	\$11,990.00

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.



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) Yes

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

Minnesota's process for reviewing performance measures and quality assurance programs related to locating personnel has been limited to the operator qualification requirements of Parts 192 and 195, and to the extent that locator performance may have been a factor in specific accident investigations. Locator performance is recognized as a contributing factor in a significant percentage of pipeline damages.

MNOPS hosts Locator Roundtables. These are typically held in the winter months when excavation activity is minimal. Issues discussed here are included into their spring training initiatives.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS has completed a DP protocol and has initiated specialized risk based inspections (operators with a history of poor DP performance). Further this inspection protocol has been built into the OPS system and is ready to be implemented. See attached DP Protocol.pdf

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$2,713.35
b. Fringe Benefits:	\$765.30
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$3,478.65
j. Indirect Charges:	\$351.35
k. TOTAL (sum of i and j):	\$3,830.00

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.

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) Yes

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

MNOPS is involved with the MN Regional CGA and has assisted in the building of a presentation that is presently being presented to various entities by the participating committee members. See Attached MNRCGA DPP.pdf.

MNOPS is actively involved in the locator workshops that are hosted by the Utility Coordinating Committees (UCCs) in MN. The UCCs participate in development and delivery of the programs. All the programs include the necessity of 911 notifications. GSOC public education persons are also actively involved.

At the MNOPS spring educational conference there are many available opportunities for training operators, including the locator rodeo. During the rodeo, MNOPS brings in a subject matter expert (SME) to observe the competition. Then the following the rodeo, the SME makes a presentation specific to the observations made and to address other similar learning objectives.

MNOPS training is offered in mitigating proposed civil penalties where appropriate. A penalty might also be mitigated when an offender can demonstrate that they conducted training that addresses a specific situation(s) that should eliminate the possibility of recurrence.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

The SDP grant is essential to continued implementation of all activities under this element.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$3,391.69
b. Fringe Benefits:	\$956.63
c. Travel:	\$1,000.00
d. Equipment:	\$0.00
e. Supplies:	\$50.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$5,398.32
j. Indirect Charges:	\$439.18
k. TOTAL (sum of i and j):	\$5,837.50

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.

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) Yes

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

MNOPS performs many damage prevention presentations to excavators and utility operators each year, covering all areas of the State. The majority of these presentations are sponsored by the local Utility Coordinating Committees (UCC). These presentations are typically conducted jointly with a representative of the one call notification center and utility representatives. See attached VL 2010 presentations.xlsx

The MNOPS presentation is developed during the course of participation in the regional UCCs, with the GSOC Communications committee, the MN Regional CGA, and through incident and complaint review. MNOPS uses a structured education campaign consistent with CGA best practice 8-3. See attached 2010 DPP.pdf

MNOPS is involved in the GSOC communications committee which organizes the state fair public education initiative, Radio ads, and publications. The outreach at the MN state fair reaches thousands of people.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

All of the activities in this element have previously been supported by the SDP grant and previously the One Call Grant. The continued implementation of this initiative is critical to the overall success of Minnesota's damage prevention efforts.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$10,175.07
b. Fringe Benefits:	\$2,869.89
c. Travel:	\$2,500.00
d. Equipment:	\$0.00
e. Supplies:	\$200.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$15,744.96
j. Indirect Charges:	\$1,317.54
k. TOTAL (sum of i and j):	\$17,062.50

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.

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) Yes

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

MNOPS hosts a MS216D Review Committee at least annually where all stakeholders are invited to participate. Invitation to attend is open and agendas are usually loosely formatted to allow for anyone to bring issues and ideas forward for discussion. A living document is used to track issues and possible law /rule changes. See attached Law&Rules - consideration for revision 090413.pdf. The MS216 Review Committee meetings are often held in conjunction with other events like Regional CGA Meetings and the MNOPS Spring Educational Conference. MNOPS is currently engaged trying to resolve the issue of one call exempt activities (i.e. hand digging). See attached meeting notice - MS216D Hand Dig Subcommittee meeting 100915.pdf

MNOPS is active in the MN Regional CGA and parties are invited to participate. Most recently MNOPS gave a presentation on the CGAs Excavation best practices. See attached July 28 2010.pdf

MNOPS as the enforcing agency is often notified to investigate situations where involved parties dispute each other's accountabilities. As an impartial 3rd party our reports are available to involved stakeholders. Responding to incidents, complaints, and inquiries occurs 24/7/365. The response is not limited to only pipeline involved situations. It is not uncommon for MNOPS, as the subject matter experts (SME), to be invited to attend preconstruction, safety, and progress meetings for the purpose of moderating and mediating.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS desires to continue these activities using the SDP grant. The MS216D Review committee has identified the existing "Hand Dig" exemption in the law as a potential for dangerous consequence. MNOPS desires to continue to pursue a resolution to this issue and has formed an open hand dig subcommittee to work on a solution. This subcommittee and the main committee will continue into 2011.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$2,035.01
b. Fringe Benefits:	\$573.98
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$2,608.99
j. Indirect Charges:	\$263.51
k. TOTAL (sum of i and j):	\$2,872.50

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.

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) Yes

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

MNOPS has been in the business of DP enforcement since the Office inception in 1987. Without question this is the largest percentage of DP activity this Office conducts. It includes investigation, report writing, enforcement action preparation and collection of penalties. See attached NPV Flowchart.pdf. Many of the other activities MNOPS conducts were initiated through a DP complaint or incident (i.e. attending a safety meeting as a result of a DP issue). Consistent enforcement is maintained by having a DP lead who reviews every enforcement action and by MNOPS adopting assessment considerations which are incorporated in MR7560.0800 Subpart 3. See attached GSOC_2010_Handbook.pdf. The database identifies repeat offenders and previous violation instances to ensure that history is not repeated. MNOPS is not incentivized in by collecting on penalties, rather MNOPS is motivated to only change behaviors that might otherwise lead to utility dig ins. To that end penalties may be mitigated if a proposal is made by the offending party to participate in training or by implementing procedure or technology which is believed to reduce possibility of recurrence.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

Not every complaint or incident is pipeline related. There is no funding mechanism that presently exists for these non-pipeline activities other than this federal grants and/or the One Call grant. MNOPS involvement in any type of DP situation, whether pipeline related or not, maintains overall DP consistency and mutual respect for all UG installations. MNOPS has implemented an O&M manual and procedures for DP will be further refined and incorporated into this manual. Transparency is a goal of MNOPS and the intent is to make closed enforcement data available on the MNOPS website. DP cases will also be included and made available to the public.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$33,916.89
b. Fringe Benefits:	\$9,566.30
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$43,483.19
j. Indirect Charges:	\$4,391.81
k. TOTAL (sum of i and j):	\$47,875.00

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.

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) Yes

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

MNOPS supports exploration of New Technologies and specifically being sought out for invitation to participate in the annual spring conference.

Through participation in GSOC operations committee, MNOPS continues to push for advancements of center technology, such as some of the most recent additions; Web-Tickets (ITIC), GPS, on line base maps (operator polygons), and most recently on-line Dig Polygons available to all users. MNOPS has access to GSOC's ticket management system which is entirely web based. All investigations into DP complaints or incidents begins here. GSOC has also recently implemented the Interactive Voice Response system which handles some of the important messages that a caller would otherwise hear from a GSOC customer service representative.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS continues to make improvements to the OPS database system. Also several other state programs are in process of using the same system. MNOPS hopes that other state programs will continue to be enticed into using the SQL/VB.net based program as additional improvements and enhancements are completed. The "One Call" area of the database is an area where specific additional fields and questions can be added to this tab to better capture the root causal factors which contributed to the complaint or incident. Further the tab can be modified for easier upload into the CGA's Damage Information Reporting Tool (DIRT).

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$2,035.01
b. Fringe Benefits:	\$573.98
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$2,608.99
j. Indirect Charges:	\$263.51
k. TOTAL (sum of i and j):	\$2,872.50

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.
 

ELEMENT 9 - DAMAGE PREVENTION PROGRAM REVIEW

"A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews."

Does the proposed project address this element? (Required) Yes

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

MNOPS currently uses various management reports from the OPS system which track case volumes, penalties assessed, penalties collected and rescinded, educational sessions w/ number of attendees, Accidents/Incidents, complaints, and pipeline specific inspections/complaints, enforcement actions by type, and complaints by type. This information is used in month by month and year by year comparisons.

MNOPS has also implemented the Voluntary Damage Reporting (VDR) program which has been populated with data since 1996. The information is used by MNOPS and others to determine: the extent of excavation related damages; the causes of excavation related damages; trend damages over time; and as a tool for evaluating (or benchmarking) damage prevention efforts. The information is also used by MNOPS to direct resources where they would provide the most benefit in reducing damage and ultimately increasing public safety. See attached VDR-Charts- 2009.xlsx; note that Hazardous liquid and water & sewer charts are not included because of the low rate of damage. VDR results are made available on MNOPS website.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

MNOPS has enhanced this program element by developing an additional OPS database report(s) and further developed a performance matrix for inspectors. It is referred to as the MNOPS dashboard report, see attached Updated Dashboards-2009.PDF.

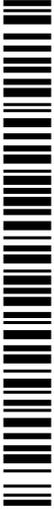
MNOPS intends to develop a formal report on GSOC's annual performance. This will be presented to the Commissioner of Public Safety and will likely be made public information in the interest of transparency.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$2,035.01
b. Fringe Benefits:	\$573.98
c. Travel:	\$0.00
d. Equipment:	\$0.00
e. Supplies:	\$0.00
f. Contractual:	\$0.00
g. Construction:	\$0.00
h. Other:	\$0.00
i. Total Direct Charges (sum of a through h):	\$2,608.99
j. Indirect Charges:	\$263.51
k. TOTAL (sum of i and j):	\$2,872.50

Budget Narrative for this element: (Required only if proposal addresses this element)

Calculations based on current YTD and previous years as tracked in MN OPS system.



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.

There is an ongoing initiative to continually evaluate the Damage Prevention Law and Rules in MN. This is done through the MS216D Review Committee and most recently the MS216D Hand Dig Subcommittee. See attached MS216D Hand Dig Subcommittee Meeting 100915.pdf.

State Damage Prevention Estimated Budget - Calendar Year 2011

DIRECT COSTS

Personnel	\$67,833.77
Fringe Benefits	\$19,132.60
Travel	\$4,000.00
Equipment	
Supplies	\$250.00
Contractual	
Construction	
Other	
Total Direct	\$91,216.37

INDIRECT COSTS

Indirect Charges	\$8,783.63
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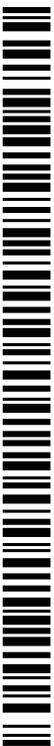
TOTAL ESTIMATED COSTS

\$100,000.00

State Damage Prevention Application Attachments

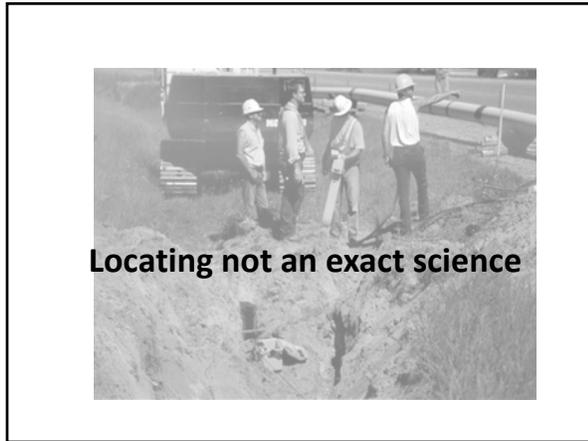
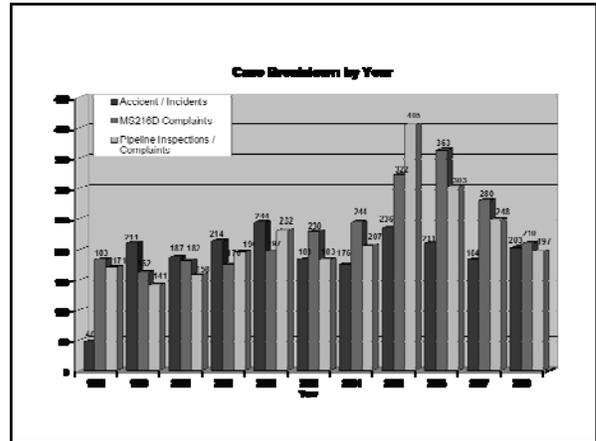


100901 Gov Letter.pdf
New Ticket Type Matrix.pdf
Law&Rules - consideration for revision 090413.pdf
MNRCGA DPP.pdf
July 28 2010.pdf
gsoc_2010_handbook.pdf
VL 2010 Presentations.xls
VDR-Charts-2009.xls
NVP flowchart.pdf
ExcavatorMeetAgreementRev32406.pdf
DP Protocol.xls
2010 DPP.pdf
MS216D Hand Dig Subcommittee meeting 100915.pdf
2010 final agenda.pdf
updated dashboards 2009.pdf





Dan Munthe
Outreach / Enforcement Supervisor
 cell: 612-741-2626
 dan.munthe@state.mn.us



Emergency Locates

"Emergency" means a condition that poses a clear and immediate danger to life or health, or a significant loss of property.

2160.01 DEFINITIONS, Subp 3

- If you hit any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property and it leaks – Call 911 then the operator

2160.06 DAMAGE TO FACILITY, Subdivision 1. Notice: repair.

- The excavator is responsible for reasonably protecting and preserving a locate until no longer required for proper and safe excavation near the underground facility.

7260.0225 Subpart 2

What and Why - MEETS



7560.0100 DEFINITIONS

Meet Documentation Requirements

- ✓ date & time
- ✓ names, companies, contact info
- ✓ diagram, sketch, and precise excavation area
- ✓ agreed schedule

7560.0225

Meet Documentation Requirements

How long do you have to keep meet documentation?

Meet documentation must be kept for the duration of the excavation conducted under the notice.

Recommend – six (6) years

7560.0350 Subp 4

Meet

There is a form on the MNOPS website:
www.dps.state.mn.us/pipeline

7560.0100 DEFINITIONS.

Locate Markings



Penalties

Excavators
\$1,000 for each violation per day of violation.

Utility Operators
\$1,000 for each violation per day of violation.

Pipeline Operators (Gas or Hazardous Liquids.)
\$10,000 for each violation per day of violation

7560.0800 CIVIL PENALTIES. Subp (4)(a)&(c)

Excavator duties



Use white markings for proposed excavations except where it can be shown that it is not practical;

216D.05 PRECAUTIONS TO AVOID DAMAGE(2)

Electric Safety

- There is no perfect coating.
- Don't handle electric line.
- Reclosure up to 4 times
- OSHA requires a 10 foot clearance from overhead lines (you & equipment)



- **Electric burns**
(they burn from the inside out)

Telephone/CATV

- Emergency calls to 911
- FAA, Alarms, Circuits to Hospital, Health Monitoring Systems, Special Needs Monitoring, Home Business, etc.



Telephone/CATV

- Residential services – they may be fiber optic.
- Can't splice? – signal degradation may necessitate replacement.
- Coax – up to 90 volts and up to 12 amps.



Gas Safety

- Call 911
- Call the gas operator (company)
- Keep people away
- Stay upwind
- Keep ignition sources away



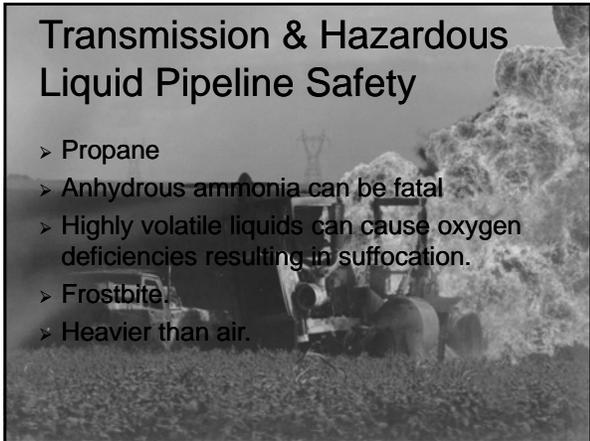
Natural Gas Safety



➤ Don't bend over plastic facilities to restrict the flow of gas.

Transmission & Hazardous Liquid Pipeline Safety

- Propane
- Anhydrous ammonia can be fatal
- Highly volatile liquids can cause oxygen deficiencies resulting in suffocation.
- Frostbite.
- Heavier than air.



Transmission & Hazardous Liquid Pipeline Safety

- Ignitable if heated.
- poisonous
- Gases in a fire.
- Carcinogenic
- Gasoline, jet fuel and diesel fuels are all flammable



All Utilities

If you nick the coating - You are required to notify the operator.



216D.06 subd 1 (a)

Water & Sewer Safety

- Cross-bores.



Stubs



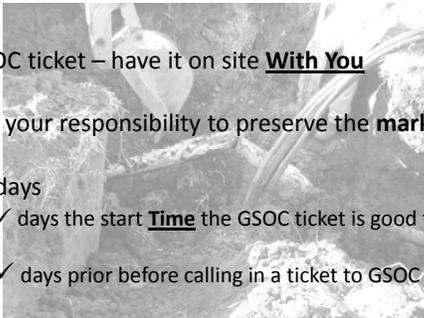
Remember

Utilities may change direction and/or elevation.



Reminder

- ✓ GSOC ticket – have it on site **With You**
- ✓ It's your responsibility to preserve the **markings**
- ✓ 14 days
 - ✓ days the start **Time** the GSOC ticket is good for
 - ✓ days prior before calling in a ticket to GSOC



Reminder

- ✓ **Your** Responsibility, (not the homeowners to call GSOC) when working on private property
- ✓ **TWO FEET** – 2 feet the distance from the marks when excavating with power equipment

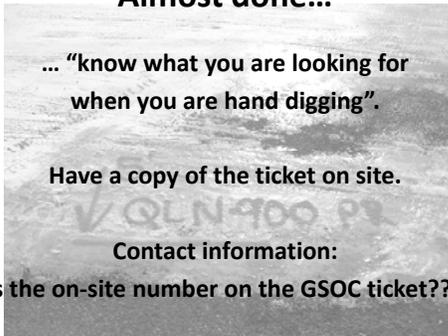


Almost done...

... "know what you are looking for when you are hand digging".

Have a copy of the ticket on site.

Contact information:
is the on-site number on the GSOC ticket???



Excavator Responsibilities

- Provide Notice of Excavation
- Be Precise - WHITE markings
- Wait the required time
- Protect & preserve the markings
- Hand dig (vacuum) to expose
- Cancel
- 911, notify utility, protect public.
- Support
- Careful and Prudent Excavation



Operator Responsibilities

- Locate Accurately & Sufficiently
- Notify if otherwise unable.
- Non-Excavation Requests
- Maintain Info at GSOC
- Damage Investigations & Repair
- No Conflicts
- Service Laterals
- Maps & 'Locateable'
- Abandoned
- Qualified if pipeline locator.



