

2019 State Damage Prevention Program Grant Mid-Term Progress Report

CFDA Number: 20.720

Award Number: 693JK31940005PSDP

Project Title: State Damage Prevention (SDP) Program Grants — 2019

Date Submitted: April 14, 2020

Submitted by: Keith Wieland and Magid Yousif

Specific Objectives of the Agreement

Under this grant agreement, the recipient will:

Fund enforcement, education, training, communication, support, analysis, partnership, and mediation activities associated with its damage prevention program. (Elements 1-3, 5-7, and 9)

Workscope

Under the terms of this agreement, the recipient will address the following applicable elements listed in the approved application, pursuant to 49 U.S.C. §60134 (a), (b):

- **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. (Applicable)
- **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. (Applicable)
- **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. (Not Applicable)
- **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. (Not Applicable)
- **Element 5 (Public Education):** A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities. (Applicable)
- **Element 6 (Dispute Resolution):** A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues. (Applicable)

- **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. (Applicable)
- **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. (Not Applicable)
- **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. (Applicable)

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

Introduction

Iowa Utilities Board (IUB) staff achieved measurable goals by attending six meetings of the targeted six entities described in the 2019 Damage Prevention application. One of the goals in attending these meetings for the “Effective Communication” targeted meetings and workshops was to receive actionable feedback. Regarding “Comprehensive Stakeholder Support,” IUB staff noted operator attendance for these damage prevention activities. Through the remainder of the program year, IUB staff will continue interaction with Iowa’s four largest investor-owned gas utilities regarding their reported One Call deficiencies and excavation damages. Further action for IUB staff includes continued interaction with Iowa One Call (IOC) regarding their continued locator evaluation surveys. IUB staff will continue to interact with the gas utilities by requesting locating training requirements. Iowa did not request funds under “Effective Employee Training” during this grant’s performance period. IUB staff has pivoted on the “Public Education” element by including messaging from Iowa’s two agencies on their roles in investigation and enforcement of Iowa’s One Call laws, and the IUB will continue to refine and publish Frequently Asked Questions on IUB’s external website.

As previously mentioned, IUB and Iowa’s Attorney General’s (IAG) office continue their cooperative and respective investigation and enforcement roles regarding “Dispute Resolution” and “Enforcement.” Iowa did not apply for funds under “Technology” during this grant’s performance period.

IUB continues to review and evaluate the program performance and its objective. The IUB anticipates this year to be the beginning of three phases: 1) Develop process and procedure documents and onboarding training for new staff; 2) Make the process more efficient and develop quality assurance controls; and 3) Establish continuous process improvement controls.

Also, please note that the national and state proclamations of emergency due to the COVID-19 outbreak have delayed portions of granted public education components. These educational opportunities may be rescheduled for summer or fall of 2020.

Accomplishments for this Performance Period

Element 1: Effective Communication

IUB staff attended the Excavator Safety Awareness Program (ESAP) training sessions in Carroll, Iowa, on January 14, 2020; in Mason City, Iowa, on March 10, 2020; and in Ottumwa, Iowa, on January 16, 2020, in order to receive feedback from stakeholders about damage prevention, One Call investigations, and other topics shared by individuals. The IOC board presented at these training sessions. Additionally, at the Mason City ESAP training session, IUB staff distributed educational materials to more than 70 individuals. More than 100 excavators were in attendance at each of the IOC-led training sessions, which included a presentation on Iowa One Call laws, a video teaching the same, and a question and answer session, along with a lunch for the excavators.

In a meeting with the National Utilities Contractors Association (NUCA) on January 23, 2020, IUB and IOC reviewed NUCA's suggestions for a performance evaluation of all utilities' locates. IOC forwarded draft surveys (locator performance evaluations) which would be potentially completed during the One Call transmission process, which some understand to be a One Call ticketing process.

Element 2: Comprehensive Stakeholder Support

As identified in Element 1, IUB and IOC reviewed NUCA's suggestions for a performance evaluation of all utilities' locates. IOC forwarded to the IUB the draft surveys (locator performance evaluations).

As identified in Element 1, IUB staff attended ESAP training sessions in Carroll and Ottumwa in order to evaluate gas operators' inclusion in One Call activities. At these training sessions, IUB staff reviewed handouts, evaluated operator brochures to ensure the provided brochures included the three senses of leaks detection, and remarked to the operator representative that they provided brochures in multilingual format. Further, IUB staff observed and concluded that Iowa One Call's Excavator Safety Awareness Program continues to be a successful component in furthering stakeholder support.

