

2015 State Damage Prevention Program Grant Final Report
CFDA Number: 20.720

Award Number: DTPH5615GPPS09

Project Title: *New Jersey Board of Public Utilities State Damage Prevention Grant*

Date Submitted: *November 4, 2016*

Submitted by: *Michael Stonack*

Specific Objective(s) of the Agreement

Under this grant agreement, the NJBPU will enforce:

- *Laws and regulations of the damage prevention process*

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 New Jersey Board of Public Utilities ("NJBPU") used the 2015 State Damage Prevention ("SDP") Program Grant funds for personnel expenses to enforce its damage prevention laws and regulations. The SDP Grant funds were used to offset salary and fringe benefit expenses for a staff addition and salary for a temporary, contractual staff member to perform damage prevention compliance enforcement and related program activities. The NJBPU uses a Damage Prevention / One Call database to track all underground facility damages, damage and non-compliance investigations, enforcement actions, and settlements of the enforcement actions. Although this Grant Final Report focused on natural gas facility damage data, non-gas facility damages were also part of the case investigations and non-compliance enforcement results. The damage prevention compliance enforcement and complaint investigators funded by this SDP Grant conducted inspections of probable non-compliance and complaints relative to the New Jersey Underground Facility Protection Act ("Act"), issued probable non-compliance enforcement actions, addressed responses to non-compliance enforcement actions, determined proposed enforcement penalties with other damage prevention staff for probable non-compliance with the Act, and tracked probable non-compliance and complaint inspections and enforcement actions through the NJBPU database. Utilizing the Grant funding, non-compliance investigations were increased, additional non-compliance enforcement actions were processed, and the NJBPU damage prevention program was strengthened. This project directly affects Element 7 (Enforcement) of the NJBPU Damage Prevention Program.

Table 1 on page 2 provides a multi-year review of total gas facility damages from 2009 through September 30, 2016. In addition, Chart 1 on page 2 shows gas facility damages per 1,000 incoming ticket locate requests. This chart shows an overall declining trend over the years from 2009 through 2016. The data in Table 1 and Chart 1 for calendar year 2016

represents the quantities through September 30, 2016, which showed 500,461 incoming tickets and 2.89 gas facility excavation damages per 1,000 incoming tickets.

Table 1 - Gas Facility Damages in New Jersey

Year	Incoming Calls	Total Gas Damages	Damages per 1,000
2009	533,318	1,656	3.11
2010	442,860	1,727	3.90
2011	490,462	1,604	3.27
2012	535,856	1,569	2.93
2013	574,721	1,770	3.08
2014	560,379	1,832	3.27
2015	609,825	1,899	3.11
*2016	500,461	1,444	2.89