**Duty Officer 800-422-0798
24-7 / 365 days a year**



2010 Minnesota Pipeline Safety Conference

Wednesday, April 14	10:00-12:45	Registration
	10:00-5:00	<i>Gopher State One Call Board Meeting</i>
	11:00-9:00	Exhibits Open
	11:30-12:45	Lunch
	1:00-1:20	Welcome & Opening Remarks - Jerry Rosendahl & Elizabeth Skalnek
	1:20-1:45	GSOC Update
	1:45-2:00	Break - Exhibit area
	2:00-3:00	National Incident Management System (NIMS) - Bruce West, HSEM (Jerry)
	3:00-3:15	Break - Exhibit area
	3:15-4:30	Incident Command System (ICS) - Bruce West, HSEM
	5:00-7:00	Dinner
6:00-9:00	Exhibitor Hospitality	

Thursday, April 15	6:30-8:00	Breakfast		
	7:00-8:00	Exhibits Open		
		Large Operator	Small Operator	Damage Prevention
	8:00-9:00	Alberta Clipper Pipeline Project Jim Crawford, Enbridge (Jennifer)	Cathodic Protection Test Equipment & CP Survey Procedures Marty Iozzo, Gen. Corrosion (Jim R intro)	Rethinking Excavation Safety Tom Vosberg, Hennepin Tech. College (Dave P.)
	9:05-10:00	Emergency Response (Michigan Incident) Tom Correll, NNG		
	10:00-10:30	Break-Exhibit Area		
	10:30-11:30	Repair Wrap Products Mike Zandaroski, CPE (Dean H)	Small Operator Update (DIMP, etc.) Lane Miller, PHMSA TQ (Steve S.)	The Human Factor Matt Faith, Enbridge (Danny) - Gathering System Support
	11:30-12:30	Lunch		
	12:30-1:30	Evonik - Time has Come for VESTAMID PA12 Pete Rieck, Evonik (Mike Z)	SHRIMP Jim Ramnes, MMUA (Steve Y)	Locate Rodeo
	1:35-2:30	PHMSA - Distribution (DIMP) Lane Miller, PHMSA TQ (Steve S)	Plastic Pipe/Fitting Labels Jim Ramnes, MMUA Scott Gleisner, Groebner (Jim R)	Dan Munthe, MNOPS & Jon Eisele, GSOC
	2:30-2:45	Break-Exhibit Area - Vendor Farewell		
	2:45-3:45	PHMSA - Control Room Lane Miller, PHMSA TQ (Steve S)	Demonstration Regulators/Relief Ben Sherman, Xcel Energy (Jim R)	Locate Rodeo (cont.)
	3:50-4:50	Industry Roundtable (DIMP, Control Room, RP 1162) Lisa Kallberg, Xcel Energy & Kim Woldengen, Koch Bob Magnuson, MN Energy Resources (Elizabeth intr/Mick count)		Dan Munthe, MNOPS & Jon Eisele, GSOC
	5:30-7:30	Dinner and Rodeo Awards		
	7:30	Bonfire		

Friday, April 16	6:30-8:00	Breakfast
	8:00-9:00	8D - Faulty Material Process - Steve Yehle, Xcel Energy (Jim R)
	9:05-10:00	Emergency Response & Damage Prevention for Pipeline Operations - Steve Roberts, Paradigm (Steve Y)
	10:00-10:15	Break
	10:15 - 11:30	Humor is a Tool. Have You Sharpened Yours? - Stevie Ray, Stevie Ray's Improv Company
	11:30-12:00	Lunch and adjourn

Natural Gas - DP Protocol		Key - Enforceable Question - Non Enforceable Question (from Guide Material) - Non Enforceable (MNOFS) - Non Enforceable PHMSA											
191.11	(a)	Distribution Annual Report. (a) Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system shall submit an annual report for that system on Department of Transportation Form RSPA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.											
		Has the Operator submitted the previous year Annual Report? ✓											
Sub Part L													
192.603	(b)	Each operator shall keep records necessary to administer the procedures established under §192.605.											
		The Operator shall produce documentation or record(s) of compliance. ▶											
192.605	(a)	(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least one each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.											
		Does the Operator have a manual (or portions of a manual) specific to damage prevention activities? ▶											
		Is the DP portion of the manual stand alone? If yes is it incorporated by reference?											
		Is there a training program outlined?											
		Individual training records available?											
		Are there Quality Control Measurements of Locator Performance?											
		Are there performance incentives and penalties provided for in contracts with locators?											
		Does the manual include procedures for handling abnormal operations for transmission lines? ✓											
		Does Operator follow procedures outlined for damage prevention in the manual? ✓											
		Has the Operator reviewed and updated the manual? ▶✓											
		Is the manual kept at locations accessible for locating technicians? Internal & Contract Resources? ✓											
		If there are stand alone portions, are they accessible?											
		How is management of change conducted? ✓											
	(b)	(3) Making construction records, maps, and operating history available to appropriate operating personnel.											
		Per an O&M plan does Operator make Maps/Records available to locating personnel? ✓											
		Do the locating personnel have the maps and records as outlined in the O&M? ✓											
	(b)	(8) Periodically reviewing the work done by operator personnel to determine the effectiveness and adequacy of the procedures used in normal operation and maintenance and modifying the procedure when deficiencies are found.											
		Does the operator have procedures for reviewing locating technician performance? Internal & Contract Resources? ✓											
		Has the Operator reviewed the locating technician staff's performance? Internal & Contract Resources? ✓											
	(e)	Surveillance, emergency response, and accident investigation. The procedures required by §§192.613(a), 192.615, and 192.617 must be included in the manual required by paragraph (a) of this section											
		Does the O&M include provisions for analyzing 3rd party damages? ✓											
		Is on-going project related 3rd party damage information captured?											
		Is locating technician performance measured?											
192.613	(a)	Each operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning changes in class location, failures, leakage history, corrosion, substantial changes in cathodic protection requirements, and other unusual operating and maintenance conditions.											
		Does the operator have procedures for surveillance of facilities subject to possible excavation damage? ✓											
		Do procedures address conditions that may lead to premature failure, such as inadequate backfill and HDD?											

			Is There risk based identification of at rick facilities (i.e. pipe type, excavator history)?
			Is there a critical facilities procedure?
192.614	(a)	Except for pipelines listed in paragraphs (d) and (e) of this section, each operator of a buried pipeline shall carry out in accordance with this section a written program to prevent damage to that pipeline by excavation activities.	
			Does the operator carry out a written program to prevent excavation related damage? ✓
			Does the written damage prevention program include provisions for compliance with MS216D & MR7560?
			Is there an unlocateable facility procedure?
			Is there a 'watchdog' or 'mark and monitor' procedure?
	(c)	(5)	Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.
			Does the program provide for the marking of buried pipelines? ✓
			Does the written damage prevention program include provisions situations necessitating on site meeting w/excavator?
			Is the operator response to excavation notices documented?
		(6)	Provide as follows for inspection of pipelines that an operator has reason to believe could be damaged by excavation activities: (i) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and (ii) In the case of blasting, any inspection must include leakage surveys.
			Does the operator have a program to inspect as frequently as necessary facilities that the operator has reason to believe could have been damaged by excavation activities? ✓
			Is there an on-going project procedure?
192.616	(a)	Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).	
			Does the operator have a written continuing public education program? ✓
	(d)	The operator's program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on: (1) Use of a one-call notification system prior to excavation and other damage prevention activities; (2) Possible hazards associated with unintended releases from a gas pipeline facility; (3) Physical indications that such a release may have occurred; (4) Steps that should be taken for public safety in the event of a gas pipeline release; and (5) Procedures for reporting such an event.	
			Does the written continuing public education program contain specific provisions (1 thru 5)? ✓
			When identifying excavators to target with education - is more than just GSOC used?
			Does operator participate in UCC group?
			Is there a performance based education program (i.e. "frequent hitters")?
			Does the education program contain specifics (i.e. - reporting emergencies, action to take, reporting hits, gas properties)?
192.617		Each operator shall establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.	
			Does the operator have a procedure for analyzing accidents from excavation activity? ✓
			Does the operator take action to minimize the possibility of recurrence? ✓
Sub Part M			
192.721	(a)	The frequency of patrolling mains must be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety.	
			Does the operator consider the excavation related damage risk when considering patrolling mains? ✓
Sub Part N			
192.805		Each operator shall have and follow a written qualification program. The program shall include provisions to:	
Sub Part O			
192.901		This subpart prescribes minimum requirements for an integrity management program on any gas transmission pipeline covered under this part.	
MS216D			
.03	Sub1	Participation	

MR7560 .0300	Participation
-----------------	---------------

To be completed by Excavator with input from Locator

Suggestions: Make in duplicate, separate set for each Locator; Give a copy to Locator

GSOC#: _____ Meet Date: _____ Meet Time: _____

Specific location of Meet: _____

Excavator Name: _____ Phone #: _____ Company _____

Locator Name: _____ Phone #: _____ Company _____

Utility responsible for: CATV _____ Electric _____ Gas _____ Oil _____
 Steam _____ Phone _____ Water _____ San. Sewer _____ Storm Sewer _____

Entire geographic area of proposed excavation:

Proposed excavation area delineated by white markings: Yes No; why is it not practical? _____

Prints / map attached: Yes No

Agreed upon locating schedule: _____

Agreed schedule of future meets or communications: _____

Signature, Excavator: _____ Date: _____

Signature, Locator: _____ Date: _____

Sketch of Request (as needed)

Excavation Start Date: _____ Excavation Start Time: _____

*The excavation start date and time must be at least 24 hours after the proposed meet date and time specified on the notice, excluding Saturdays, Sundays, and holidays. Unless provided for in a written agreement with all affected facility operators.

Minnesota Rules Chapter 7560

7560.0350 EXCAVATION NOTICE REQUESTING MEET.

Subpart 1. Excavator duties.

When requesting a meet through the notification center, an excavator must provide at least one contact name and telephone number to assist in facilitating the meet. An excavator shall contact the notification center to cancel or reschedule the meet and the notification center shall relay this information to the affected operators. When a meet is requested, an excavator's notice must include the entire geographic area of the proposed excavation and the specific location of the meet. This part does not relieve an excavator from the duty to provide a precise geographic location of the proposed area of excavation, or to use white markings except where it can be shown that to do so is not practical.

Subpart 2. Operator duties.

When a meet is requested, an affected operator shall make a reasonable effort to attend the meet at the proposed date and time, or contact the excavator before the meet and reschedule for a mutually agreed date and time.

Subpart 3. Excavation start date and time.

When a meet is requested, the meet date and time must be at least 48 hours after notice is provided, excluding Saturdays, Sundays, and holidays, and the excavation start date and time must be at least 24 hours after the proposed meet date and time specified on the notice, excluding Saturdays, Sundays, and holidays. This subpart does not apply if these matters are provided for in a written agreement with all affected operators.

Subpart 4. Meet request documentation.

An excavator shall maintain written documentation of each meet with an underground facility operator or representative. This documentation must be kept for the duration of the excavation conducted under the notice.

The documentation must include:

- A. the date and time of each meet;
- B. the names, company affiliations, and contact information of the attendees of each meet;
- C. a diagram, sketch, or description of the precise excavation locations, dates, and times; and
- D. the agreed schedule of any future meets or communications.

7560.0100 DEFINITIONS.

Subpart 7. Meet.

When used as a noun in this chapter, "meet" refers to a meeting at the site of proposed excavation requested at the time of notice by the excavator with all affected underground facility operators to further clarify the precise geographic location of excavation, schedule locating, propose future contacts, and share other information concerning the excavation and facilities.

GSOC...
this time &
every time!



GOPHER STATE ONE CALL HANDBOOK

2010 Edition



www.gopherstateonecall.org



Know what's below.
Call before you dig.

METRO AREA

651-454-0002

GREATER MINNESOTA

800-252-1166

2020 Centre Pointe Blvd
Mendota Heights, MN 55120

PREFACE

This manual has been prepared for the professional excavator. It is intended to be a reference tool for interacting with the Gopher State One-Call notification center and it is also intended to fulfill the requirements of Minnesota State Statute 216D.02 subdivision 2. It is suggested that this manual be kept on hand for future reference when questions or problems arise. It is recommended that this manual be given to all individuals who regularly contact Gopher State One-Call.

If required, additional copies can be obtained from the Gopher State One-Call office. This manual has not been copyrighted by Gopher State One-Call. They have authorized and recommended its duplication.

This manual was updated January 2010. Its contents and Minnesota State Statute 216D are subject to change without notice.



**Know what's below.
Call before you dig.**

**COLOR CODE FOR MARKING
UNDERGROUND UTILITY LINES**

	Electric
	Gas-Oil-Steam
	Communication CATV
	Water
	Reclaimed Water, Irrigation
	Sewer
	Temporary Survey Markings
	Proposed Excavation

METRO AREA

651-454-0002

MN TOLL FREE

800-252-1166



**GOPHER
STATE
ONE CALL**

www.gopherstateonecall.org

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www.gopherstateonecall.org

Gopher State One Call Responsibilities

Who we are

Gopher State One Call (GSOC) is the one-call notification system established to inform Minnesota underground facility operators of intended excavation. GSOC serves as a communication link between the party conducting excavation and the underground facility operator. GSOC transmits the information from the excavator to the facility operator. This allows the facility operator to locate its underground facilities.

GSOC, a non-profit organization, was formed at the direction of the Minnesota Legislature in 1987 with the adoption of Minnesota Statute Chapter 216D. Chapter 216D requires anyone who engages in any type of excavation anywhere in Minnesota to provide notice at least **48 hours** in advance (excluding weekends and holidays). An excavator may notify GSOC up to **14 calendar days** prior to excavation. The service provided by GSOC to excavators is free of charge. The cost of GSOC services is paid by underground facility operators.

What we do

It is the responsibility of GSOC to:

- Administer the provisions of Minnesota Statutes 216D and Rules Chapter 7560.
- Educate facility operators and excavators about

Minnesota Statute 216D and call center practices.

- Take information from excavators who plan to excavate and provide that information in locate ticket format to facility operators requesting notification for the excavation area.
- Maintain a database of facility operator utility information, contact information and emergency contact information.

It is NOT the responsibility of GSOC to:

- Physically locate and mark any underground facilities.
- Settle disputes between excavators and facility operators.
- Maintain a database of the exact location of underground facilities.

Methods of providing information for locate requests

GSOC asks for your help when you are processing your locate requests during the busy digging season of April through October. Please avoid using the phone to contact GSOC between the peak calling hours of 7 am and 11 am, Monday through Wednesday if at all possible. Emergency calls are exempt from this request and are always accepted.

If you must contact the center during these times, please allow GSOC to set you up with an alternative method of contacting the call center. We would be

more than happy to assist training you how to use ITIC, our internet based ticket processing system. GSOC could also schedule a specific time for you to contact us prior to or after the hours of 7am and 11am. Please assist us as we try to make it easier and more convenient to process your locate requests while making GSOC run as efficiently and economically as possible.

GSOC offers excavators several convenient options for providing information to process locate tickets:

- **Internet Ticket (ITIC)**

ITIC is an Internet based ticket entry program that allows the user to provide the required data as well as draw their own polygon to encompass the excavation site. This service is available **24 hours** a day and anywhere you have Internet access. To start using ITIC, find an ITIC training class near you by visiting www.gopherstateonecall.org.

- **ITIC Lite**

ITIC Lite is a simpler version of ITIC that allows the homeowner, infrequent user or anyone the ability to process their GSOC requests using the internet. With ITIC Lite you provide GSOC with the required data, then the GSOC Customer Service Representative's map out the location of work described in the ticket. Like ITIC, this service is available 24 hours a day, anywhere you have internet access.

- **Telephone**

GSOC can be contacted between 6 am and 6 pm, Monday through Friday, April through October and then 7 am - 5 pm November through March to process routine, meet and design locate requests. GSOC will take emergency locate requests 24 hours a day. Before calling, make sure all excavation information is ready. A copy of the ticket with the needed information can be found on Page 29 or at www.gopherstateonecall.org.

- **811**

811 was created to help protect you from unintentionally hitting underground utility lines while working on digging projects. People digging often make risky assumptions about whether or not they should get their utility lines marked due to concerns about project delays, costs and previous calls about other projects. These assumptions can be life-threatening.

When contacting GSOC through the 811 number you will have a couple extra steps to take prior to being put in queue for your call to be taken by GSOC. With 811 being so close in proximity to 911, you will first be instructed to make sure this is not an emergency and that you are trying to contact GSOC. You will then be asked if you are trying to contact GSOC and not any of the neighboring states, the phone vectoring system will ask you to press 1 for MN, and then adjoining num-

bers for the neighboring states that you may be trying to contact instead of MN.

Don't assume you know what's below. Protect yourself and those around you, use GSOC this time and every time.

GSOC...
this time &
every time!

www.gopherstateonecall.org

Private Underground Facilities, Utilities and Distribution Networks

Private underground facilities are found everywhere, including single family homes, farms, multi-family housing units, businesses, industrial areas, mobile home courts, shopping centers and sometimes in the road right of way. GSOC encourages owners and operators of private underground facilities to include those facilities on the GSOC system. However, most private facilities are not listed with GSOC.

Unless the private facility owner participates in GSOC, privately or customer owned facilities will not be notified and may not be marked. Therefore, it is imperative that special precautions be taken by excavators as part of every excavation project.

Please note: Facilities that run under or cross a public road right of way or any other public right of way are no longer classified as "private facilities". As a result, these facilities are Underground Facilities within the meaning of Minnesota Statute 216D and must be registered with GSOC.

GSOC recommends every excavator make a detailed inquiry for private facilities as part of every excavation project. This inquiry can include physically inspecting the entire construction site and the surrounding area. Interviewing owners or occupants (or former owners or operators). Ask questions! If a building has heat, what is the source of supply? If there are lights, there is electricity.

Private facilities can be used to convey many different types of products. These products fall into two broad categories: **Energy Related Facilities and Non-Energy Related.**

Energy Related Facilities

Energy related facilities include natural gas, electricity and propane. These lines or pipes can provide service for a variety of different purposes.

Propane

Propane facilities can be found in a variety of applications in residential, agricultural and industrial settings.

In residential settings, propane may be used to heat buildings, swimming pools, grills, fireplaces and appliances. Propane may also fuel lighting and other appliances.

In agricultural settings, propane may be a fuel source for buildings, corn dryers and other equipment.

Commercial and industrial locations also rely on propane for a fuel source. This can include a wide variety of facilities from heating to standby or off-peak backup facilities.

Visible indications of the use of propane at a location are above-ground or buried storage tanks. A buried propane tank usually has an exposed location with a fitting for re-filling. Remember that a single propane tank can provide fuel for multiple buildings, mobile homes, single family homes, cabins or town homes.

For more information about propane, please visit the

Minnesota Propane Gas Association's web site at www.mnpropane.org.

Natural Gas

Private natural gas lines in a residential setting may provide fuel for a number of different devices. Among them are barbecues and grills, pool heaters, yard lights or heaters in outbuildings like sheds, garages or barns.

Natural gas may be delivered to a “master meter” at multi-resident properties, such as mobile home courts, town home or apartment complexes. Buried facilities carrying natural gas between the master meter and units on the property are usually private facilities. As a general rule, natural gas providers will only mark underground gas lines from the main to the meter.

It is important to remember the operators of natural gas facilities only mark the line leading to the meter. Any appliance or device fueled by natural gas that is on the “other side” of the meter is almost invariably served by a private facility.

For more information about natural gas, please visit the Blue Flame Association's web site at www.blueflame.org.

Electricity

Like natural gas, electric service may be supplied to a “master meter” at multi-resident properties, such as mobile home courts, town homes or apartment complexes. Any line that connects the “master meter” to another unit or device on that property is private.

Any property, residential or commercial, may also have buried private electric lines serving power to, among other things, yard lighting, pool heaters or pumps. Additionally, on residential properties or farms, private lines may connect outbuildings like garages, sheds, barns or electric fences to a source of power. Remember that the supplier of electricity usually only marks the power line up to the meter. If there is power in a garage or if a piece of equipment or building is served by electricity, make sure to look for a private electric line.

Although the meter set is often found on/at the home or main building, in some areas it is set on a pole or other attachment at a nearby power pole. Red marks or flags leading up to a pole, but not going on to other buildings are indicators that there are one or more private facilities in the area. Also, use care where a property is served by overhead lines, that are buried after they enter the property. In this situation, it may be that all underground electric facilities are considered private.