IUB's additional metrics describing potential One Call violations are shown below in Chart 1. Number of One Call Complaints for this portion of the performance year by Type of Excavator Facility are shown in Chart 2.

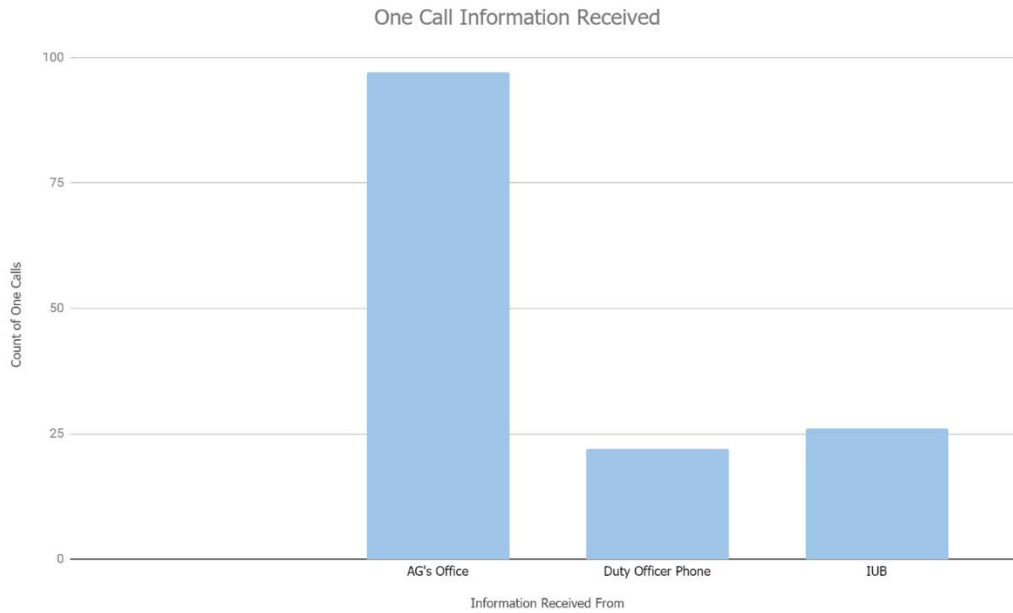


Chart 1: Total Complaints by Method Received

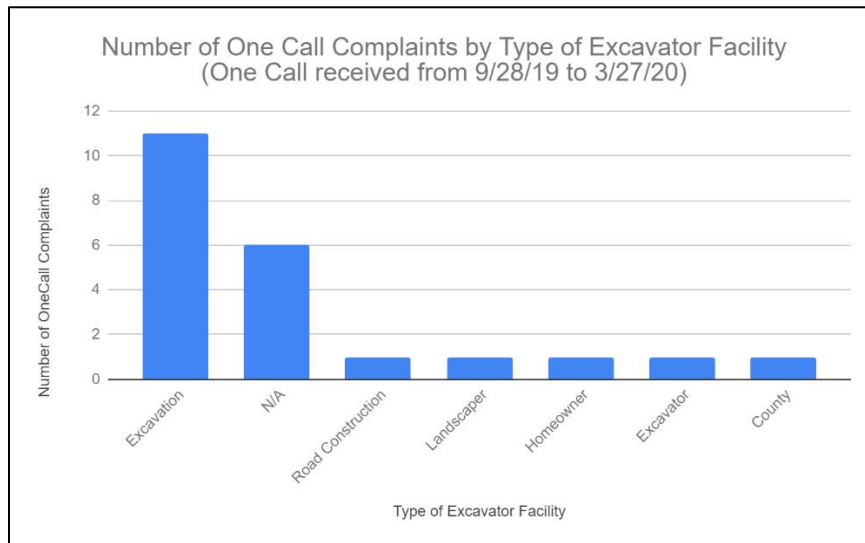


Chart 2: Number of One Call Complaints for this portion of the performance year by Type of Excavator Facility

Element 3: Operator Internal Performance Measurement

During the first half of this performance period, IUB staff reviewed information from Iowa's largest investor-owned gas utilities. These utilities were a party to most underground damages. IUB staff mined data from their Pipeline and Hazardous Materials Safety Administration's annual

reports regarding excavation damages and One Call metrics. The utilities responded with discussions of their ongoing efforts to increase the effectiveness of their damage prevention programs. IUB staff continued to evaluate the utilities for One Call inadequacies and damages analysis. IUB staff continued dialogue begun in 2019 by reviewing the utilities' underground damages and One Call metrics.