* CY 2016 data through September 30, 2016

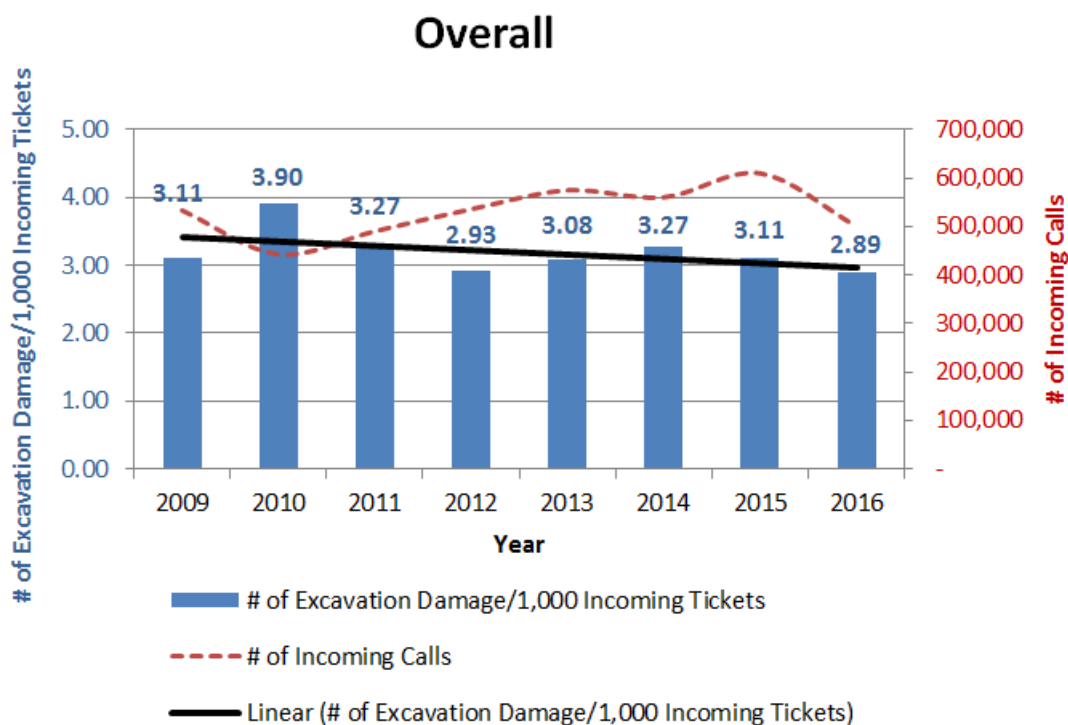


Chart 1 Gas Facility Damages and Damages/1000 Tickets in New Jersey (2009-2016)

Table 2 on page 3 illustrates total damage cases by month for all underground facilities entered into the NJBPU database for review and those cases that were opened for investigation during the Grant period. The total cases entered for review also include locate not requested cases (no

calls) that did not result in damages. These cases are ones where staff investigation found excavators digging without calling NJ One Call for a locate request or where a complaint was submitted against an excavator who was digging without underground facilities being marked. As indicated by the totals in Table 2, 88 percent (2,326 / 2,634) of all damages cases entered into the database were opened for investigation during the Grant period, in comparison with 32 percent during the previous Grant period of October 2014 – September 2015.

Table 2 - Case Investigations (All Facilities) by Month

Year	Month	Entered for Review / Opened for Investigation
2015	October	260 / 128
2015	November	194 / 181
2015	December	171 / 57
2016	January	119 / 174
2016	February	117 / 5
2016	March	173 / 96
2016	April	251 / 194
2016	May	253 / 72
2016	June	294 / 83
2016	July	247 / 554
2016	August	315 / 511
2016	September	240 / 271
Total		2,634 / 2,326

Table 3 below illustrates total gas facility damage cases entered into the database for review and those cases that have been opened for investigation from October 2015 through September 2016. The total cases entered for review also include locate not requested cases (no calls) that did not result in damages. Seventy one percent (1,866 / 2,634) of all underground facility damages were gas facility damages. As indicated by the totals in Table 3, ninety one percent (1,706 / 1,866) of gas facility damage cases entered into the database were opened for investigation during the Grant period, in comparison with 31 percent during the previous Grant period of October 2014 – September 2015.

Table 3 - Case Investigations (Gas Facilities) by Month

Year	Month	Cases Entered for Review / Opened for Investigation
2015	October	180 / 113
2015	November	148 / 104
2015	December	129 / 56
2016	January	81 / 155
2016	February	82 / 1
2016	March	126 / 69
2016	April	170/142
2016	May	166/28
2016	June	196/37

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2016	July	179/331
2016	August	228/412
2016	September	181/258
Total		1,866 / 1,706

The Non-Compliance Enforcement Status Report illustrated by Table 4 below shows example pages of a report from the NJBPU database showing the status and tracking of damaged gas facility cases being investigated for possible enforcement actions. The example pages show cases for damage dates of September 22, 2016 through September 27, 2016.