Other Types of Private Facilities

Several other types of private buried lines may be found on private property. Some may carry low-voltage electrical current. These include buried lines for invisible fences, satellite dishes, data communications cables and low voltage landscape lighting. Other private facilities can include water systems, septic systems, underground sprinkler systems, private phone lines that connect outbuildings to a home or waste collection lines. Drain tile, irrigation, farm taps and other

facilities may be found in rural areas. Drain tile systems are used by farmers as an underground culvert system to remove excess water from their fields. Between industrial or commercial buildings connections, steam lines, private communications or fiber lines, tunnels and a variety of facilities may exist.

Farm Tap

Many landowners in Minnesota are hooked up directly to natural gas pipelines. Known as farm taps these connections are considered private gas lines. All the equipment from the outlet of the meter (usually, but not always, located near the pipeline) to the house, corn dryer, milk house or barn belongs to the landowner. Many owners may not realize *they* are entirely responsible for the operation, maintenance, repair and locating of the attached equipment (such as odorizers) and gas line(s).

Farm taps support many farms, and as farms have expanded, adding more houses and buildings to the original farmstead, private lines attached to a single tap have increased in number.

Unfortunately, little or no documentation or maps of the original or subsequently installed facilities exist. Gopher State One Call recommends that anyone receiving service from a farm tap reconsiders before expanding the service as this is currently prohibited by existing regulation and practice.

Lines attached to a farm tap may well cross a public right of way due to new road installation or easements resulting from new owners, land sales, leases, or rental agreements. This factor could require the owner to register the lines with GSOC.

Excavators or landowners may need to hire a private line locator to mark out the location of farm tap lines. More information regarding farm taps and a listing of private locators in Minnesota that GSOC is aware of is available at www.gopherstateonecall.org. GSOC strongly recommends that specific questions regarding farm taps be directed to the gas provider or the Minnesota Office of Pipeline Safety.

Be on the Lookout for Private Facilities

A good excavator is also a great detective or investigator. The excavator knows that private facilities will be part of almost every job. They physically inspect the jobsite prior to entering a ticket (or even bidding the job), they query the property owner, see what equipment or power may serve buildings, they will excavate around, and look for warning signs. They find out who installed the original underground facilities and contact them to determine if any records or maps exist. They also prepare maps of any new facilities they install, so that this problem doesn't exist in the future.

What should I do if I suspect I have private facilities in the area of my excavation?

Do not dig until they are each identified and marked. When a property owner or tenant has any type of private underground facility, they are responsible to locate those facilities, or hire someone to locate them. The contact information for a number of private locating companies can be found at the Gopher State One Call website: www.gopherstateonecall.org.



Excavator Responsibilities

Notifying GSOC

Excavators, including homeowners alike, throughout Minnesota are responsible for notifying GSOC of their proposed excavations so that GSOC can notify participating facility operators with underground facilities in proximity to the proposed excavation site.

GSOC reminds you that anyone excavating in Minnesota must have their own one-call ticket. If you are a sub-contractor and you are excavating protect yourself and your company by obtaining your own one-call ticket. The general contractor's ticket does not necessarily apply to anyone except them.

If you are a contractor doing work for a homeowner, it is your responsibility (NOT the homeowners) to contact GSOC and obtain a one-call ticket. Do not put this burden on the homeowner.

Planning for your excavation

GSOC wants you as the excavator to have a very safe and successful excavation process. We suggest that you break your excavation down into multiple tickets if that makes it easier either for you to describe the work, or for the locator to find your excavation site. For example, we would suggest you follow the following guidelines:

- Always use **white markings** to define the entire area where your excavation will occur. Include an area of safety margin within the area delineated by white markings. If after you start digging you determine that your excavation will need to move beyond the original white paint area, submit a new ticket for the expanded area.
- Limit your ticket to a contiguous dig area. We recognize it may be faster to try to include two different dig areas on one ticket, but it makes a more difficult job for the locator. We suggest even if the projects are related or part of the same job, break them down into separate tickets.
- Use common sense when defining your excavation area. Even if it is a contiguous single project, a ticket covering 10 miles, or 250 trees, or 200 signposts is not a good idea. You want to help the facility operator know where you will be digging. Make the job easier by using white markings and breaking down the work area into parts that will be more understandable. Also, think about the facility operator's work schedule as well. If the work will happen in stages, stage your tickets so that your marks will be fresh when you enter an area.
- Remember you can contact GSOC up to **14 calendar days** in advance.

Preparing for an excavation

1. Prepare the information for your excavation site prior to beginning the process to submit a locate ticket. While completing the locate ticket, you will be required to give detailed directions to the excavation site - driving directions are best - and marking instructions for the specific area where locates are needed.
2. You are required to use **white markings** for indicating the area of proposed excavations unless it can be shown that is not practical.
3. Not less than two full business days before excavating, you must contact the GSOC to provide information necessary to complete a locate ticket. You may contact GSOC up to **14 calendar days** prior to commencing excavation to provide facility operators additional time to mark the area of proposed excavation.
4. When your locate ticket is complete, you will be given a ticket number and a list of facility operators with underground facilities in proximity to your excavation site. It is recommended that you write down your ticket number and the facility operators/contract locators so you are able to track which facility owners have responded to your one-call request. GSOC recommends you use Search & Status at www.gopherstateonecall.org

to print your ticket. ITIC users obtain this ticket number immediately via e-mail confirmation.

5. If you fail to provide GSOC with the required information, GSOC may reject your request until you obtain complete information. To prevent this, please plan ahead.

Always check the status before you dig

Many people believe that by notifying GSOC of intended excavation they have completed all of their responsibilities in the one-call process. This is not the case, notifying GSOC is only the first step.

First, carefully review your ITIC ticket to make sure it is correct. Pay particular attention to similar sounding street names. Contact GSOC immediately if there are any discrepancies. Next, review the list of facility operators notified by GSOC and compare it to a physical inspection of the area (including the surrounding area).

Search & Status

Excavators can check on the status of tickets to see if there is no conflict within their dig-site. To check the status of tickets, do the following:

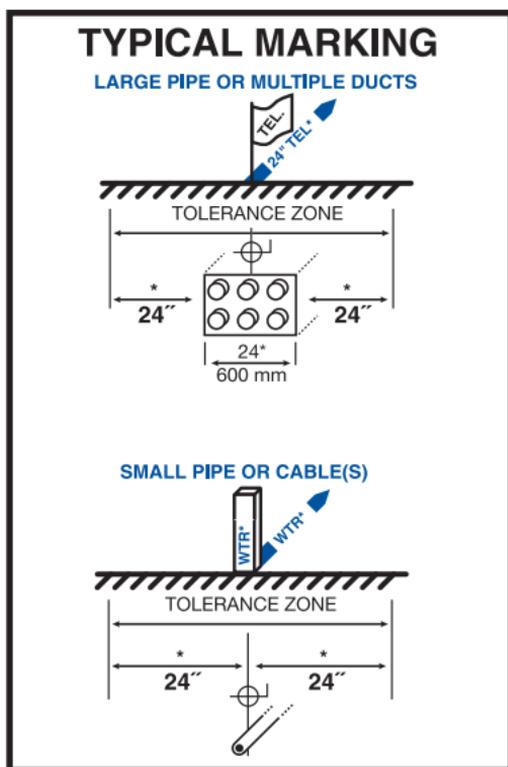
1. Go to www.gopherstateonecall.org.
2. On the left hand side, you will find Search & Status. Click on Search & Status.
3. You may search by a specific ticket number or by other search criteria including caller, and dig site

information among others.

If evidence of any other underground facility is discernable, contact GSOC immediately.

Excavating within a Tolerance Zone

Excavators are required to maintain a minimum horizontal (side to side) clearance of **two feet (24")** between an unexposed facility and the cutting edge or point of any power operated excavating or earth-moving equipment. For example: if the markings indicate a 6" pipe is buried, the hand dig zone is **54" wide (24" + 6" + 24")**. If the excavation is required within the hand dig zone,



the excavation must be performed very carefully with vacuum excavation or hand tools and without damage to the facility or undermining of lateral support.

Excavators are reminded that a facility depth may vary due to installation practices, changes in grade, frost, erosion and other variables. Therefore, any depth readings given by a locator, if given at all, are only an estimation of the depth of the facilities, and the excavator is still responsible to safely expose the facility without damage.

Hand Dig with Care

Minnesota Law requires the use of hand tools (or vacuum excavation) when excavation will take place within **2 feet (24 inches)** on either side of a marked underground facility. Gopher State One Call reminds you to use care when you are digging within this “hand-dig tolerance zone.” Respect the marks to protect yourself and the underground lines’ integrity. GSOC takes any and all locate requests from excavators who plan on using hand tools. Detailed information regarding hand excavation for professional and casual excavators alike is available at www.gopherstateonecall.org.

GSOC also advises you that although hand tools are exempt from the requirement to contact GSOC before you dig, in some circumstances it may be safer for you to have underground facilities marked when using hand tools. Hand tools may pose a threat to you, others and underground facilities. Therefore, contact GSOC and

submit an excavation request any time you are unsure of the location of underground facilities or where the nature of your work may put them in danger.

Conducting an excavation

While working at the excavation site, have your locate ticket and information with you.

During the course of digging it is the excavator's responsibility to inspect and support all facilities that have been exposed. The excavator also must inspect facilities for any damage which could have accidentally occurred. This damage could include the pulling or kinking of the facility or damage to the protective coating or covering. If damage occurs, it is the excavator's responsibility to immediately notify the facility owner directly. If during your excavation the excavation equipment comes in physical contact with an underground facility, even if there is no noticeable damage, you must stop excavation and contact the facility owner.

The excavator is responsible for reasonably protecting and preserving locate markings until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe locate markings are obliterated, obscured, missing or incorrect, the excavator shall notify the facility operator or GSOC in order to have an operator verify, refresh or remark the locate. It is important that all facilities be marked prior to digging.

Emergency excavations

An emergency is defined by Minnesota State Statute 216D.01, subdivision 3 as **“a condition that poses clear and immediate danger to life health or significant loss of property.”**

Please note that work-scheduling problems or customer demands are not considered an emergency.

GSOC reminds you to call 911 whenever there is a release of flammable, toxic or corrosive gas or liquid, or if a dangerous situation has been created.

Examples of emergencies:

- A. An unforeseen excavation necessary in order to prevent a condition that poses clear and immediate danger to life or health.
- B. An excavation required to repair a service outage.
- C. An excavation required in order to prevent significant and immediate property damage.
- D. The repair of an existing unstable condition which may result in an emergency.

Emergency locates should be given top priority by utilities.*

The Minnesota Office of Pipeline Safety has requested that Gopher State One Call remind excavators that

*Upon receiving an emergency notice the owner/operator of that facility shall contact the excavator within one hour by telephone and if required to visit the job site, locate and mark within three hours.

anyone inappropriately claiming an emergency may be considered in violation of Minnesota Statute Chapter 216D subject to the penalties of 216D.08.

Correcting Errors

Log on to www.gopherstateonecall.org to update GSOC tickets immediately to correct errors or to correct any information on a ticket. You can also call and GSOC will assist in making corrections, depending on the circumstances. Corrections will only be accepted from the caller working for the same company from which the ticket originated. In other words, a sub-contractor may not change information on a ticket filed by a general contractor.



**Know what's below.
Call before you dig.**

Abandoned Facilities



Facility owners are required to maintain maps, drawings, diagrams or other records of any underground facility abandoned or out-of-service. It is the facility owner's responsibility to give the excavator any known information about the abandoned facilities location.

If the facility owner notifies the excavator at the job site that abandon facilities exist. the above symbol should be used, either painted on the ground or on a locate flag. The capital A inside a circle represents abandoned facilities. The symbol should be painted or put on a flag in the same APWA color as is required for marking the underground facilities. For example, if this symbol were found on a yellow flag it would represent an abandoned gas, oil, or steam line.

Even though the facility may be abandoned it remains the property of the underground facility operator. As an excavator, you may not remove that abandoned facility from the ground without prior permission from the facility operator.

When notified of abandoned facilities existing in your proposed work site, gather as much knowledge and information as you can about the abandoned facility, (i.e. type, size, color, material, location, and possible depth).

Facility Operator Responsibilities

Responding to a locate request

After receiving a locate ticket for an excavation, the facility operator must locate underground facilities prior to the legal excavation start date and time on the ticket, unless otherwise agreed or in the case of an on site meet. GSOC will issue the start time requested by the excavator as long as the time requested allows the facility operator at least **two full business days** (excluding weekends and holidays) to do the following:

- Physically locate and mark the horizontal location of underground facilities within the excavation site according to the American Public Works Association (APWA) color codes; or
- If the underground facilities at the excavation site cannot be located prior to the legal start date, contact the excavator to arrange a new locate due date and time that is mutually agreeable and will not unreasonably delay the excavator's work.

Emergency excavation tickets are given top priority. Facility members will mark facilities within the emergency excavation area as soon as practical.

If excavation, demolition or weather conditions change the locate marks and they are believed to be obliterated, obscured, missing or incorrect, the excavator shall

notify the facility operator. The GSOC notification center may be re-contacted to have the facility operator verify, refresh, or remark the locate. It is important that all facilities be marked prior to digging.

Positive Response

Underground facility operators must respond to every ticket they receive from GSOC, even if there are no underground facilities in the excavation area. One way in which an underground facility operator can respond to tickets that are not in conflict is through the Internet. The webpage is www.gopherstateonecall.org and on this webpage you can change the status of your tickets to Clear/No Conflict. For more information see Minnesota Rules Chapter 7560 located in the back of this manual.

Guidelines for marking underground facilities

Underground facility operators should use the recommended guidelines for uniform temporary markings of underground facilities as approved by the Common Ground Alliance (www.commongroundalliance.com) when marking the horizontal route of any underground facility. Additional info can be found at NUCLA website, www.nucla.org.

The operator of an underground facility should be indicated by initials or by name along with the marks indicating the horizontal location of the underground facility.

When known, the total number of lines within the ground should be indicated. The number of lines indicated should be based on the actual number of physical

lines. Multiple cables twisted together to form a single facility, as in the case of electric lines, would be considered one cable for a locate purpose.

If a facility is in a duct bank or a duct structure a corridor marker may be used. The corridor marker should indicate the approximate width of the facility. A marking resembling the capital letter “H” lying on its side, will indicate the corridor marker.



When there is a strong likelihood that the marks may be destroyed, the contractor may want to request offset markings. Offsets are indicated on a permanent surface or stakes and are placed parallel to the running line of the facility. The offset should indicate the distance from the offset to the facility and should identify the facility owner and if necessary the size of the facility.

Abandoned Facilities

Facility owners **are** required to maintain maps, drawings, diagrams or other records of any underground facility abandoned or out-of-service. It is the facility owner’s responsibility to give the excavator any known information about the abandoned facilities location.

Please refer to page 23 under “Excavator Information” for Abandoned Facilities Requirements.

Locate Tickets

Once the excavator has notified GSOC of pending excavation the call center will prepare a locate ticket that contains information provided by the excavator about the proposed excavation activity. This locate ticket is then transmitted to underground facility operators who have indicated to GSOC that they may have underground facilities in the vicinity of the excavation. The locate ticket is valid for **14 calendar days** from the start time stated on the notice. If the activity will continue after the expiration time, the excavator shall serve an additional notice prior to the expiration time of the original notice, unless arrangements are made for remarks.

When refreshing the paint and flags you have two options:

- Contact the facility operator/locator directly and ask for your job site to be refreshed, or
- Contact GSOC and have your ticket updated.

Types of Locate Requests

1. Locate

This is the most common type of request processed at GSOC. These tickets need to be requested by the excavator not less than **two business days** (excluding weekends and Holidays) from the planned start of excavation. The ticket may be requested up to **14 calendar days** prior to the time of proposed excavation. The ticket is valid for **14 calendar days** from the start time stated on the notice, unless the locate markings become obscure or obliterated. The excavator also can make arrangements with the operators affected to periodically verify or refresh the marks, in which case the ticket is valid for up to **six months** from start time stated on the notice.

2. Emergency Request

An emergency request is defined by Minnesota Statute Chapter 216D.01, subdivision 3, as **“A condition that poses a clear and immediate danger to life or health or significant loss of property.”**

GSOC does not determine whether an emergency condition exists.

Examples of emergencies:

- An unforeseen excavation necessary in order to prevent a condition that poses clear and immediate danger to life or health.
- An excavation required to repair a service outage.

- An excavation required in order to prevent significant and immediate property damage.
- The repair of an existing unstable condition that may result in an emergency.

Please note that work-scheduling problems or customer demands are not considered an emergency!

GSOC reminds you to first **call 911** whenever there is a release of flammable, toxic or corrosive gas or liquid, or a dangerous situation has been created. Next, contact the facility operator involved in the emergency, then contact GSOC.

Emergency locates are given top priority by the facility operator and will be marked within the excavation area as soon as practical, given the nature and circumstances of the emergency.

The Minnesota Office of Pipeline Safety has requested Gopher State One Call to remind excavators that anyone inappropriately claiming an emergency may be considered in violation of Minnesota Statute Chapter 216D and subject to the penalties of 216D.08.

3. Meet Requests

A meet should only be requested when it is difficult to precisely define the location of the excavation site in a routine locate request. The use of white markings can often be used to avoid the time and cost of a meet. Even if a meet is ultimately necessary, the use of white markings is often very helpful so that there is a clear understanding of the work to be done in the field, and its precise location.

The Minnesota Rules in 7560.0350 sets forth the requirements for a meet. In requesting a meet, the excavator must:

- Provide a contact person and a telephone number for the assigned person.
- The specific location of the meet.
- A proposed time for the meet (the actual time is by agreement of the parties.)

In addition, GSOC will ask additional questions of you including the approximate location of the work site. Please note that the presence of a specific geographic area on a ticket does not replace the need of the operator or locator to attend the meet. The information in the ticket may be only part of the work, may not encompass all of the work or may be missing other information provided to operators and locators at the meet. Please attend the meet and do not guess based on the ticket.

The scheduling of a meet request does not mean that the work site will be marked at the time of the meet. When a meet time is requested, the meet time must be at least **48 hours** (excluding Saturdays, Sundays and Holidays) after contacting GSOC. The excavation start time must be at least **24 hours** after the proposed meet date and time (again excluding Saturdays, Sundays and Holidays).

By way of example, if you contact GSOC at 11 am on Thursday (and the subsequent Monday is not a Holi-

day) the soonest the meet can occur (assuming no need to reschedule) is 11 am on the following Monday, and the excavation cannot begin before 11am on Tuesday.

Excavators are reminded that all meets are tentative and subject to change. GSOC cannot make binding appointments on behalf of facility operators. If the facility operator or locator cannot make the proposed meet time it is important that they contact the excavator to make other arrangements that work best for each party.

All parties are reminded to be at the meet on time.

GSOC encourages excavators to prepare prior to the meet. At the meet the excavator shall inform the facility operators and locators of the precise geographic location of the work the timetable, scope of work and any other information needed so that the facility operator or locator can protect the underground facilities. Excavators need to anticipate changes in the job site, weather or other conditions that may change the direction or nature of the work and communicate those changes so that facility operators and locators can adjust their protection efforts.

The rules require the excavator to maintain written documentation of each meet. The rules require that at a minimum this documentation include:

- The date and time of each meet.
- The names, company affiliations and contact information for each attendee at each meet.

- A diagram, sketch, or description of the precise excavation locations, dates and times.
- An agreed schedule of any future meets or communications.