Element 4: Effective Employee Training

Iowa did not apply for funds for this element.

Element 5: Public Education

The Damage Prevention team met on November 25, 2019, to discuss categorization of Docket No. INU-2017-0001 into Best Practices, which will be incorporated into an Excavator's Frequently Asked Questions (Excavator FAQ) list to be published on IUB's website.

As noted in Elements 1 and 2, IUB staff attended an ESAP training session in Mason City in order to be available to receive feedback from stakeholders. Further, at this training session, IUB staff operated a table/booth to distribute educational materials regarding IUB and IAG's roles in damage prevention regarding investigation and enforcement.

IUB staff attended the Iowa Pipeline Association meeting in Iowa City, Iowa, on October 28, 2019. The meeting was designed to provide training for emergency responders, police personnel, fire personnel, and government officials in the event of a pipeline release of products. At the training session, IUB staff reviewed handouts, evaluated operator brochures to ensure the provided brochures included the three senses of leaks detection, and remarked to the operator representatives if said brochures included multilingual information.

IUB modified its website to include additional investigative and enforcement links and resources in order to increase public availability to enforcement submissions and provided educational materials for Iowa One Call laws, investigations, and enforcement.

Elements 6 and 7: Dispute Resolution and Enforcement

The IUB and IAG continue their memorandum of understanding with IUB conducting investigations and providing summaries of investigation to IAG, and IAG, at its discretion, enforcing Iowa One Call laws.

Twenty-one new complaints were received from the public during the mid-year performance period from September 28, 2019, until March 27, 2020. In addition to the new complaints, the following actions were completed on pending complaints: 1) Initial investigatory letters sent, 27 complaints; 2) Summary of investigation and complete file submitted to the Attorney General's office, 29 complaints; and 3) Attorney General responses sent to IUB staff, 32 complaints. The Iowa One Call investigation actions resulted in IAG staff issuing 25 warning letters and six letters stating no confirmed violations.

IUB's additional metrics describing chronological One Call complaints submissions are shown below in Chart 3. AG action completed during this performance period are depicted in Chart 4. Resolution of One Call complaints for this portion of the performance period are depicted in Chart 5.