Table 4 - Non-Compliance Enforcement Status Report

Damage Date	OC #	Industry	Location	Operator	Excavator	Staff Assignment	One Call Status	Posted Date
09/27/2016	GOC2016-1407	GAS	1019 Marymount Ave., Washington Twp., NJ 08081	SJG	Lexa Concrete LLC	KVARTA, ANDREW	OPEN	10/11/2016
09/27/2016	GOC2016-1408	GAS	5090 Tremont Ave, Egg Harbor Township, NJ 08234	SJG	Homeowner	KVARTA, ANDREW	OPEN	10/11/2016
09/26/2016	GOC2016-1344	GAS	McCarles Dr, Hillsborough, NJ 08844	PSE&G (G)	STILO PAVING	KVARTA, ANDREW	OPEN	09/28/2016
09/26/2016	GOC2016-1345	GAS	729 Terrace Heights Dr, Wyckoff, NJ 07481	PSE&G (G)	BATTAGLIA EXCAVATION CO.	KVARTA, ANDREW	OPEN	09/28/2016
09/26/2016	GOC2016-1356	GAS	314 67th St, West New York, NJ 07093	PSE&G (G)	Creamer Sanzani	BUBBA, JR., JOE	OPEN	10/04/2016
09/26/2016	GOC2016-1371	GAS	80 Manchester Ave, Haledon, NJ 07508	PSE&G (G)	Haskell Paving	BUBBA, JR., JOE	OPEN	10/05/2016
09/26/2016	GOC2016-1406	GAS	195 1st Street, Middle Twp., NJ 08210	SJG	Garden Lakes Mobile Home Park	KVARTA, ANDREW	OPEN	10/11/2016
09/24/2016	GOC2016-1402	GAS	18 Ridgemont Dr, Lanoka Harbor, NJ 08734	NJ NG	Pool Town	LANG, ANN	OPEN	10/10/2016
09/23/2016	GOC2016-1368	GAS	13 Bell Ave, Somerville, NJ 08876	PSE&G (G)	JTG Construction Inc	BUBBA, JR., JOE	OPEN	10/05/2016
09/23/2016	GOC2016-1369	GAS	55 Ackerman Ave, Milltown, NJ 08850	PSE&G (G)	JAMES R LENTILE INC	BUBBA, JR., JOE	OPEN	10/05/2016
09/23/2016	GOC2016-1370	GAS	301 Kiersten Drive, Highland Park, NJ 08904	PSE&G (G)	The Plumbing Pros	BUBBA, JR., JOE	OPEN	10/05/2016

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Damage Date	OC #	Industry	Location	Operator	Excavator	Staff Assignment	One Call Status	Posted Date
09/23/2016	GOC2016-1374	GAS	247 6th St, Saddle Brook, NJ 07663	PSE&G (G)	REVIAX CONTRACTING	BUBBA, JR., JOE	OPEN	10/06/2016
09/23/2016	GOC2016-1392	GAS	801 Commonwealth Ave., Upper Twp., NJ 08223	SJG	Asphalt Paving	KVARTA, ANDREW	OPEN	10/07/2016
09/23/2016	GOC2016-1393	GAS	5310 Pleasure Ave, Sea Isle City, NJ 08243	SJG	City of Sea Isle City	KVARTA, ANDREW	OPEN	10/07/2016
09/23/2016	GOC2016-1401	GAS	1821 Celeste Dr, Wall Township, NJ 07719	NJ NG	NEW JERSEY NATURAL GAS	LANG, ANN	OPEN	10/10/2016
09/23/2016	GOC2016-1405	GAS	635 W Pine Ave, North Wildwood, NJ 08260	SJG	Atlantic Electric	KVARTA, ANDREW	OPEN	10/11/2016
09/22/2016	GOC2016-1298	GAS	3889 Park Ave, Edison, NJ 08820	ETG	A.T. AND FERRARO DEVELOPER	BUBBA, JR., JOE	OPEN	09/22/2016
09/22/2016	GOC2016-1303	GAS	101 Center St, Garwood, NJ 07027	ETG	Solar Mite DBA Chris Neal	BUBBA, JR., JOE	OPEN	09/22/2016
09/22/2016	GOC2016-1341	GAS	1860 NJ-10, Parsippany-Troy Hills, NJ 07054	PSE&G (G)	Rino Excavating	KVARTA, ANDREW	OPEN	09/28/2016
09/22/2016	GOC2016-1342	GAS	6039 Park Ave, West New York, NJ 07093	PSE&G (G)	Creamer Sanzani	KVARTA, ANDREW	OPEN	09/28/2016
09/22/2016	GOC2016-1343	GAS	6001 Washington St, West New York, NJ 07093	PSE&G (G)	Paramount Exterminating	KVARTA, ANDREW	OPEN	09/28/2016

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.”)