GSOC recommends that this documentation be started prior to the meet itself, so that the written diagrams or sketches and timetable can be handed out at the start of the meet. Engineering drawings and other detailed information is encouraged so that all parties clearly understand the worksite. Pictures taken at the time of the meet, or of markings made after the meet may be helpful as part of the documentation process.

An excavator meet form has been developed by the Minnesota Office of Pipeline Safety to assist in documenting the meet. The downloadable form can be found at <http://www.dps.state.mn.us/pipeline/index.html>.

4. Owner Inquiry (Information) Ticket

Owner Inquiry tickets are used to provide a list of underground facility owners and contact phone number to engineers, architects, surveyors, planners, or any person soliciting bids or entering into a contract for future excavation, and who does not require field marks or a meeting at the proposed job site. GSOC will provide these callers with contact information and any special handling notes supplied by the underground facility owner. These tickets are not released to facility operators and are suppressed internally at the call center.

5. Non-Excavation Ticket

MN State Statute 216D.04, Subdivision 1(A) requires contacting GSOC in many circumstances involving contract bid proposals. The law refers to these as “Plans for Excavation.” These tickets are a way for engineers, architects, surveyors, planners or any person soliciting bids or entering into a contract for excavation to obtain the type, size and general location of the facilities.

Once the facility operators receives the Plans for Excavation Ticket they must provide the excavator the information within **15 working days**. Notification can be provided by either performing:

1. An actual field locate at the job site, and or
2. Providing maps or diagrams of the facilities.

The information obtained from the affected operators must be submitted with the final drawing used for the bid or contract. This bid or contract must also depict the “utility quality level”, as defined in 216D.01 subdivision 12. This information must be obtained not more than **90 days** before completion of the final drawing used for the bid or contract. A person required to obtain this information is also required to hold one or more preliminary design meetings and comply with Minnesota Statutes 216D.04 subdivision 1a (C) and (D). This subdivision does not apply to bids and contracts for:

1. Routine maintenance of underground facilities or installation, maintenance or repair of service lines.

2. Excavation for home construction and projects by homeowners.
3. Excavation for operators of underground facilities performed on a unit of work or similar basis.

NOTE: An operator who provides information to a person who is not a unit of government may indicate any portions of the information that are proprietary and may require the person to provide appropriate confidentiality protection.

6. Engineering/Pre-Con Meet Ticket

ENG/PRE-CON MTG tickets are used when a person is required to comply with Minnesota Statutes 216D.04 subdivision 1a (C) and (D) by holding a design meeting at a proposed future site of excavation with potentially affected facility operators in the area. A minimum of 15 working days must be allowed by callers requesting Eng/Pre-Con Meets. Facility operators or their designated personnel will attend the meeting to exchange information.

7. Boundary Survey

A Boundary Survey is another type of a non-excavation ticket processed by Gopher State One Call.

By law, underground facility operators must respond to a Boundary Survey request within **96 hours**.

The facility operator must preform an actual field locate unless both parties agree otherwise.

GSOC TICKET FORMAT

Ticket Type: **Ticket No.** _____

Locate Request Emergency Plans for Excavation

Excavation Meet Boundary Survey

Engineering/Pre-Con Information Ticket

1. Phone number _____ **Ext.** _____

Caller ID number _____

2. Caller name _____

Company name _____

3. Mailing Address _____

City _____ **State** _____ **Zip** _____

4. Contact Email Address _____

5. Alternate contact name _____

Alternate phone number _____

6. Work to begin date _____ **Time** _____

7a. Explosives (Y/N) _____ **7b. HDD (Y/N)** _____

7c. R.O.W. (Y/N) _____

8. Duration of Work _____

9. Type of Work _____

10. Work being done for _____

11. County _____ **City/Place** _____

12. Address _____ **Street** _____

13. Nearest Intersecting Street _____

14. Marking Instructions _____

15. Remarks _____

16. Township _____ **Range** _____ **Section** _____ **Quarter** _____

17. Coordinate Type Lat/North _____ Long/East _____

18. Hudson/King Page _____ **Grid** _____

Information requested on a locate ticket

Below are brief explanations of the information that you will be required to provide when processing a locate ticket. The information is listed in the order it appears on the ticket.

- 1. Telephone number/Caller ID number** - Your phone number is used to access GSOC's database. You also can use your ID number to gain the same information.
- 2. Caller name and Company name** - This information is taken in order to maintain records of all locate requests. This is also helpful in the event it is necessary to contact someone for further information regarding the project.
- 3. Mailing Address** - The mailing address of the caller or caller's company is recorded in order to enable the computer to store this information in a mailing list database. This mailing list can be utilized to notify excavators of information pertaining to Gopher State One Call. All identified information is also made available to facility operators, excavators and government agencies. This is not private information and no expectation of confidentiality or privacy shall be assumed.
- 4. Contact E-mail Address** - Email addresses will be collected as another way in which communication can be made between the facility operators, excavators and Gopher State One Call.

5. **Alternate contact name and phone number** - If the person in charge of the work is different than the caller, an alternate name is needed. Locate request can often be expedited when the person supervising the work can be reached directly.
6. **Excavation start date** - It is critical **NOT** to begin work prior to the start date and time. Beginning work before the start date and time can result in the forfeiture of the excavator's rights and protections provided under the law. **If the excavator cancels the excavation, the excavator is required by law to notify the call center.**
- 7a. **Explosives** - Gas safety rules require gas facility owners to perform leakage surveys in the vicinity of any excavation where blasting has been performed. Gopher State One Call asks whether explosives will be used in an effort to assist gas facility operators to stay in compliance with these rules.
- 7b. **HDD (Horizontal Directional Drilling) or tunneling/boring** - excavation taking place beneath the ground with out disturbing the ground surface, in a tunneling fashion.
- 7c. **Right of Way (ROW)** - The question asks if the work will be performed in the "road right of way." For the purposes of this question, GSOC defines the ROW as the area on, below, or above a public roadway, highway, street, cart

way, bicycle lane, and public sidewalk in which the government unit has an interest, including other dedicated rights-of-way for travel purposes and utility easements of government units. Make sure you are familiar with the area in which you are working and contact the ROW holder for any questions regarding the ROW boundary. Please note that the ROW is not the same as an easement. GSOC cannot be responsible for determining the ROW area. Further, the facility operator may rely on your answer to this question in determining if a locate is necessary. Therefore, the excavator must confirm the ROW area prior to contacting GSOC.

- 8. Duration** - This question is an estimate of how long you plan on being at the job site. Please note, a ticket is valid for **14 calendar days**. If the duration of the work will extend beyond **14 calendar days** you must request an update on the ticket at least **two business days** prior to the expiration of the **14-day period**, and every subsequent **14-day period** thereafter, unless arrangements are made with affected operators to periodically remark. If the project will exceed **6 months**, a new ticket must be sought prior to the expiration of the **6-month** period.
- 9. Type of Work** - Field locators need to know the specific reason for excavation. GSOC, therefore, needs to identify the specific reason for the work

as compared to the work method. For example, “installation of a sanitary sewer lateral” is much more helpful than “digging for a sewer line.”

10. Work Being Done For - The identification of whom the work is being done for is another resource for obtaining additional information about the project. The customer’s name or the general contractor’s name is sufficient.

11. County and City/Place Name - The county and city/place of the work site are needed to identify where the job site is located. This information is critical to GSOC and it is the excavator’s responsibility to determine the correct political subdivision in which the work will be performed. The excavator must confirm political boundaries prior to contacting GSOC. Failure to provide GSOC with correct information can result in facility operators not being properly notified. Therefore it is important the excavator carefully confirms this important information. GSOC utilizes this information to identify which members are to be notified.

GSOC accepts calls for all 87 counties in Minnesota. Work outside Minnesota should be referred directly to the one-call system responsible for that area. Visit our web site, www.gopherstateonecall.org for contact numbers to all other one-call centers.

12. Street Address of Work Site - GSOC also uses the street name to identify which facility opera-

tor are to be notified. It should be noted that the underground facility operators participating in GSOC utilize different mapping records. To ensure that the information is received for all underground facility operators, GSOC has requirements for identifying the location of the job site. The best information is a street address. If a street address is not available, GSOC will ask for the following information:

- A. What is the precise name of the street?
- B. Name of the nearest intersecting street.

The following are examples of proper information when identifying the location of a job site:

- A. 2020 Centre Pointe Blvd
- B. Centre Pointe Blvd and Lexington Ave.

Use caution to ensure you have the proper street name before you call GSOC. It is critical for you to have the full and proper name to allow GSOC to accurately process your locate request. Use caution with differences between “street,” “avenue,” “boulevard,” etc. Fire numbers are helpful as additional information, but may not be an address that GSOC can access.

NOTE: GSOC call taking procedures state that a separate ticket must be filed for each job site. In other words, the installation of 15 sewer laterals will result in filing 15 separate tickets.

In addition, “Blanket Tickets” are strongly discouraged. If you are a sub-contractor and you are excavating, protect yourself and your company by processing a ticket. The general contractor’s ticket does not apply to anyone except them.

- 13. Nearest Intersecting Street** - Provide GSOC with the nearest intersecting street to the job project. The nearest intersecting street is the information that drives the selectivity of the GSOC system. Therefore, the street given must be the nearest intersecting street. This requires the excavator to investigate in all directions of the jobsite to determine which is the nearest street that intersects the street address of the worksite. Failure to provide GSOC with correct information can result in a facility operator not being properly notified. Therefore it is important the excavator carefully confirms this important information.
- 14. Marking Instructions** - Identifies the specific portion of the excavation site that needs to be marked. (See “Preparing marking instruction” beginning on page 43.)
- 15. Remarks** - Includes any additional information, comments or instructions to help the utility locators respond to your ticket, such as: 1) information that could prevent a locator from accessing

the excavation site i.e. “locked gate” or “guard dog on property”; 2) an excavator’s request to meet with a utility; 3) map page and grids; 4) fire or route numbers; or 5) safety precautions.

16. Township, Range, Section and Quarter -

This information will aid the customer service representative and allow them to quickly and accurately process your location request. Studies show that telephone time can be cut by 50% if complete legal descriptions are provided to the customer service representative.

Indicate the appropriate township, range and quarter-section in which your job site is located. To do this, indicate the township, range, and section by their numeric designations and quarter sections by their directional qualifier (NE, NW, SE, SW).

Example -

Township: 108N Range: 28W Section 12-NE

17. Coordinate Type - Lat/North, Long/East.

18. Map page and grid - Hudson or King map page and grids are acceptable for the greater metro area.

Example - Page Number 451 Grid 3C, Year of Book: 2010.

Preparing Marking Instruction (Excavation site description)

After identifying the location (address and corresponding driving directions) of the excavation site, you will be required to identify the portion of the excavation site that is to be marked. In identifying this area, the following guidelines should be considered:

1. Use north, south, east and west rather than left or right.
2. If the excavation is in the roadway, marking instructions could include:
 - a. Mark entire road right of way
 - b. Mark from centerline of road to the (North, South, East, West) (lot line, curb or right of way) and designate footage to the ending point.
3. If the excavation site information does not adequately describe where the locates are needed, utility owners may need additional information before locating their underground facilities. GSOC will note that the information obtained is the best available. However, the start date may be delayed until the required information is provided or white markings have been done.
4. In all cases, GSOC is looking for a description of the area to be marked out. GSOC will not accept instructions to mark a particular facility (i.e., “Mark the gas line at this address”).

5. The following are some terms that can be used to help describe the area to be marked:

Center lane	Frontage Road	Rear lot line
Cul-de-sac	Front lot line	Right of way
Culvert	Intersection	Road
Curb lane	Interchange	Roadway
Curb to curb	Lot line	Shoulder
Side lot line	Curb line	Median
Street	Easement	Property line
Curb to property line	Lot line to lot line	
Lot line to opposite curb	Radius	



THE LAW

Minnesota Statute Chapter 216D

One Call Excavation Notice System

As Amended August, 2004

216D.01 - Definitions

Subdivision 1 - Applicability.

The definitions in this section apply to sections 216D.01 to 216D.07.

Subdivision 1a - Commissioner.

“Commissioner” means the commissioner of public safety.

Subdivision 1b - Boundary Survey.

"Boundary survey" means a survey made to establish or to reestablish a boundary line on the ground or to obtain data for preparing a map or plat showing boundary lines.

Subdivision 2 - Damage.

- (1) the substantial weakening of structural or lateral support of an underground facility;
- (2) penetration, impairment, or destruction of any underground protective coating, housing, or other protective device; or
- (3) impact with or the partial or complete severance of an underground facility to the extent that the facility operator determines that repairs are required.

Subdivision 3 - Emergency.

"Emergency" means a condition that poses a clear and immediate danger to life or health, or a significant loss of property.

Subdivision 4 - Emergency responder.

"Emergency responder" means a fire department or company, a law enforcement official or office, an ambulance or other emergency rescue service, or the Division of Emergency Management created by section 12.04, subdivision 1.

Subdivision 5 - Excavation.

"Excavation" means an activity that moves, removes, or otherwise disturbs the soil by use of a motor, engine, hydraulic or pneumatically powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

- (1) the extraction of minerals;
- (2) the opening of a grave in a cemetery;
- (3) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch;
- (4) plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, trees, and shrubs, unless any of these activities disturbs the soil to a depth of 18 inches or more;

- (5) gardening unless it disturbs the soil to a depth of 12 inches or more; or
- (6) planting of windbreaks, shelterbelts, and tree plantations, unless any of these activities disturbs the soil to a depth of 18 inches or more.

Subdivision 6 - Excavator.

"Excavator" means a person who conducts excavation in the state.

Subdivision 6a - Land Surveyor.

"Land surveyor" means a person licensed to practice land surveying under sections 326.02 to 326.15.

Subdivision 7 - Local governmental unit.

"Local governmental unit" means a county, town, or statutory or home rule charter city.

Subdivision 8 - Notification center.

"Notification center" means a center that receives notice from excavators of planned excavation or other requests for location and transmits this notice to participating operators.

Subdivision 9 - Operator.

"Operator" means a person who owns or operates an underground facility. A person is not considered an operator solely because the person is an owner or tenant of real property where underground facilities are located if the underground facilities are used

exclusively to furnish services or commodities on that property, unless the person is the state, a state agency, or a local governmental unit.

Subdivision 10 - Person.

"Person" means the state, a public agency, a local governmental unit, an individual, corporation, partnership, association, or other business or public entity or a trustee, receiver, assignee, or personal representative of any of them.

Subdivision 11 - Underground facility.

"Underground facility" means an underground line, facility, system, and its appurtenances used to produce, store, convey, transmit, or distribute communications, data, electricity, power, heat, gas, oil, petroleum products, water including storm water, steam, sewage, and other similar substances.

Subdivision. 12 - Utility quality level.

"Utility quality level" means a professional opinion about the quality and reliability of utility information. There are four levels of utility quality information, ranging from the most precise and reliable, level A, to the least precise and reliable, level D. The utility quality level must be determined in accordance with guidelines established by the Construction Institute of the American Society of Civil Engineers in document CI/ASCE 38-02 entitled "Stan-

Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

216D.02 Notice to excavator or operator

Subdivision 1 - Display and distribution.

Local governmental units that issue permits for an activity involving excavation must continuously display an excavator's and operator's notice at the location where permits are applied for and obtained. An excavator and operator's notice and a copy of sections 216D.03 to 216D.07 must be furnished to each person obtaining a permit for excavation.

Subdivision 2 - Form.

The notification center shall prescribe an excavator and operator's notice. The notice must inform excavators and operators of their obligations to comply with sections 216D.03 to 216D.07. The center shall furnish to local governmental units:

- (1) a copy of the notice and sections 216D.03 to 216D.07 in a form suitable for photocopying;
- (2) a copy of the display and distribution requirements under subdivision 1; and
- (3) the telephone number and mailing address of the notification center.

216D.03 Notification center

Subdivision 1 - Participation.

An operator shall participate in and share in the costs of one statewide notification center operated by a vendor selected under subdivision 2.

Subdivision 2 - Establishment of notification center; rules.

- (a) The notification center services must be provided by a nonprofit corporation approved in writing by the commissioner. The nonprofit corporation must be governed by a board of directors of up to 20 members, one of whom is the director of the Office of Pipeline Safety. The other board members must represent and be elected by operators, excavators, and other persons eligible to participate in the center. In deciding to approve a nonprofit corporation, the commissioner shall consider whether it meets the requirements of this paragraph and whether it demonstrates that it has the ability to contract for and implement the notification center service.
- (b) The commissioner shall adopt rules:
 - (1) establishing a notification process and competitive bidding procedure for selecting a vendor to provide the notification service;
 - (2) governing the operating procedures and technology needed for a statewide notification center; and

- (3) setting forth the method for assessing the cost of the service among operators.
- (c) The commissioner shall select a vendor to provide the notification center service. The commissioner may advertise for bids as provided in section 16C.06, subdivisions 1 and 2, and base the selection of a vendor on best value as provided in section 16C.06, subdivision 6. The commissioner shall select and contract with the vendor to provide the notification center service, but all costs of the center must be paid by the operators. The commissioner may at any time appoint a task force to advise on the renewal of the contract or any other matter involving the center's operations.
- (d) An operator may submit a bid and be selected to contract to provide the notification center service under paragraph (a) or (c). The commissioner shall annually review the services provided by the nonprofit corporation approved under paragraph (a) or the vendor selected under paragraph (c).

Subdivision 3 - Cooperation with local government.

In establishing operating procedures and technology for the statewide notification center, the board of directors or the commissioner must work in cooperation with the League of Minnesota Cities, the Association of Minnesota Counties, and the Township

Officers' Association. The purpose of this cooperation is to maximize the participation of local governmental units that issue permits for activities involving excavation to assure that excavators receive notice of and comply with the requirements of sections 216D.01 to 216D.07.

Subdivision 4 - Notice to local government.

The notification center shall provide local governmental units with a master list, by county, of the operators in the county who are participants in the notification center, and the telephone number and mailing address of the notification center.

216D.04 - Excavation; land survey.

Subdivision 1 - Notice required; contents.

- (a) Except in an emergency, an excavator shall and a land surveyor may contact the notification center and provide notice at least **48 hours**, excluding Saturdays, Sundays, and holidays and not more than **14 calendar days** before beginning any excavation or boundary survey. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in the notice.
- (b) The notice may be oral or written, and must contain the following information:

- (1) the name of the individual providing the notice;
- (2) the precise location of the proposed area of excavation or survey;
- (3) the name, address, and telephone number of the individual or individual's company;
- (4) the field telephone number, if one is available;
- (5) the type and extent of the activity;
- (6) whether or not the discharge of explosives is anticipated;
- (7) the date and time when the excavation or survey is to commence; and
- (8) the estimated duration of the activity.

Subdivision 1a - Plans for excavation.

- (a) Any person, prior to soliciting bids or entering into a contract for excavation, shall provide a proposed notice to the notification center to obtain from the affected operators of underground facilities the type, size, and general location of underground facilities. Affected operators shall provide the information within **15 working days**. An operator who provides information to a person who is not a unit of government may indicate any portions of the information which are proprietary and may

require the person to provide appropriate confidentiality protection. The information obtained from affected operators must be submitted on the final drawing used for the bid or contract and must depict the utility quality level of that information. This information must be updated **not more than 90 days** before completion of the final drawing used for the bid or contract.

- (b) This subdivision does not apply to bids and contracts for:
 - (1) routine maintenance of underground facilities or installation, maintenance, or repair of service lines;
 - (2) excavation for operators of underground facilities performed on a unit of work or similar basis; or
 - (3) excavation for home construction and projects by home owners.
- (c) A person required by this section to show existing underground facilities on its drawings shall conduct one or more preliminary design meetings during the design phase to communicate the project design and coordinate utility relocation. Affected facility operators shall attend these meetings or make other arrangements to provide information.
- (d) A person required by this section to show existing underground facilities on its drawings shall

conduct one or more preconstruction meetings to communicate the project design and coordinate utility relocation. Affected facility operators and contractors shall attend these meetings or make other arrangements to provide information.

