

**2015 State Damage Prevention Program Grants Progress Report  
CFDA Number: 20.720**

**Award Number:** DTPH5615GPPS08

**Project Title:** Indiana Utility Regulatory Commission State Damage Prevention Grant

**Date Submitted:** May 23, 2016

**Submitted by:** Carol A. Stephan and Stephen Allen

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

Under this grant agreement, Indiana Utility Regulatory Commission will enable continued enforcement of Indiana's "One-Call" statute (IC 8-1-26, "Damage to Underground Facilities") by the Indiana Utility Regulatory Commission (IURC) and its Pipeline Safety Division (PSD).

**Workscope**

Under the terms of this grant agreement, the Recipient will address the following elements listed in the approved application as stated in 49 U.S.C. §60134 (b).

- **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.

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

The Pipeline Safety Division (PSD) is required by the Indiana One-Call Law (IC 8-1-26) to investigate and track each alleged violation of the statute. This investigation includes requesting information from both operators and excavators about damages and alleged violations reported to it. Once responses have been received the PSD reviews all of the evidence submitted, determines whether a violation of the statute has occurred, who is responsible and then creates and forwards a summary report of the case to an advisory committee for penalty recommendations.

The objective for this review process is to help enforce the requirements of the One-Call law and in doing so, reduce the number of excavation damages and potential incidents. While reported allegations of violations are trending upward, actual violations and damages are trending downward. This is due to changes in behavior of all stakeholders toward better, more complete reporting and improvements in operator and excavator performance.

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

For this reporting period, the PSD has been able to provide the advisory committee on a monthly basis, the maximum number of cases it has stated it would be able to review. Also, during the reporting period, the advisory committee gave recommendations for 727 cases. This includes 326

civil penalties totaling (\$549,700). Finally, during the reporting period, the IURC granted final approval for 651 advisory board recommendations including \$411,700 in civil penalties. Through April 26, 2016 the advisory board has recommended \$1,702,650 in civil penalties.

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

The primary challenge associated with the state’s One-Call law is that operators have not been able to keep up with the demand for line locates, especially during the busy seasons for excavating. These are being addressed and communications and coordination between operators and excavators continues to improve.

**Mid-term Financial Status Report**

Attached

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

The PSD’s plans for the remainder of the period are to continue investigating alleged violations and work toward implementation of a new computer application to assist in processing and tracking each case.

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

No actions requested at this time.