The work being performed by the investigators has been very effective in accomplishing the Grant objectives of enhancing compliance and complaint investigations, and enforcement actions. As indicated in the enforcement settlement report for all underground facility damages, Table 5 on page 6, there were 360 enforcement settlements during the Grant period totaling \$1,167,000. Table 5 shows the settlements by week and the settlement amounts received.

Table 5 - Enforcement Settlement Report

Week Ending	Settlements Received	Settlement Amounts	Week Ending	Settlements Received	Settlement Amounts
10/02/15	0	0	04/08/16	8	24,000
10/09/15	14	37,000	04/15/16	0	0
10/16/15	3	9,000	04/22/16	11	32,000
10/23/15	8	21,000	04/29/16	2	6,000
10/30/15	4	11,000	05/06/16	4	9,000
11/06/15	6	14,000	05/13/16	2	6,000
11/13/15	6	17,000	05/20/16	11	30,000
11/20/15	8	24,000	05/27/16	14	39,000
11/27/15	5	13,000	06/03/16	25	75,000
12/04/15	6	18,000	06/10/16	8	24,000
12/11/15	0	2,000	06/17/16	2	6,000
12/18/15	9	22,000	06/24/16	15	41,000
12/25/15	2	4,000	07/01/16	8	24,000
01/01/16	1	3,000	07/08/16	10	30,000
01/08/16	0	0	07/15/16	2	6,000
01/15/16	18	50,000	07/22/16	26	78,000
01/22/16	5	13,000	07/29/16	0	0
01/29/16	6	16,000	08/05/16	4	12,000
02/05/16	1	3,000	08/12/16	3	9,000
02/12/16	6	16,000	08/19/16	6	18,000
02/19/16	4	10,000	08/26/16	3	9,000
02/26/16	14	38,000	09/02/16	4	11,000
03/04/16	4	12,000	09/09/16	0	0
03/11/16	13	39,000	09/16/16	1	3,000
03/18/16	22	66,000	09/23/16	7	21,000
03/25/16	8	21,000	09/30/16	5	15,000
04/01/16	6	20,000			
Totals				360	\$1,167,000

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 established objectives for the Grant project were achieved. The project costs were slightly lower than anticipated.

Final Financial Status Report

The final financial report has been sent as a separate attachment to the AA. See Form SF-425, Federal Financial Report, submitted by the PI on November 4, 2016.

Project Costs

<i>Personnel</i>	75,888.15
<i>Permanent Staff Addition</i>	\$46,026.48
<i>Temporary Staff Addition</i>	\$29,861.67
<i>Fringe Benefits</i> <i>Permanent Staff Addition</i>	$\$46,026.48 \times 45.25\%$20,826.98
<i>Travel</i>	0.00
<i>Equipment</i>	0.00
<i>Supplies</i>	0.00
<i>Contractual</i>	0.00
<i>Other</i>	0.00
<i>Indirect</i>	0.00
<i>Total Project Costs</i>	\$96,715.13
<i>Project Costs paid with Mid-Term Progress Report</i>	<u>45,428.11</u>
<i>Project Costs requested with Final Progress Report</i>	\$51,287.02

The fringe benefits rate is 45.25%, as indicated in the separate attachment included with this Final Report – Fringe Benefits for NJBPU 2015 SDP Grant. The rate is determined by taking the first column (labeled PERS) and adding the total on page 1 (37.6) to the total on page 2 (7.65).

Requests of the AOR and/or PHMSA

No actions requested at this time.