- (e) This subdivision does not affect the obligation to provide a notice of excavation as required under subdivision 1.

Subdivision 2 - Duties of notification center; regarding notice.

The notification center shall assign an inquiry identification number to each notice and retain a record of all notices received for at least six years. The center shall immediately transmit the information contained in a notice to every operator that has an underground facility in the area of the proposed excavation or boundary survey.

Subdivision 3 - Locating underground facility; operator.

- (a) Prior to the excavation start time on the notice, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator and provide readily available information regarding the operator's abandoned and out-of-service underground facilities as shown on maps, drawings, diagrams, or other records used in the operator's normal course of business, without cost to the excavator. The excavator shall deter-

mine the precise location of the underground facility, without damage, before excavating within **two** feet of the marked location of the underground facility.

- (b) **Within 96 hours** or the time specified in the notice, whichever is later, after receiving a notice for boundary survey from the notification center, excluding Saturdays, Sundays, and holidays, unless otherwise agreed to between the land surveyor and operator, an operator shall locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator, without cost to the land surveyor.
- (c) For the purpose of this section, the approximate horizontal location of the underground facilities is a strip of land **two** feet on either side of the underground facilities.
- (d) Markers used to designate the approximate location of underground facilities must follow the current color code standard used by the American Public Works Association.
- (e) If the operator cannot complete marking of the excavation or boundary survey area before the excavation or boundary survey start time stated in the notice, the operator shall promptly contact the excavator or land surveyor.

- (f) After December 31, 1998, operators shall maintain maps, drawings, diagrams, or other records of any underground facility abandoned or out-of-service after December 31, 1998.
- (g) An operator or other person providing information pursuant to this subdivision is not responsible to any person, for any costs, claims, or damages for information provided in good faith regarding abandoned, out-of-service, or private or customer-owned underground facilities.

Subdivision 4 - Locating underground facility; excavator or land surveyor.

- (a) The excavator or land surveyor shall determine the precise location of the underground facility, without damage, before excavating within **two** feet on either side of the marked location of the underground facility.
- (b) If the excavator or land surveyor cancels the excavation or boundary survey, the excavator or land surveyor shall cancel the notice through the notification center.
- (c) The notice is valid for **14 calendar days** from the start time stated on the notice. If the activity will continue after the expiration time, then the person responsible for the activity shall serve an additional notice **at least 48 hours**, excluding Saturdays, Sundays, and holidays,

before the expiration time of the original notice, unless the excavator makes arrangements with the operators affected to periodically verify or refresh the marks, in which case the notice is valid for **six** months from the start time stated on the notice.

- (d) The excavator is responsible for reasonably protecting and preserving the marks until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe the marks are obliterated, obscured, missing, or incorrect, the excavator shall notify the facility operator or notification center in order to have an operator verify or refresh the marks.

216D.05 Precautions to avoid damage.

An excavator shall:

- (1) plan the excavation to avoid damage to and minimize interference with underground facilities in and near the construction area;
- (2) use white markings for proposed excavations except where it can be shown that it is not practical;
- (3) maintain a clearance between an underground facility and the cutting edge or point of any mechanized equipment, considering the known limit of control of the cutting edge or point to

- avoid damage to the facility;
- (4) provide support for underground facilities in and near the construction area, including during backfill operations, to protect the facilities; and
 - (5) conduct the excavation in a careful and prudent manner.

216D.06 - Damage to facility.

Subdivision 1 - Notice; repair

- (a) If any damage occurs to an underground facility or its protective covering, the excavator shall notify the operator promptly. When the operator receives a damage notice, the operator shall promptly dispatch personnel to the damage area to investigate. If the damage results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health, or property, the excavator responsible shall immediately notify the operator and the 911 public safety answering point, as defined in section 403.02, subdivision 19, and take immediate action to protect the public and property. The excavator shall also attempt to minimize the hazard until arrival of the operator's personnel or until emergency responders have arrived and completed their assessment. The 911 public safety answering point shall maintain a response plan for notifications generated by this section.

- (b) An excavator shall delay backfilling in the immediate area of the damaged underground facilities until the damage has been investigated by the operator, unless the operator authorizes otherwise. The repair of damage must be performed by the operator or by qualified personnel authorized by the operator.
- (c) An excavator who knowingly damages an underground facility, and who does not notify the operator as soon as reasonably possible or who backfills in violation of paragraph (b), is guilty of a misdemeanor.

Subdivision 2 - Cost reimbursement.

- (a) If an excavator damages an underground facility, the excavator shall reimburse the operator for the cost of necessary repairs, and for a pipeline the cost of the product that was being carried in the pipeline and was lost as a direct result of the damage.
- (b) Reimbursement is not required if the damage to the underground facility was caused by the sole negligence of the operator or the operator failed to comply with section 216D.04, subdivision 3.

Subdivision 3 - Prima facie evidence of negligence.

It is prima facie evidence of the excavator's negligence in a civil court action if damage to the underground facilities of an operator resulted from excavation, and the excavator failed to give an excava-

tion notice under section 216D.04 or provide support as required by section 216D.05.

216D.07 Effect on local ordinances.

- (a) Sections 216D.01 to 216D.07 do not affect or impair local ordinances, charters, or other provisions of law requiring permits to be obtained before excavating.
- (b) A person with a permit for excavation from the state or a public agency is subject to sections 216D.01 to 216D.07. The state or public agency that issued a permit for excavation is not liable for the actions of an excavator who fails to comply with sections 216D.01 to 216D.07.

216D.08 - Civil penalties; proceeds to safety account; rules.

Subdivision 1 - Penalties.

A person who is engaged in excavation for remuneration or an operator other than an operator subject to section 299F.59, subdivision 1, who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed by the commissioner not to exceed \$1,000 for each violation per day of violation. An operator subject to section 299F.59, subdivision 1, who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed under section 299F.60. The district court may hear, try, and determine actions commenced under this section. Trials under this section

must be to the court sitting without a jury. If the fine exceeds the maximum limit for conciliation court, the person appealing the fine may request the commissioner to conduct an administrative hearing under chapter 14.

Subdivision 2 - Settlement.

The commissioner may negotiate a compromise settlement of a civil penalty. In determining the amount of the penalty, or the amount of the compromise settlement, the commissioner shall consider the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. Unless the commissioner chooses to proceed in district court under subdivision 1, the contested case and judicial review provisions of chapter 14 apply to the orders of the commissioner imposing a penalty under sections 216D.01 to 216D.07. The amount of the penalty, when finally determined, may be deducted from sums owing by the state of Minnesota to the person charged.

Subdivision 3 - Credited to pipeline safety account; appropriation.

Penalties collected under this section must be deposited in the state treasury and credited to the pipeline safety account to be applied to the reduction of expenses or costs assessed by the commis-

sioner against persons regulated under this chapter. Penalties collected under this section are annually appropriated to the commissioner of public safety.

Subdivision 4 - Rules.

The commissioner shall adopt rules establishing reasonable guidelines for imposing penalties. The rules must provide for notice that a penalty is assessed and may exempt activities from penalties unless the excavator or operator as defined in this section has evidenced a course of action in disregard of this chapter.

216D.09 - Injunctive relief.

Subdivision 1 - Jurisdiction.

The district courts of the state of Minnesota have jurisdiction, subject to the provisions of the statutes and the rules of practice and procedure of the state of Minnesota relative to civil actions in the district courts, to restrain violations of sections 216D.01 to 216D.07, on petition by the attorney general on behalf of the state of Minnesota. When practicable, the commissioner shall give notice to a person against whom an action for injunctive relief is contemplated and afford the person an opportunity to present views and, except in the case of a knowing and willful violation, shall afford the person reasonable opportunity to achieve compliance. However, the failure to give the notice and afford an opportu-

nity to present views does not preclude the granting of appropriate relief.

Subdivision 2 - Venue.

Actions under this section must be brought in district court in the district where the defendant's principal place of business in the state is located, and process in these cases may be served in any other district in the state of Minnesota where the defendant may be found or in which the defendant is an inhabitant or transacts business.

www.gopherstateonecall.org



**Know what's below.
Call before you dig.**

Minnesota Rules Chapter 7560

Office of Pipeline Safety Excavation Notice System As amended October, 2005

7560.0100 - Definitions

Subpart 1. - Scope.

The terms used in this chapter have the meanings given them. Terms not defined in this part have the meanings given them in Minnesota Statutes, section 216D.01.

Subpart 1A. Abandoned facility.

"Abandoned facility" means an underground facility that is no longer in service and is physically disconnected from a portion of the operating facility that is in use or still carries service. An abandoned facility has been deemed abandoned by the operator.

Subpart 2. Director.

"Director" means the director of the Office of Pipeline Safety of the Minnesota Department of Public Safety.

Subpart 3. Good cause to believe.

"Good cause to believe" means grounds put forth in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that are based on at least one of the following sources:

- A. information from a person;
- B. facts supplied by the notification center defined in Minnesota Statutes, section 216D.01, subdivision 8;
- C. facts of which the director or an agent of the director has personal knowledge; and
- D. information provided by excavators or operators.

Subpart 4. Locate.

“Locate” means an operator’s markings of an underground facility.

Subpart 5.

[Renumbered as subp 8]

Subpart 5A.

[Renumbered as subp 9]

Subpart 6.

[Renumbered as subp 11]

Subpart 7. Meet.

When used as a noun in this chapter, "meet" refers to a meeting at the site of proposed excavation requested at the time of notice by the excavator with all affected underground facility operators to further clarify the precise geographic location of excavation, schedule locating, propose future contacts, and share other information concerning the excavation and facilities.

Subpart 8. Office.

“Office” means the Office of Pipeline Safety of the Minnesota Department of Public Safety.

Subpart 9. Out-of-service facility.

"Out-of-service facility" means an underground facility that is no longer maintained and is not intended for future use, but has not been deemed abandoned. An out-of-service facility may still be connected to a portion of the operating facility that is in use or still carries service.

Subpart 10. Public right-of-way.

"Public right-of-way" means the area on, below, or above a public roadway, highway, street, cartway, bicycle lane, and sidewalk in which a government unit has an interest, including other rights-of-way dedicated for travel purposes and utility easements of government units.

Subpart 11. Remuneration.

"Remuneration" means direct or indirect compensation or consideration paid to the person or the person's agent, employer, employee, subcontractor, or contractor. A person who excavates as part of the person's duties as an employee, employer, agent, subcontractor, or contractor is considered to be acting for remuneration.

Subpart 12. Service lateral.

"Service lateral" means an underground facility that is used to transmit, distribute, or furnish gas, electricity, communications, or water from a common source to an end-use customer. A service lateral is also an underground facility that is used in the removal of wastewater from a customer's premises.

7560.0125 ABANDONED AND OUT-OF-SERVICE FACILITIES.

Subpart 1. Duty of operators to provide readily available information.

Operators shall provide readily available information, as shown on maps, drawings, diagrams, or other records used in the normal course of business, on the approximate location of abandoned and out-of-service facilities to an excavator by the excavation date and time noted on the excavation or location notice unless otherwise agreed between the excavator and the operator. An operator fulfills an obligation to provide information on these facilities by doing one or more of the following:

- A. locating and marking the approximate location of the facility according to the current color code standard used by the American Public Works Association, as required in Minnesota Statutes, section 216D.04, subdivision 3, with an abandoned or out-of-service facility identified by an uppercase A surrounded by a circle;

- B. providing informational flags at the area of proposed excavation;
- C. communicating information verbally; or
- D. providing copies of maps, diagrams, or records.

Subpart 2. Duty to notify operator.

An excavator shall notify the operator:

- A. before moving, removing, or otherwise altering a facility that is thought to be abandoned or out of service; or
- B. if damage to the facility occurs, pursuant to Minnesota Statutes, section 216D.01, subdivision 2.

Subpart 3. Verification of abandoned or out-of-service facility.

Upon receipt of notification by an excavator pursuant to subpart 2, an operator shall verify that an underground facility is abandoned or out of service, by either reference to installation records, testing, or other comparable standard of verification, before an excavator is allowed to move, remove, or otherwise alter an underground facility.

Subpart 4. Liability.

An operator providing information pursuant to Minnesota Statutes, section 216D.04, subdivision 3, is not responsible to any person for any costs, claims, or damages for information provided in good faith

regarding abandoned and out-of-service underground facilities.

7560.0150 PUBLIC RIGHT-OF-WAY MAPPING AND INSTALLATION.

Subpart 1. Duty of operator to map.

After December 31, 2005, an operator shall maintain a map, a diagram, a drawing, or geospatial information regarding the location of its underground facility within a public right-of-way installed after that date.

Subpart 2. Duty to install locating wire.

After December 31, 2005, an operator shall install a locating wire or have an equally effective means of marking the location of each nonconductive underground facility within a public right-of-way installed after that date. This requirement does not apply when making minor repairs to an existing nonconductive facility. As applied to this chapter, "minor repairs" means repairs to or partial replacement of portions of existing service laterals located within a public right-of-way for purposes of routine maintenance and upkeep.

7560.0200 [Repealed, 24 SR 448]

7560.0225 EXCAVATOR RESPONSIBILITIES REGARDING A LOCATE.

Subpart 1.

[Repealed, 29 SR 1503]

Subpart 2. Responsibility to protect and preserve.

The excavator is responsible for reasonably protecting and preserving a locate until no longer required for proper and safe excavation near the underground facility. If the excavator has reason to believe a locate is obliterated, obscured, missing, or incorrect, the excavator shall notify the facility operator or notification center in order to have an operator verify, refresh, or re-mark the locate.

Subpart 3. Use of locate.

A locate is valid for 14 days from the excavation commencement time stated on the excavation or location notice, unless the excavator has made previous arrangements with the operators affected to periodically verify, refresh, or re-mark the locate.

7560.0250 LOCATE STANDARDS.

Subpart 1. Facility locate.

Unless otherwise agreed to between the excavator and operator, an operator shall locate an underground facility using stakes, flags, paint, or other suitable materials in varying combinations dependent upon the surface. The locate must be in suffi-

cient detail to clearly identify the approximate route of the underground facility. The locate must also include:

- A. name, abbreviation, or logo of the operator when more than one operator listed on the notice uses the same color markings;
- B. width of the underground facility if it is greater than **eight** inches; and
- C. number of underground facilities if greater than **one**.

Subpart 2. Operator duties in no conflict situation.

After December 31, 2005, an operator who receives notice and determines that an underground facility is not in conflict with the proposed excavation shall complete one or more of the following:

- A. mark the area “NO” followed by the operator’s name, abbreviation, or logo in the color code of the underground facility not in conflict;
- B. place a clear plastic flag at the area that:
 - (1) states “N/C” or “NO CONFLICT” in lettering matching the color code of the underground facility that is not in conflict; and
 - (2) includes the operator’s name, abbreviation, or logo, the date, a contact telephone number, and the ticket number; or

- C. contact the notification center through procedures required by the notification center and indicate that there are no underground facilities in conflict with the proposed excavation and that no markings or flags were left at the proposed excavation site.

Subpart 3. Placement of flags or markings.

If using N/C (no conflict) flags or markings pursuant to subpart 2, an operator shall place the flags or markings in a location that can be readily observed by an excavator. When an area of proposed excavation is delineated by the use of white markings, an operator shall place the N/C flags or markings within, or as near as practicable to, the delineated area.

Subpart 4. Duties of notification center.

After December 31, 2005, the notification center shall make the information received under subpart 2 available to the excavator before the start date and time on the notice. The notification center may fulfill this requirement by making the information accessible through one or more Internet addresses, by transmitting the information to a continuously working facsimile machine maintained by the excavator, or by other methodology developed by the notification center. The notification center shall make available the information received by operators pursuant to this section through an electronic means. The notification center is not required by this

subpart to contact an excavator verbally via telephone.

7560.0300 OPERATOR PARTICIPATES AND SHARES COSTS.

An operator shall participate in and share the costs of the one call excavation notice system by:

- A. submitting the information required by the notification center to allow the center to notify the operator of excavation activity;
- B. updating the information provided to the notification center on a timely basis;
- C. installing and paying for equipment reasonably requested by the notification center to facilitate receipt of notice of excavation from the center;
- D. paying the costs charged by the notification center on a timely basis; and
- E. receiving and responding to excavation notices, including emergency notices, as required by Minnesota Statutes, chapter 216D.

7560.0325 EMERGENCY EXCAVATION NOTICES.

Subpart 1. Duty of excavator to provide notice.

An excavator shall provide notice to the notification center before commencing an emergency excavation, unless subpart 2 applies. All emergency notices, regardless whether made prior to excava-

tion, must be verbal or in a manner accepted by the notification center. In addition to the information required by the notification center, the notice must also contain:

- A. a description of the situation requiring the emergency excavation;
- B. the precise location of the proposed area of the emergency excavation;
- C. at least **one** continuously staffed telephone number where the excavator can be contacted by the operator throughout the emergency; and
- D. the excavation start date and time if the need for excavation is not immediate.

Subpart 2. Excavating before notice.

If an emergency is such that providing notice or waiting for an operator would result in an undue risk to life, health, or significant loss of property, the excavator may excavate without providing prior notice or waiting for an operator to mark an underground facility. In this situation, the excavator shall provide notice as soon as practicable and take all reasonable precautions to avoid or minimize damage. Excavation prior to notice under this subpart does not relieve an excavator from any responsibility for damage to an underground facility pursuant to Minnesota Statutes, section 216D.06.

Subpart 3. Emergency notice requesting immediate response.

Upon receiving an emergency excavation notice requesting an immediate response, an operator shall:

- A. attempt to contact the excavator within **one** hour at the telephone number provided in subpart 1, item C, to provide any information concerning facilities at or near the area of excavation including an anticipated response time; and
- B. locate and mark the underground facility within **three** hours of notice unless:
 - (1) otherwise agreed between the parties;
 - (2) the operator notifies the excavator that not locating does not present an immediate danger to life or health, or a significant loss of property; or
 - (3) there is an event or situation that cannot be reasonably anticipated or controlled by the operator.

Subpart 4. Emergency notice requesting scheduled response.

Upon receiving an emergency excavation notice that does not require an immediate response, and before the scheduled excavation start date and time, an operator shall:

- A. locate and mark the underground facility, unless otherwise agreed between the parties; or

- B. notify the excavator at the telephone number provided in subpart 1, item C, that there is not an underground facility within the area of proposed excavation.

For purposes of this subpart, a requested start time of **three** hours or less from the time notice is provided to the center is considered an emergency notice requesting immediate response under subpart 3.

7560.0350 EXCAVATION NOTICE REQUESTING MEET.

Subpart 1. Excavator duties.

When requesting a meet through the notification center, an excavator must provide **at least one** contact name and telephone number to assist in facilitating the meet. An excavator shall contact the notification center to cancel or reschedule the meet and the notification center shall relay this information to the affected operators. When a meet is requested, an excavator's notice must include the entire geographic area of the proposed excavation and the specific location of the meet. This part does not relieve an excavator from the duty to provide a precise geographic location of the proposed area of excavation, or to use white markings except where it can be shown that to do so is not practical.

Subpart 2. Operator duties.

When a meet is requested, an affected operator shall make a reasonable effort to attend the meet at the

proposed date and time, or contact the excavator before the meet and reschedule for a mutually agreed date and time.

Subpart 3. Excavation start date and time.