Chart 3: Count of One Call Complaints Received by Month

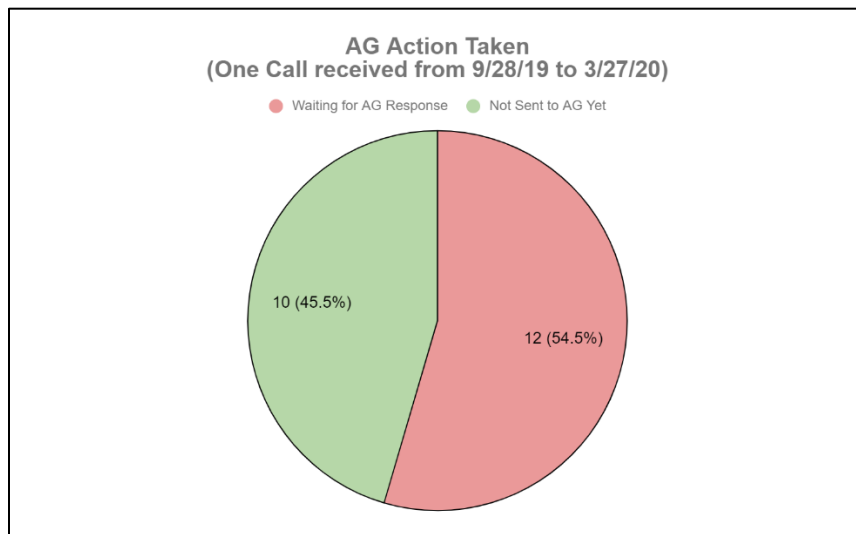


Chart 4: Resolution of One Call complaints for this performance period

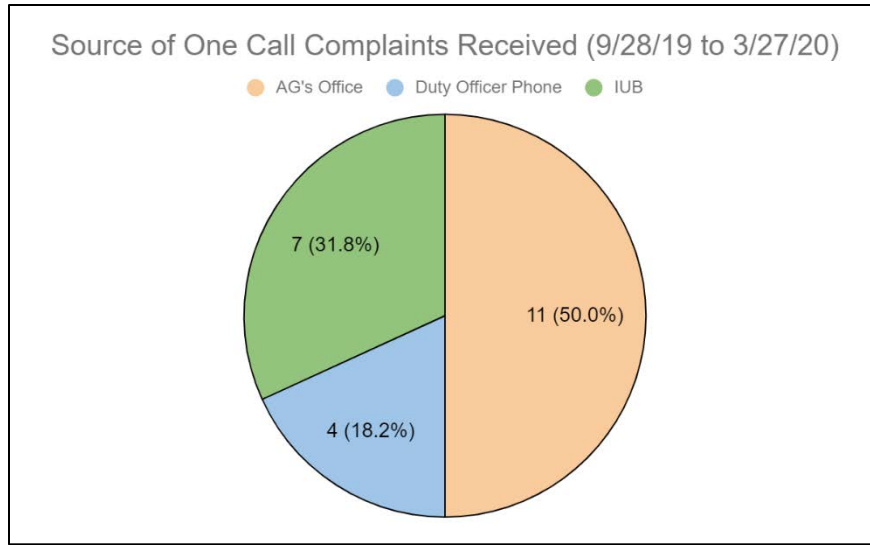


Chart 5: Resolution of One Call complaints for this performance period

Element 8: Technology

Iowa did not apply for funds for this element.

Element 9: Damage Prevention Program Review

IUB staff utilized this performance year to train personnel new to the Damage Prevention process. Within that training, IUB staff continued to modify and to improve the existing processes and controls for all elements of this grant. Current tracking of the active One Call complaints is listed below in Chart 6.

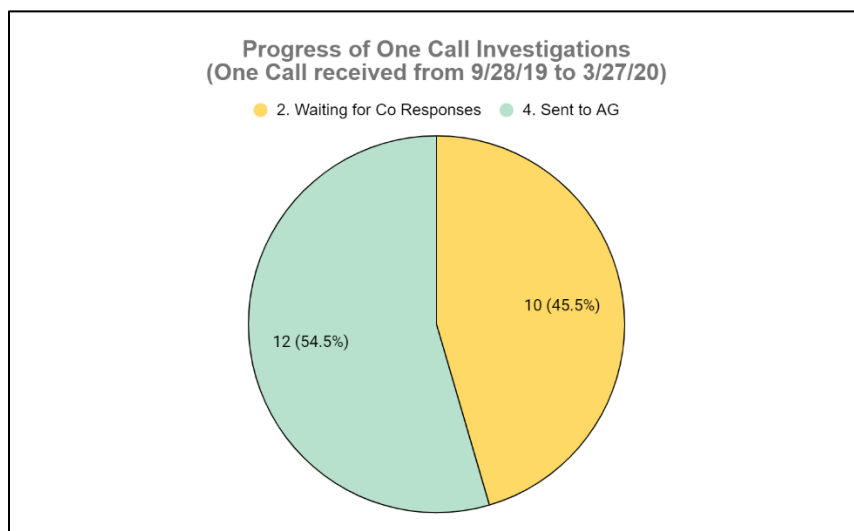


Chart 6: Progress of One Call Investigations for this performance period

Mid-term Financial Status Report

The mid-term financial status report and its details will be filed separately. Here is the summary of expenses and expenditures during this period.

Period: September 28, 2019 to March 27, 2020

Salaries and Fringe Benefits	
Element 1: Effective Communications	\$11,357.65
Element 2: Comprehensive Stakeholder Support	\$1,421.63
Element 3: Operator Internal Performance Measurement	\$708.78
Element 4: Effective Employee Training	-
Element 5: Public Education	\$1,911.70
Element 6 & 7: Dispute Resolution & Enforcement	\$16,353.29
Element 8: Technology	-
Element 9: Damage Prevention Program Review	\$4,221.09
Travel	\$169.26
Education and Training	-
Material and Supplies	-
Sub-total Direct	\$36,143.40
Indirect	\$12,686.33
Total Cost	\$48,829.74

*Materials/Supplies and Travel Expenses are for Element 9