When a meet is requested, the meet date and time must be at least **48 hours** after notice is provided, excluding Saturdays, Sundays, and holidays, and the excavation start date and time must be at least **24 hours** after the proposed meet date and time specified on the notice, excluding Saturdays, Sundays, and holidays. This subpart does not apply if these matters are provided for in a written agreement with all affected operators.

Subpart 4. Meet request documentation.

An excavator shall maintain written documentation of each meet with an underground facility operator or representative. This documentation must be kept for the duration of the excavation conducted under the notice. The documentation must include:

- A. the date and time of each meet;
- B. the names, company affiliations, and contact information of the attendees of each meet;
- C. a diagram, sketch, or description of the precise excavation locations, dates, and times; and
- D. the agreed schedule of any future meets or communications.

7560.0375 LOCATING A SERVICE LATERAL.

Subpart 1. Operator duties.

Unless otherwise agreed, an underground facility operator shall locate a service lateral before the start date and time on the notice and in accordance with items A through C:

- A. An operator of a natural gas, propane, or electric facility shall locate a service lateral up to the meter or the connection to a customer's underground facility, whichever is closer to the end-use customer. If the meter or connection to the customer's underground facility is within a public right-of-way, at a minimum the operator shall locate that portion of the service lateral within the public right-of-way up to the point where the service lateral first leaves the public right-of-way.
- B. An operator of a communication facility shall locate a service lateral up to the entry of the first building. If the service lateral does not enter a building, the operator shall locate up to the utilization equipment, fence, or wall that surrounds the equipment.
- C. After December 31, 2005, an operator of a sewage or water facility, at a minimum, shall locate that portion of the service lateral within a public right-of-way installed after that date up to the point where the service lateral first leaves

the public right-of-way. The operator shall either locate or provide information as shown on maps, drawings, diagrams, or other records, on the location of a sewer or water service lateral installed before January 1, 2006. If no information is available on a sewer or water service lateral installed before January 1, 2006, then notifying the excavator that no information exists fulfills the requirements of this section.

Subpart 2. Exception.

An operator is not required to locate a service lateral of a customer who currently participates in the statewide notification system, provided the customer and operator mutually agree that the customer will assume locate responsibilities. The agreement must be in writing.

7560.0400 CITATIONS.

Subpart 1. Notice of violation.

The office shall issue a notice of probable violation when the office has good cause to believe a violation of Minnesota Statutes, sections 216D.01 to 216D.09 or this chapter has occurred.

Subpart 2. Contents of notice of violation.

A notice of violation must include:

- A. a statement of the statute or rule allegedly violated by the person and a description of the evi-

- dence on which the allegation is based;
- B. notice of response options available to the person cited;
 - C. notice that the person has **30 days** in which to respond;
 - D. notice that failure to respond within **30 days** precludes administrative review under this chapter; and
 - E. if a civil penalty is proposed, the amount of the proposed civil penalty and the maximum civil penalty applicable under law.

Subpart 3. Receipt of notice.

The notice of violation is deemed received three days after mailing to the person's last known address.

7560.0500 RESPONSE OPTIONS.

The person shall respond to the notice of violation in the following way:

- A. When the notice contains a proposed compliance order, the person shall:
 - (1) agree to the proposed compliance order;
 - (2) request the execution of a consent order;
 - (3) object to the proposed compliance order and submit written explanations, information, or other materials in answer to the

allegations in the notice; or

- (4) request the office to initiate a hearing under Minnesota Statutes, sections 14.50 to 14.69.
- B. When the notice contains a proposed civil penalty, the person shall:
- (1) pay the penalty and close the case;
 - (2) submit an offer in compromise of the proposed civil penalty;
 - (3) submit a written explanation, information, or other material in answer to the allegations or in mitigation of the proposed civil penalty; or
 - (4) request the office to initiate a hearing under Minnesota Statutes, sections 14.50 to 14.69.
- C. Failure to respond in writing **within 30 days** precludes administrative review under this chapter. A final order will be issued and penalties will be forwarded for collection.

7560.0600 DIRECTOR REVIEW.

If the person objects to the proposed civil penalty or compliance order and submits written explanations, information, or other materials in response to a notice of violation, within the time specified in part 7560.0500, the director shall review the submis-

sions and determine whether to negotiate further, to change or withdraw the notice of violation, or to initiate a hearing under Minnesota Statutes, sections 14.50 to 14.69.

7560.0700 CONSENT ORDER.

An executed consent order must contain:

- A. an admission by the person of the jurisdictional facts;
- B. a waiver of further procedural steps and the right to seek judicial or administrative review or otherwise challenge or contest the validity of the consent order; and
- C. an agreement that the notice of violation may be used to construe the terms of the consent order.

7560.0800 CIVIL PENALTIES.

Subpart 1. Proceedings against excavators.

When the office has good cause to believe that an excavator is engaging or has engaged in conduct that violates Minnesota Statutes, section 216D.04, subdivision 1, 2, or 3; 216D.05, clause (1), (2), (3), or (4); or 216D.06, subdivision 1, or a rule adopted under Minnesota Statutes, section 216D.08, subdivision 4, the office, if appropriate, shall negotiate a civil penalty under Minnesota Statutes, section 216D.08, subdivision 2. A penalty imposed under Minnesota Statutes, section 216D.08, is subject to

the contested case and judicial review provisions of Minnesota Statutes, chapter 14. An operator who engages or has engaged in excavation that violates Minnesota Statutes, chapter 216D, is subject to the proceedings specified in subpart 2 and is subject to the penalties specified in subpart 4, item B or C.

Subpart 2. Proceedings against underground facility operators.

The office may negotiate a civil penalty under item A or B.

- A. When the office has good cause to believe that an underground facility operator, other than an operator set forth in item B, is engaging or has engaged in conduct that violates Minnesota Statutes, sections 216D.01 to 216D.07, or a rule adopted under Minnesota Statutes, section 216D.08, subdivision 4, the office, if appropriate, shall negotiate a civil penalty under Minnesota Statutes, section 216D.08, subdivision 2. A penalty imposed under Minnesota Statutes, section 216D.08, is subject to the contested case and judicial review provisions of Minnesota Statutes, chapter 14.
- B. When the office has good cause to believe that an operator who engages in the transportation of gas or hazardous liquids or who owns or operates a gas or hazardous liquid pipeline facility is engaging or has engaged in conduct

that violates Minnesota Statutes, sections 299F.56 to 299F.641, or a rule adopted under Minnesota Statutes, section 299F.60, subdivision 5, the office, if appropriate, shall negotiate a civil penalty under Minnesota Statutes, section 299F.60, subdivision 2. A penalty imposed under Minnesota Statutes, section 299F.60, is subject to the contested case and judicial review provisions of Minnesota Statutes, chapter 14.

Subpart 3. Assessment considerations.

In assessing a civil penalty under this part, the office shall consider the following factors:

- A. the nature, circumstances, and gravity of the violation;
- B. the degree of the person's culpability;
- C. the person's history of previous offenses;
- D. the person's ability to pay;
- E. good faith on the part of the person in attempting to remedy the cause of the violation;
- F. the effect of the penalty on the person's ability to continue in business; and
- G. past reports of damage to an underground facility by a person.

Subpart 4. Maximum penalties.

For the purposes of this part, penalties imposed under this part must not exceed the limits in items A to C.

- A. Penalties imposed against excavators must not exceed \$1,000 for each violation per day of violation.
- B. Penalties imposed against underground facility operators, other than an operator set forth in item C, must not exceed \$1,000 for each violation per day of violation.
- C. Penalties imposed against an operator who engages in the transportation of gas or hazardous liquids or who owns or operates a gas or hazardous liquid pipeline facility must not exceed \$10,000 for each violation for each day that the violation persists, except that the maximum civil penalty must not exceed \$500,000 for a related series of violations.

Subpart 5. Payment procedure.

The person shall pay a civil penalty that has been proposed, assessed, or compromised by submitting to the office a check or money order in the correct amount, payable to the commissioner of public safety.

Holiday Schedule and Hours of Operation

Gopher State One Call is open Monday through Friday between 7:00 am and 5:00 pm November-March and between 6:00 am and 6:00 pm April-October. Calls during off hours, weekends and on holidays are accepted for emergencies only.

Holidays are:

New Year's Day

Martin Luther King Jr. Day

President's Day

Memorial Day

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day

Friday after Thanksgiving Day

Christmas Eve Day

Christmas Day

Gopher State One Call has adopted a "Holiday Substitution Policy" so that excavators and operators are better aware, in advance, of what days GSOC will observe as holidays. If a holiday falls on a Saturday, GSOC will observe the Friday before as the holiday; if it falls on a Sunday, GSOC will observe the Monday after as the holiday.

Contact information for Gopher State One Call

Address:

Gopher State One Call
2020 Centre Pointe Blvd
Mendota Heights, MN 55120-1200

Web Address:

www.gopherstateonecall.org

- ITIC
- Search & Status
- IMAP

Help Desk:

- General Questions
- Job Site Problems
- Ticket Information
- Cancelling Ticket

651-681-7326

800-245-5852

Locate Requests:

651-454-0002

800-252-1166

Emergency ONLY:

866-640-3637

Administration:

- Administrative Staff

651-454-8388

800-422-1242



Staff

Stacey Bewes, General Manager651-681-7329
sbewes@occinc.com

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tammYGardner@gopherstateonecall.org

Adam Franco, Asst. Office Manager651-681-7325
adamf@gopherstateonecall.org

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matthew@gopherstateonecall.org

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joneardley@occinc.com

Jon Eisele, Dir. of Education and PR.651-681-7303
joneisele@gopherstateonecall.org

Kevin Grutzmacher,
Education & PR Coordinator651-681-7305
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Contact Information for Minnesota Office of Pipeline Safety

Address:

MN Office of Pipeline Safety
444 Cedar Street
Suite 147
St Paul, MN 55101

Web Address: www.dps.state.mn.us/pipeline/index.html

Main Office (St Paul): 651-201-7230

State Duty Officer: 800-422-0798

Field Office:
Mankato 507-389-7372



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Notes

Notes

Minnesota regional CGA meeting

(July 28, 2010)

Tim Mahedy (chaired)
Randy Bern (secretary)

Dan ant to schedule a hand dig subcommittee meeting for September
2011 MNOPS coherence will be at Breezy Point resort on April 12 – 14
Volunteers for speakers and committees are needed

Chuck- talked about border areas with like utilities

-How are clear tkts handled when a like utility is present?

Kris – Said they ask contractors to call excavators when this conflict exists

Randy – said that Vannguard uses clear plastic flags with ticket number on flag along with utility name

It was brought up that excavators should be required to have locate ticket on job site to reference utilities present

The feeling is that only 3% of locate tickets are viewed by the excavator.

Jon Eisele said that Walsh construction was awarded the light rail project.

GSOC would like to have all locating companies affected by the light rail work present for the August 03 meeting with Walsh.

GSOC is up about 3% in ticket volume for the year through June.

New ticket volume projections for 2011 should be coming out in September

Dan Munthe gave a presentation on excavation best practices

Butch brought up concern of abandon facilities that no company claims

GSOC said they will continue to keep the record even if the company is out of business

GSOC will be changing to new technology platform in 2011

Facility operators will need to update GSOC in September. The opportunity to update any information will likely be locked down October 31.

GSOC –

August 17 operating committee meeting is cancelled

August 18 Board meeting

September 21 – 22 Stacking University

Next meeting will be October 20. GSOC will give a snapshot of what the new system will look like.

090413 = last revision **YTBD = Yet to be Discussed**

<u>Law or Rule Reference</u>	<u>Intent of Revision</u>	<u>Modification Suggestion</u>
MS216D.01 Sub 5 Excavation MS216D.01 Sub 5 (4)	Revise definition of Excavation to include non motorized activities that include driving or pounding stakes, anchors and other similar installations. delete exemption for trees and shrubs	YTBD ... operations in connection with growing crops, trees, and shrubs, ... (6) planting of windbreaks, shelterbelts, and tree plantations, unless any of these activities disturbs the soil to a depth of 18 inches or more.
MS216D.01 Sub 5 (6) MS216D.01 Sub 9 Operator	delete an exemption based on depth Specify that Railroads are subject to being defined as an Operator in MN	YTBD
MS216D.03 Sub 2 (a)	Included designee appointed by Director of MNOPS to represent the State On the GSOC board.	YTBD
MS216D.04 Sub 2 (b)(2)	Strengthen requirement for precise marking instructions.	(2) the <u>accurately described and easily identifiable</u> , precise location of the proposed area of excavation or survey; (2) use white markings for proposed excavations except where it can be shown that it is not practical the precise area of excavation can be accurately described and immediately recognizable.
MS216D.05 (2) MS216D.05 (3)	Strengthen requirement for precise marking instructions & use of White Markings Add requirements for loading, or consequence of movement of soil and other material into the buried structure	YTBD
MS216D.05 (4)	Add requirement to provide protection	(4) provide support <u>and protection</u> for underground facilities in and near the construction area, including during backfill operations, to protect the facilities; and Subdivision 1. Penalty. A person who is engaged in excavation for remuneration or an operator other than an operator subject to section 299F.59, subdivision 1, who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed by the commissioner not to exceed \$1,000 for each... Subdivision 1. Penalty. A person who is engaged in excavation for remuneration or an operator other than an operator subject to section 299F.59, subdivision 1, who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed by the commissioner not to exceed \$1,000 \$2000 for each... Subd. 2.Venue. Actions under this section must be brought in district court in the district where the defendant's principal place of business in the state is located, <u>or where the violation occurred</u> , and process in these cases may be served in any other district in the state of Minnesota where the defendant may be found or in which the defendant is an inhabitant or transacts business.
MS216D.08 Sub 1 - Penalties	Expand those persons subject to fine to include all entities.	YTBD
MS216D.08 Sub 1 - Penalties	Increase the penalty amount	YTBD
MS216D.09 Sub 2 - Venue MS216D - ?	Venue to include the county where violation occurred. This in effort to ensure witnesses are available Add verbiage for Private Facility locations making owner responsible to locate White lining is required whenever precise area of excavation can not be accurately described and identified.	YTBD
MR7560 - ? MR7560 - ?	White lining shall be in sufficient detail to readily identify the precise area of excavation.	YTBD YTBD
MR7560 - Definitions Subpart 7	Include Meet definition to include "subsequent meets"	YTBD
MR7560.0225 Subp 3 - Use of a locate	Add documentation requirements for routine LORQs that turn into a project lasting up to 6 months	YTBD
MR7560.0250 Subp 1 - Facility locate	Add requirement to document changes from the LORQ	YTBD
MR7560.0250 Subp 1 - Facility locate (B.)	When an UG facility width is indicated, 1/2 that width is added to the tolerance zone.	Unless otherwise agreed to between the excavator and operator, <u>and documented per MR7560.0350 Subp 4</u> , an operator shall locate an underground facility using stakes,...
MR7560.0350 Subp 4 - Meet Request Documentation	Add requirement to keep documentation for 6 mos after project completion. Add Requirement to make the documentation immediately available to a MNOPS or other state inspector(s).	YTBD
MR7560.400 Citations Subp 2 (D)	Add judicial review	D. notice that failure to respond within 30 days precludes administrative <u>or judicial</u> review under this chapter; and

*This Presentation brought to you by the
The Regional Common Ground Alliance*



MINNESOTA REGIONAL
CGATM
Common Ground Alliance

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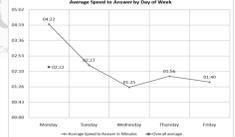
Preparing the Excavation Area

- **White Markings**
- **Prepare for GSOC notification**
 - ✓ geographic location
 - ✓ precise marking instructions
 - ✓ r/w
 - ✓ accurate callback info
 - ✓ gps coordinates
- **unprepared callers may be disconnected during high call volume periods**

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Methods of Contacting GSOC

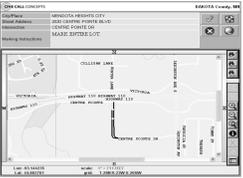
- **ITIC (Internet Tkt)**
 - ✓ 24 hour access
 - ✓ mapping
 - ✓ all ticket info including utility listing w/phone #s
 - ✓ local training available
- **Telephone**
 - ✓ 881-464-0082
 - ✓ 800-262-1166
 - ✓ 811
 - **best time to call**



Day	Average Speed to Answer (seconds)
Monday	24.22
Tuesday	22.27
Wednesday	21.25
Thursday	22.26
Friday	21.27

GSOC New Technology

- **Interactive Voice Response (IVR)**
 - ✓ coming enhancements for IVR system
 - ✓ future usage
- **New Maps**



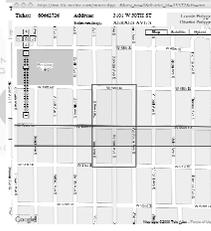
GSOC New Technology

- **Map URL**
 - **Question most often asked of GSOC by utilities is "Why did I get this tkt?" location link @ bottom of tkt to see list two options; today's tkts and more tkts**



GSOC New Technology - Map URL

- **Activating the "Google Map" allows you to see the locate polygon (red lines) drawn by the CSR or ITIC user, as well as the District polygon or utility polygon (blue lines)**



GSOC ticket types

- **Routine**
- **Emergency**
- **Appointment (meets)**
- **Boundary survey**
- **Non-excavation request**
 - ✓ owner inquiry (new!)
 - ✓ plans for excavation
 - ✓ engineering / pre-construction meetings (new!)

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GSOC 'Routine' ticket

- **48 hour notice prior to excavation**
- **Validity**
 - ✓ markings are good only as long as they're visible and up to 14 calendar days maximum
 - ✓ The ticket can be kept valid up to 6 months as long as arrangements are made to keep the marks fresh
 - ✓ Can be processed w/ GSOC up to 14 calendar days in advance of when excavation is to begin

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GSOC 'Emergency' ticket

- **Definition:** "Emergency means a condition that poses a clear and immediate danger to life or health, or a significant loss of property"
- **Contact info must be accurate**
 - ✓ Accurate field phone number
- **Immediate response**
 - ✓ 1 hour contact
 - ✓ 3 hour markings
- **Scheduled response**
 - ✓ excavator on site as scheduled

Emergencies only # - 866.640.3637

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GSOC 'Appointment' ticket

- **48 hours prior to meet**
 - ✓ appointments are only tentative
 - ✓ all parties must make effort to be on time
 - ✓ provide maps diagrams or sketches of job site
 - ✓ set locate / excavation schedule for project
- **24 hours after the meet**
 - ✓ Locators have up to 24 hours after meet to locate job site
- **Meet documentation – excavator**

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Meet Documentation

✓ **date & time**
 ✓ **names, companies, contact info**
 ✓ **diagram, sketch, and precise excavation area**
 ✓ **agreed schedule**

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GSOC 'other' ticket types

Header Code	New Ticket Information	Plans for Excavation (Design)	New Ticket - Non-Excavation Meeting	Inventory Society
Need marks for Survey Information	Contract/History	Plans for Excavation	Engine/Con/Map	Survey/Mark
Need marks for S&E Engineering		X		X & S & E (Locs)
Inventory			X	
Marks for Excavation				
Determine facility operators in area	X			
Determine facility operators in area for 90-Day verification	X			
Pre-Design Meeting			X	
Design Meeting			X	
Pre-Construction Meeting			X	
Arrange Meeting with Locators			X	
How will ticket Delivery be handled?	Suppressed	Locator or Engineering Department, as determined by Facility Operator	Locator or Engineering Department, as determined by Facility Operator	Locator
Expected Results?	Names of utility operators provided to requester	Facility Operator provided maps or records.	Facility Operator shown at meeting and exchanges information.	Facility Operator Marked
Expected Time Frame for Response?	Instant	15 Days	15 Days	16 Hours

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GSOC New 'Information' ticket

- **Header code: Owner Inquiry**
- **Can determine which facilities are in excavation area.**
- **Determine facility operators in area for 90 day verification**
- **Ticket delivery – Suppressed, utility never receives ticket**
 - ✓ No locating required
 - ✓ No charge

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GSOC New 'Non-Excavation Meeting' ticket

- **Header code: Eng/Pre-Con Mtg**
- **Pre-Design Meet**
- **Design Meeting**
- **Pre-Construction meeting**
- **Ticket Delivery:**
 - ✓ Delivered to locators or Engineering Dept, as determined by facility operator
- **Time frame: 15 Days**

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COLOR CODES

- ⇒ Proposed Excavation
- ⇒ GAS – OIL – STEAM
- ⇒ ELECTRIC
- ⇒ COMMUNICATIONS
- ⇒ WATER
- ⇒ RECLAIMED WATER
- ⇒ SEWER

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Help Desk

Please use the GSOC Help Desk for all inquiries other than processing a locate

- ✓ **Tkt Information**
- ✓ **Cancellations**
- ✓ **Retransmit**
- ✓ **Tkt Searches**
- ✓ **Job site problems**
 - No marks at job site
- ✓ **Status of Locate**

800.245.5852 / 651.681.7326

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GSOC 'other' ticket types

Header Code	New Ticket Information	Plans for Excavation (Design)	New Ticket - Non-Excavation Meeting	Inventory Society
Need marks for Survey Information	Contract/History	Plans for Excavation	Engine/Con/Map	Survey/Mark
Need marks for S&E Engineering		X		X & S & E (Locs)
Inventory			X	
Marks for Excavation				
Determine facility operators in area	X			
Determine facility operators in area for 90-Day verification	X			
Pre-Design Meeting			X	
Design Meeting			X	
Pre-Construction Meeting			X	
Arrange Meeting with Locators			X	
How will ticket Delivery be handled?	Suppressed	Locator or Engineering Department, as determined by Facility Operator	Locator or Engineering Department, as determined by Facility Operator	Locator
Expected Results?	Names of utility operators provided to requester	Facility Operator provided maps or records.	Facility Operator shown at meeting and exchanges information.	Facility Operator Marked
Expected Time Frame for Response?	Instant	15 Days	15 Days	16 Hours

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Wait Required Time

- **Routine**
 - 48 hours
- **Meets**
 - 48 hours + 24 hours
- **Emergencies**
 - 1 hour contact
 - 3 hours on site

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Respect the Marks

- **Determine precise location of buried facilities**
 - **Utility Identification**



Respect the Marks

Exposing facility



The right way..



www.gophershell.com/Log

Respect the Marks

And...



The wrong way

www.gophershell.com/Log

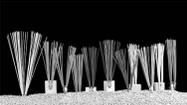
Safety

- **Support**
- **Do not handle electric**
- **Don't assume abandoned**
- **Overhead clearance**
- **Protect future locate-ability**
- **Warning tape not installed with all utilities**



Protect the Marks

- **Offsets**
- **Whiskers**
- **Call for relocates when needed**

Projects ~ Meets

- **Managing your marks**
 - **Locators to place**
 - **Excavators to maintain**



Projects ~ Meets

- **Shared Responsibilities**
 - **Setting reasonable expectations**
 - **Excavation and locations**
 - **Utility relocations**
 - **Meet documentation**
 - **Communication**
 - **Locator Contact Info**

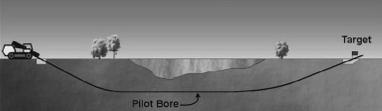
Projects ~ Meets

- **Locating expectations**
- **Utility relocations**



Directional Drilling

- **Check Calibration of Machine**
 - **Operations manual**
 - **Should be performed daily**



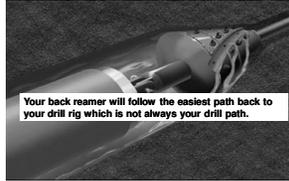
Directional Drilling

- **Pothole/expose**
 - Expose bore head to verify depth prior to crossing
 - Watch bore head crossing facility going through and on back ream



Directional Drilling

- **Determine Soil Types**



Directional Drilling

- **Back ream: size of bore head**
 - Respect the 24 inch tolerance zone



Directional Drilling

- **Maintain Bore Records**
 - Depth and Path
 - Facility locations



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Directional Drilling

- **Gas Damages**
 - **Underground migration**
 - Path of least resistance
 - Gas follows bore path
 - Follows other underground paths
 - Ignition source

Partners of the Mn Regional Common Ground Alliance

www.cgaonline.com/central

Munthe, Dan (DPS)

From: Munthe, Dan (DPS)
Sent: Wednesday, August 18, 2010 9:33 AM
To: Bill Black; Sarna, Bob (DLI); Chris Fry (Chris.Fry@qwest.com); Chuck Jensen (chuck.jensen@connexusenergy.com); Crystal E. Gelschus (crystal.gelschus@centerpointenergy.com); Munthe, Dan (DPS); Dan Tonder (dtonder@mnpower.com); Dave Perron (DAPerron@minnesotaenergyresources.com); Dolly Ludden (dolly.ludden@ci.stpaul.mn.us); Skalne, Elizabeth (DPS); Faust, Tom; Jeff Law (jlaw@korterra.com); Murray, Jeff (DPS); Jerry Munoz (jmunoz@epco.com); Jim Holzer (jimh@occinc.com); Joe Stevens (Joe@fs3inc.biz); Jon Eisele (joneisele@occinc.com); Keven Maxa (KevenM@austinutilities.com); Kristine H. Tande (kristine.tande@centerpointenergy.com); Mark Palma (mpalma@hinshawlaw.com); Mcconnell, Gordon; Michael Mcgrath (michael.mcgrath@alliance-pipeline.com); Patrick Fahey (Patrick.Fahey@qwest.com); Patrick R Ries (patrick.r.ries@xcelenergy.com); Randy Bern (randybern@vannguard.net); Steve Downer; Terry McAlpine (terrym@connexusenergy.com); Tim Mahedy (timothy.a.mahedy@xcelenergy.com); Timothy G. Galarnyk (timothy@conrskmgmt.com); Stansbury, Todd (DPS); Tom Hoffman (thoffman@agralite.com); Walt Kelly
Cc: * GSOC Board; Andrew Dols (Andrew_Dols@cable.comcast.com); Ann Higgins (ahiggins@lmnc.org); Cockriel, Bob (cockriel@ci.bloomington.mn.us); Corey Lubvoch (coreyl@hpuc.com); Dan Sparks (sen.daniel.sparks@senate.mn); Danny Quint (DLQuint@minnesotaenergyresources.com); David Larson (david.larson@centerpointenergy.com); Denice Woods (dwoods@agcmn.org); Jennifer Sweney (jennifer.sweney@kochpipeline.com); Jim Holzer (jamesl@erols.com); Korth, John (DOT); Joseph F. Berry (joe.berry@centerpointenergy.com); Joseph Steffel (joseph.steffel@ci.buffalo.mn.us); kenneth.lybarger@magellanlp.com; Krumm, Leonard; Kyle Kedrowski (kyleked@cloudnet.com); Larry Murray (larrym@midwestenergy.org); Luann Chambliss (Luann.Chambliss@qwest.com); Mike Gorham (mike@nwgas.com); Mike Robertson (Mrobert388@aol.com); Patrick Van Beek (patrickv@midwestenergy.org); Paul perez (pperez@bonestroo.com); Ronald Gullberg (Ronald_Gullberg@cable.comcast.com); Ross Herman (rossherman@access-com.net); Ross Larson (Ross.Larson@qwest.com); Sally Fossum (Sally.fossum@alliance-pipeline.com); Scott Landes (slandes@repnetinc.com); Scott Theis (stheis@nplcc.com); Steve Dockendorf (SDockendorf@gonpl.com); Thomas Olson (trolson@olsonprice.com); Tim McDonald (tmcdonald02@gmail.com); Tom Grundhoefer (tgrundho@lmnc.org); Tom Mathisen (tmathisen@ci.crystal.mn.us); Tom R Brace (trbrace@comcast.net); Bill Mahre; Dan Schroeder; David Swanson; Don Voss; Gary Thaden (Gthaden@Gmail.com); Jeff Kimpling (jkimpling@wmu.willmar.mn.us); Joe Thill (joseph_thill@cable.comcast.com); Loren Fritz (fritzlr@msn.com); Nelson, Rich (Rich.Nelson2@qwest.com); Remer, Marilyn (DOT); Rosendahl, Jerry (DPS); Tim Malooly (timm@ibdmn.com); Aaron Gibbs; Ben Wallace (benwallace@sm-p.com); Brad Schwalbe (BradSchwalbe@sm-p.com); Brian Hanna (brian.hanna@cusinc.com); Dennis Peterson; Doc Weinke (DocWeinke@vannguard.net); Emir Ahmedic (emirahmedic@sm-p.com); Greg Grams (greg.grams@cusinc.com); Jason Ponciano (jason.ponciano@vannguard.net); Jeff Manka (jmanka@unitedlocating.com); Jim Boser (JimBoser@sm-p.com); jmintyala@unitedlocating.com; Jon Moulton (jon.moulton@cusinc.com); Keith Nesges (keith.nesges@cusinc.com); Mike Broshous (mike.broshous@cusinc.com); Mike Willits (mike.willits@elmlocating.com); Natasha Bjorback (natasha@premierlocating.com); Rob Keller (rkeller@unitedlocating.com); Rob Yelton (ryelton@unitedlocating.com); Robin Humphrey (robin.humphrey@elmlocating.com); Ryan Zelenka (ryanzelenka@sm-p.com); Todd Williams (toddwilliams@vannguard.net); Troy Holzworth (troy.holzworth@elmlocating.com); - MEA (update@midwestenergy.org); - Minnesota Society of Professional Engineers (mail@mnspe.org); - MN Cable Communications Association (info@mncca.com); - MN Propane Gas Association (mpga@mnpropane.org); - MN Rural Water Association (mrwa@mrwa.com); - MN Telecom Alliance (info@mnta.org); - MNLA (mnl@mnla.biz); - MWOA (webmaster@mwoa.net); Ann Manthey (ann@mses.org); David Semerad (dsemerad@agcmn.org); DeAnn Stish (deanns@muca.org); Gary Thaden (garythaden@worldnet.att.net); Glen Gerads (ggerads@ci.bloomington.mn.us); Greg Oxley; James Mulder (jmulder@mncounties.org); Jory L. Isakson (jory@minnesotaphcc.org); Kurt Kumlin (Kurt@mrea.org); Lee Sunnorborg (lee@mrea.org); MN Blue Flame (mnblueflame@aol.com); Randy Young

Cc: (ryoung@mnta.org); Stephen Gaetz (stephen.gaetz@ci.stcloud.mn.us); Thomas Montgomery (tmontgomery@ci.hastings.mn.us); Wayne Sandberg (Wayne.Sandberg@co.washington.mn.us)
Subject: 9/15/10 - MS216D Hand Dig Subcommittee Meeting.



Good Morning,

Finally, a long awaited announcement for the 4th MS216D Review Hand Dig Sub Committee meeting again to be held at Connexus Energy.

During the last several MS216D Review Committee meetings much discussion occurred regarding the definition of Excavation (MS216D.01 Subdivision 5). By consequence of this definition, there exists an exemption from having to provide an excavation notice through GSOC (Gopher State One Call) for “hand dig” activities. Some hand dig activities currently done w/o a GSOC notice are of public safety concern. The purpose of this sub-committee would be to further the discussion in this regard.

The MN Office of Pipeline Safety will be leading the 4rd MS216D Review Sub Committee meeting devoted to this topic. Connexus Energy will be hosting (Thank You Chuck!).

The subcommittee last met 12/2/09. Please be prepared to share any recent occurrences (line hits from hand dig activity).

When:

Wednesday 9/15/10 11:00 AM > 1:00 PM

Where:

Connexus® Energy
14601 Ramsey Blvd NW
Ramsey, MN 55303
763.323.2600
1.800.642.1672 Toll-free

Map Link:

http://maps.google.com/maps?hl=en&q=14601+Ramsey+Blvd+NW,+Anoka,+MN+55303&um=1&ie=UTF-8&split=0&gl=us&ei=d4w6SqfAOqDANLPbuK4F&sa=X&oi=geocode_result&ct=title&resnum=1

This is an open meeting and an open invitation to any stakeholder who would like to attend.

Looking forward to moving this forward and seeing you all on the 15th.

Dan Munthe
Outreach / Enforcement, Supervisor
MN Office of Pipeline Safety
444 Cedar Street, Suite 147
Saint Paul, MN 55101-5147

O: 651-201-7240

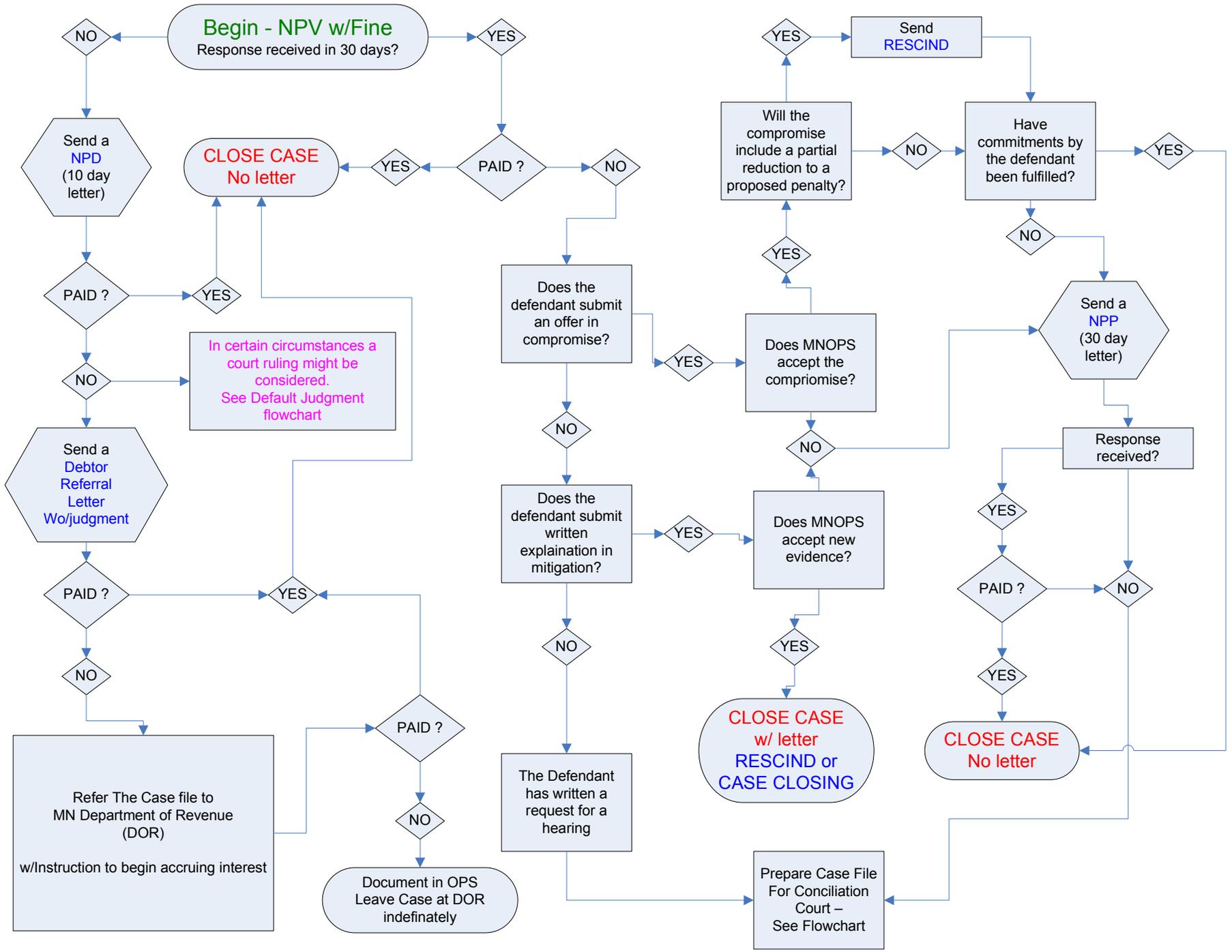
C: 612-741-2626

F: 651-205-4196



**Know what's below.
Call before you dig.**

	New Ticket - Information	Plans for Excavation (Design)	New Ticket – Non-Excavation Meeting	Boundary Survey	Locate Request
Header Code	Owner Inquiry	Plans for Excavation	Eng/Pre-Con Mtg.	Survey marks	Routine
Need marks for Survey Information				X	
Need marks for SUE Engineering		X C & D SUE Levels		X A & B SUE Levels	
Maps/Prints		X			
Marks for Excavation					X
Determine facility operators in area	X				
Determine facility operators in area for 90-Day Verification	X				
Pre-Design Meeting			X		
Design Meeting			X		
Pre-Construction Meeting			X		
Arrange Meeting with Locators					X
How will ticket Delivery be handled?	Suppressed	Locator or Engineering Department, as determined by Facility Operator	Locator or Engineering Department, as determined by Facility Operator	Locator	Locator
Expected Results?	Names of utility operators provided to requestor	Facility Operator provides maps or records.	Facility Operator shows up at meeting and exchanges information.	Facility Operator Marks.	Facility Operator Marks.
Expected Time Frame for Response?	Instant	15 Days	15 Days	96 Hours	48 Hours



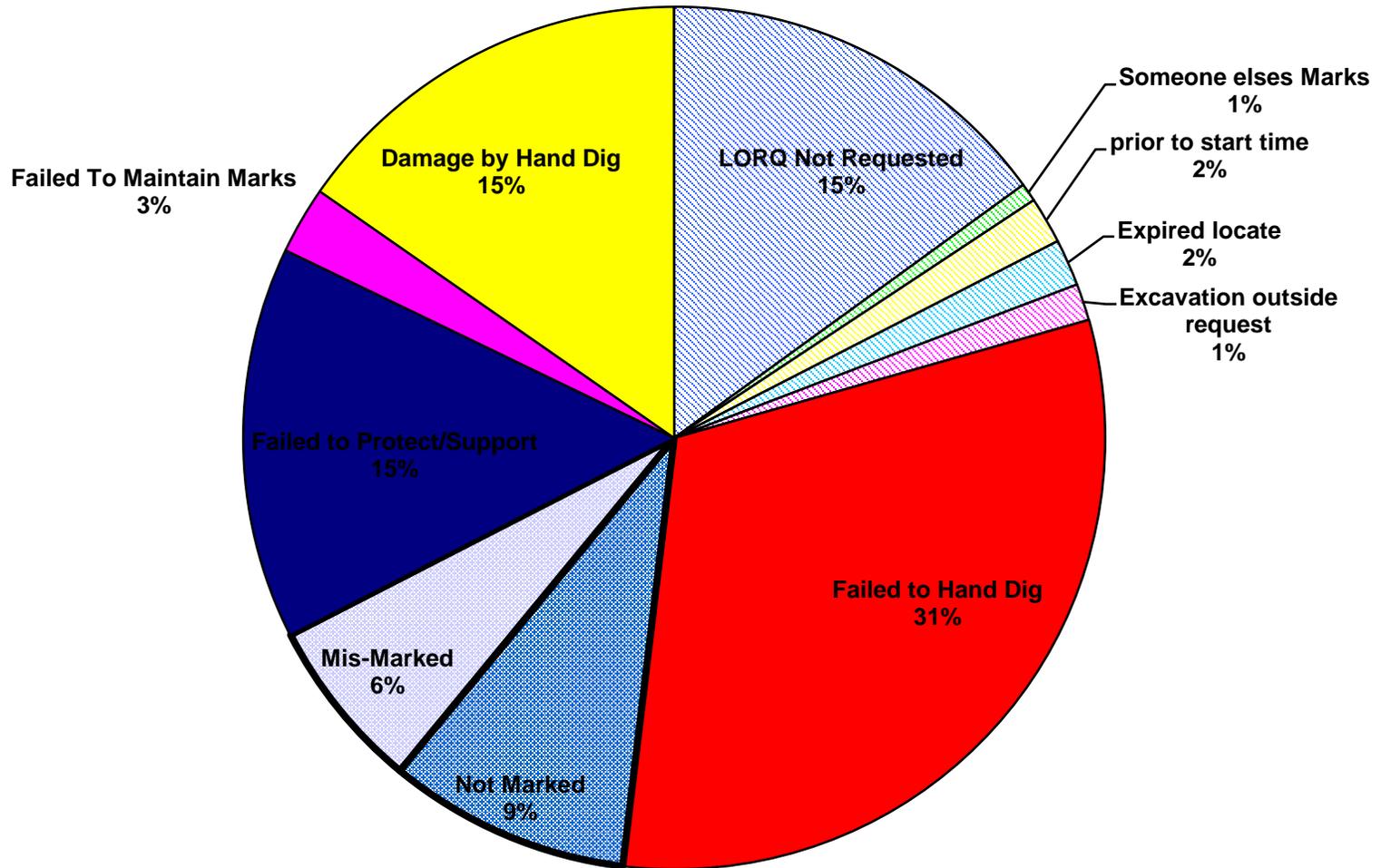
Here are the final numbers from 2009 with the caveat that my queries may be a little off:

2009 as of 12/31/2009		%Case	68.0%	70.0%	90.0%	92.0%	99.0%	83.0%	93.0%	100.0%	86.0%
		Total	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Number of Cases by Type		Total Of CaseID	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Accident/Investigation	172	11	28	8	7	23	32	19	12	32	
Administration	146	13	11	44	14	14	10	23	8	9	
DP Non Pipeline	52	2	12		6	16	9		6	1	
DP Pipeline & Non Pipeline	15		7		4		2		2		
One Call Inquiry/Complaint	96	6	6	3	31	12	19	3	14	2	
Pipeline Inquiry/Complaint	30	3	2	5	2	3	7	4	1	3	
Pipeline Inspection	279	37	14	14	27	34	52	34	36	31	
Presentation	74	2	34	4	5	3	18		3	5	
Total		74	114	78	96	105	149	83	82	83	
Hours Spent by Case Type		Total Of Hours	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Accident/Investigation	956.25	25	84.5	45.25	31.75	187.75	192.5	155	102.5	132	
Administration	5673	345	429.25	1355.5	528	534.25	131	1057	613	680	
DP Non Pipeline	407	2	277		15.5	30.5	58.5		22	1.5	
DP Pipeline & Non Pipeline	34.5		14.5		8.5		5		6.5		
One Call Inquiry/Complaint	449.25	8.5	120	5	82.75	34.5	116	13	65.5	4	
Pipeline Inquiry/Complaint	165.75	8	3.25	20.75	7.25	3.5	41.5	51	2	28.5	
Pipeline Inspection	4677	670	137.5	215.5	572.25	517.75	972	443	623.5	530	
Presentation	830	39	311.25	97.75	51	15.5	181		49	85.5	
Total		1098	1377.3	1739.8	1297	1323.8	1697.5	1719	1484	1461.5	
3-Number of On-Site Investigations		Total Of CaseID	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Accident/Investigation	66	1	18	3	2	11	6	6	7	12	
DP Non Pipeline	23	1	10		1	4	1		5	1	
DP Pipeline & Non Pipeline	15		7		4		2		2		

Pipeline Inquiry/Complaint	4		2				2					
Total		2	37	3	7	15	11	6	14	13		
4-Number of Enforcement Actions by Case Type	Total Of Enforcement	Action	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL	
Accident/Investigation	67	1	13		4	18	11	9	4	7		
DP Non Pipeline	22		5		6	3	3		5			
DP Pipeline & Non Pipeline	10		7		3							
One Call Inquiry/Complaint	45		3		15	6	9		11	1		
Pipeline Inquiry/Complaint	2	2										
Pipeline Inspection	151	22	13		48	50	10				8	
Total	297	25	41	0	76	77	33	9	20	16		
5-Number of Informal Enforcement Actions by Case Type	Total Of Enforcement	Action	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL	
Accident/Investigation	1							1				
Pipeline Inquiry/Complaint	2	2										
Pipeline Inspection	23	9	5		2	2	3				2	
		11	5	0	2	2	4	0	0	0	2	
6-Number of Warning Letters by Case Type	Total Of Enforcement	Action		DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL	
Accident/Investigation	26	1	5		3	5	5	2	2	3		
DP Non Pipeline	15		4		6	2			3			
DP Pipeline & Non Pipeline	5		2		3							
One Call Inquiry/Complaint	24		1		10	3	1		8			
Pipeline Inspection	115	16			97	2						
Total		17	12	0	119	12	6	2	13	3		
7-Number of NPVs w/Penalty by Case Type	Total Of Enforcement	Action		BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Accident/Investigation	32		8		1	9	4	4	2	4		
DP Non Pipeline	4		1			1			2			
DP Pipeline & Non Pipeline	5		5									
One Call Inquiry/Complaint	15		2		4	1	5		3			
Total			16	0	5	11	9	4	7	4		

8-Penalty Amounts Assessed by Case Type	Total Of PenAmtProposed	BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
Penalty Amounts Assessed by Case Type	Total Of PenAmtProposed		DSM		JCW	JTM	PJD	RJW	TDS	VL
Accident/Investigation	\$87,000.00		\$55,500		\$1,000	\$16,000	\$4,000	\$4,000	\$1,500	\$5,000
DP Non Pipeline	\$4,500.00		\$500			\$2,000			\$2,000	
DP Pipeline & Non Pipeline	\$5,000.00		\$5,000							
One Call Inquiry/Complaint	\$13,000.00		\$1,500		\$1,500	\$2,000	\$5,000		\$3,000	
			\$62,500			\$20,000				
Total	\$109,500.00		0	\$0	\$2,500	0	\$9,000	\$4,000	\$6,500	\$5,000
9-Days to process a WL or NPV		BRA	DSM	ESS	JCW	JTM	PJD	RJW	TDS	VL
10-Miles of Pipe Assigned										
11-# of Inspection Units Assigned	154	50	14	0	0	0	30	27	0	33
12-# of Meters Assigned	1527291	45529	30860	0	0	0	22479	119786	0	28248
13-Balanced Hours	773.5	158	125	136	61.5	53.5	54	53	58	74.5
14-Comp / OT	729	41	137	81	60.5	55	88.5	166	92	8
15-Sick Leave Taken	396.25	188	16.75	35.5	32.5	27	0	0	0	96.5
16-Hours per Inspection Day	6.52419	7.2	5.2	5.7	6.4	6.6	7.2	6.8	7.8	5.0
17-Inspection Person Days	775	100	72	47	93	81	120	87	86	89
18-Total IPD Hours	5056.25	724.5	371.25	267	599.75	532.75	857.5	591	669.5	443

2009 Gas



2010 MNOPS PRESENTATIONS

CaseID	CaseYear	edIns	NatureOfCase	ShortDescription	ReceivedDateTim	CloseDate	Attendees	Remarks
1187118	2010	PJD	Presentation	CS McCrossan Tool Box Talk (40 attendees)	02-Aug-10	05-Aug-10	40	
1186836	2010	DSM	Presentation	DSM DPP - MN Dept of Labor and Industry / MN OSHA	30-Jul-10			Future presentation
1179418	2010	PJD	Presentation	Quarterly MN CAER meeting	14-Jun-10	13-Jul-10		No presentation given
1176118	2010	PJD	Presentation	Clarissa/Eagle Bend Fire Department presentation (26-May-10	24-Jun-10	12	
1175854	2010	ESS	Presentation	DPP Thief River Falls	25-May-10	05-Aug-10	137	
1171154	2010	ESS	Presentation	DPP-Crookston	29-Apr-10	10-Aug-10	39	
1167636	2010	DSM	Presentation	DSM - DPP, International Falls	28-Apr-10	13-May-10	45	
1167336	2010	DSM	Presentation	DSM - DPP, Bemidji	23-Apr-10	18-May-10	132	
1166236	2010	DSM	Presentation	DSM - DPP, Warroad-Roseau	22-Apr-10	13-May-10	54	
1166136	2010	DSM	Presentation	DSM - DPP, Baudette	22-Apr-10	13-May-10	34	
1164975	2010	PJD	Presentation	DPP, MPWA - Underground Utilities Inspection School	20-Apr-10	03-May-10	27	
1163618	2010	PJD	Presentation	Carlton DPP - 156 attendees	12-Apr-10	07-May-10	156	
1163518	2010	PJD	Presentation	Duluth DPP - 118 attendees	12-Apr-10	07-May-10	118	
1175754	2010	ESS	Presentation	DPP - NPL Lakeville	12-Apr-10	10-Aug-10	108	
1175654	2010	ESS	Presentation	DPP - St. Cloud/Foley	09-Apr-10	06-Aug-10	279	
1188312	2010	ESS	Presentation	DPP for R.L. Larson Excavating	09-Apr-10	06-Aug-10	58	
1162118	2010	PJD	Presentation	Comcast DPP - 52 attendees	08-Apr-10	07-May-10	52	
1162018	2010	PJD	Presentation	Perham DPP - 278 attendees	08-Apr-10	24-Jun-10	278	
1161836	2010	DSM	Presentation	DSM - DPP, Hibbing - Northern Region UCC	06-Apr-10	18-May-10	100	
1161736	2010	DSM	Presentation	DSM - DPP, Grand Rapids - Northern Region UCC	06-Apr-10	06-Apr-10	130	
1161636	2010	DSM	Presentation	DSM - Duluth Area Locator Roundtable	06-Apr-10	06-Apr-10	4	

2010 MNOPS PRESENTATIONS

1161536	2010	DSM	Presentation	DSM - DPP, Two Harbors Area Excavators	06-Apr-10	06-Apr-10	45
1161436	2010	DSM	Presentation	DSM - DPP, Grand Forks & East Grand Forks UCC	06-Apr-10	06-Apr-10	290
1161370	2010	JCW	Presentation	Valley Paving DPP	06-Apr-10	19-Apr-10	60
1161070	2010	JCW	Presentation	MUCC Presentation: Rosemount Community Center	05-Apr-10	08-Apr-10	84
1160536	2010	DSM	Presentation	DSM - DPP, LUCC Locator Workshop	01-Apr-10	18-May-10	24
1159671	2010	JTM	Presentation	Utility Damage Reduction Advisory Committee	30-Mar-10	28-Jul-10	20
1159470	2010	JCW	Presentation	Chard Tiling 2010 DPP	29-Mar-10	19-Apr-10	88
1159118	2010	PJD	Presentation	Danner DP in Inver Grove Heights	26-Mar-10	30-Mar-10	39
1159073	2010	TDP	Presentation	St. Cloud UCC	26-Mar-10	13-May-10	260
1158836	2010	DSM	Presentation	DSM - DPP, LUCC Excavators Safety Seminar, C/Brain	26-Mar-10	18-May-10	144
1157774	2010	KTS	Presentation	Connexus Energy - Fehn Excavation and Gravel	25-Mar-10	05-Aug-10	No presentation given
1157671	2010	JTM	Presentation	DPP Presentation at Design Electric	25-Mar-10	25-Mar-10	50
1157436	2010	DSM	Presentation	DPP - DSM, TD&I Cable, Hudson, WI	24-Mar-10	18-May-10	45
1157336	2010	DSM	Presentation	DSM - DPP, Connexus Sponsored, Ramsey	24-Mar-10	18-May-10	150
1175554	2010	ESS	Presentation	DPP - Worthington	24-Mar-10	06-Aug-10	165
1156936	2010	DSM	Presentation	DSM - DPP, MUCC at Maple Grove	23-Mar-10	24-Mar-10	189
1155724	2010	BRA	Presentation	New Ulm Area DPP	19-Mar-10	23-Mar-10	120

2010 MNOPS PRESENTATIONS

1156418	2010	PJD	Presentation	Mlaskoch Utility Construction DPP (25 attendees)	19-Mar-10	26-Mar-10	25
1155624	2010	BRA	Presentation	Hutchinson Area DPP	18-Mar-10	23-Mar-10	160
1156136	2010	DSM	Presentation	DSM - DPP, CPE, ULS joint locator training	17-Mar-10	18-May-10	35
1155524	2010	BRA	Presentation	Willmar Area DPP	17-Mar-10	23-Mar-10	240
1156036	2010	DSM	Presentation	DSM - DPP, VLUC in Alexandria	16-Mar-10	18-May-10	149
1155418	2010	PJD	Presentation	DPP for Rochester Sand & Gravel (83 attendees)	16-Mar-10	17-Mar-10	83
1155369	2010	TDS	Presentation	DPP at Mystic Lake Casino	15-Mar-10	05-Aug-10	166
1155024	2010	BRA	Presentation	Mankato DPP	15-Mar-10	15-Mar-10	175
1154924	2010	BRA	Presentation	Owatonna DPP	15-Mar-10	15-Mar-10	275
1154871	2010	JTM	Presentation	Presentation at Sewer Summit	12-Mar-10	28-Jul-10	40
1154771	2010	JTM	Presentation	DPP Presentation sponsored by the C/ St. Cloud	12-Mar-10	28-Jul-10	132
1154636	2010	DSM	Presentation	DSM - DPP, Hinckley Area Excavators	12-Mar-10	12-Mar-10	200
1154536	2010	DSM	Presentation	DSM - DPP, MP Nexlevel, Maple Lake	12-Mar-10	12-Mar-10	140
1154436	2010	DSM	Presentation	DSM - DPP, LUCC, Road Authority Workshop	12-Mar-10	12-Mar-10	23
1154336	2010	DSM	Presentation	DSM - DPP, MUCC, Oakdale	12-Mar-10	12-Mar-10	147
1154224	2010	BRA	Presentation	Winona DPP	11-Mar-10	11-Mar-10	85
1153918	2010	PJD	Presentation	Rochester DPP Holiday Inn South (103 attendees)	11-Mar-10	25-Jun-10	103
1154018	2010	PJD	Presentation	Austin/Albert Lea DPP (201 attendees)	10-Mar-10	20-Jul-10	201
1155870	2010	JCW	Presentation	City of Afton	10-Mar-10	23-Apr-10	7
1153418	2010	PJD	Presentation	WACOTA CAER Presentation (22 Attendees)	02-Mar-10	20-Jul-10	22

2010 MNOPS PRESENTATIONS

1152936	2010	DSM	Presentation	DSM - DPP, GM Contracting, Lake Crystal	27-Feb-10	18-May-10	65
1152836	2010	DSM	Presentation	DSM - DPP, Doboszinski and Sons Inc., Loretto	27-Feb-10	05-May-10	50
1152769	2010	TDS	Presentation	Home and Garden Show GSOC Booth	26-Feb-10	05-Aug-10	No presentation given
1151612	2010	VL	Presentation	Barham-Hinckley Area UCC	11-Feb-10	10-May-10	No presentation given
1151418	2010	PJD	Presentation	Duluth Safety Day - 18th Annual Const Safety and L	08-Feb-10	16-Feb-10	20
1148518	2010	PJD	Presentation	CAER Meeting	18-Jan-10	25-Jan-10	No presentation given
1148418	2010	PJD	Presentation	MNDOT Training and Conference Center Arden Hills	18-Jan-10	22-Jan-10	66
TOTAL							6185



STATE OF MINNESOTA

Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

September 1, 2010

Warren D. Osterberg
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration (PHMSA)
ATTN: Office of Contracts and Procurement (PHA-30)
1200 New Jersey Avenue SE, Room E22-305
Washington, DC 20590

Dear Mr. Osterberg:

This letter is to confirm that the Minnesota Department of Public Safety - Office of Pipeline Safety, is the appropriate state agency designated to apply for and receive any available federal grant funds associated with the State Damage Prevention Program, which was authorized by the PIPES Act of 2006. Specifically, solicitation number **DTPH56-11-SN-0001 for calendar year 2011.**

Any questions concerning this program may be directed to State Fire Marshal Jerry Rosendahl or Chief Engineer Elizabeth Skalnek at (651) 201-7230.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Pawlenty".

Tim Pawlenty
Governor

c: Michael Campion, Public Safety Commissioner
Jerry Rosendahl, State Fire Marshal

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"/>
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* 3. Date Received: <input type="text" value="09/07/2010"/>	4. Applicant Identifier: <input type="text"/>
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5a. Federal Entity Identifier: <input type="text"/>	* 5b. Federal Award Identifier: <input type="text"/>
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State Use Only:

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
---	---

8. APPLICANT INFORMATION:

* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="41-6007162"/>	* c. Organizational DUNS: <input type="text" value="804886729"/>
--	---

d. Address:

* Street1:	<input type="text" value="444 Cedar St., Suite 147"/>
Street2:	<input type="text"/>
* City:	<input type="text" value="St. Paul"/>
County:	<input type="text"/>
* State:	<input type="text" value="MN: Minnesota"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code:	<input type="text" value="55101-5147"/>

e. Organizational Unit:

Department Name: <input type="text"/>	Division Name: <input type="text"/>
--	--

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

Prefix: <input type="text" value="Ms ."/>	* First Name: <input type="text" value="Elizabeth"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="Skalnek"/>	
Suffix: <input type="text"/>	

Title:

Organizational Affiliation:

* Telephone Number: <input type="text" value="651-201-7239"/>	Fax Number: <input type="text"/>
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* Email:

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:

State Damage Prevention Program Grants

*** 12. Funding Opportunity Number:**

DTPH56-11-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:**

MN Office of Pipeline Safety 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

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="100,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="100,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

Application for Federal Assistance SF-424

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*** 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.

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 4040-0006
Expiration Date 07/30/2010

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. State Damage Prevention Program		\$	\$	\$ 100,000.00	\$ 0.00	\$ 100,000.00
2.						
3.						
4.						
5. Totals		\$	\$	\$ 100,000.00	\$	\$ 100,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	SDP				
a. Personnel	\$ 67,833.77	\$	\$	\$	\$ 67,833.77
b. Fringe Benefits	19,132.60				19,132.60
c. Travel	4,000.00				4,000.00
d. Equipment	0.00				
e. Supplies	250.00				250.00
f. Contractual	0.00				
g. Construction	0.00				
h. Other	0.00				
i. Total Direct Charges (sum of 6a-6h)	91,216.37				\$ 91,216.37
j. Indirect Charges	8,783.63				\$ 8,783.63
k. TOTALS (sum of 6i and 6j)	\$ 100,000.00	\$	\$	\$	\$ 100,000.00
7. Program Income	\$	\$	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8. <input type="text"/>	\$ <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. <input type="text"/>	\$ <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"/>	

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="MN Office of Pipeline Safety"/>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 100px;" type="text" value="Ms."/>	* First Name: <input style="width: 200px;" type="text" value="Elizabeth"/> Middle Name: <input style="width: 150px;" type="text"/>
* Last Name: <input style="width: 300px;" type="text" value="Skalnek"/>	Suffix: <input style="width: 80px;" type="text"/>
* Title: <input style="width: 250px;" type="text" value="Administrative Chief Engineer"/>	
* SIGNATURE: <input style="width: 300px;" type="text" value="Elizabeth Skalnek"/>	* DATE: <input style="width: 150px;" type="text" value="09/07/2010"/>