

## **2020 State Damage Prevention Program Grant Mid-Term Progress Report**

**CFDA Number: 20.720**

**Award Number: 693JK32040003PSDP**

**Project Title:** State Damage Prevention (SDP) Program Grants -- 2020

**Date Submitted:** April 15, 2021

**Submitted By:** Natasha Welch 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)

### **Work Scope:**

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 accessible 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**

Staff virtually attended meetings for Common Ground Iowa, Iowa One Call, and Iowa Technical Assistance Program.

Regarding operator internal performance measurements, IUB staff has evaluated the four investor-owned natural gas operators and will continue interactions regarding their reported One Call deficiencies and excavation damages.

IUB and Iowa’s Attorney General’s (AG) office continue their cooperative and respective investigation and enforcement roles regarding “Dispute Resolution” and “Enforcement.” Iowa did not apply for funds under “Technology” nor “Effective Employee Training” during this grant’s performance period.

IUB continues to review and evaluate the program performance and its objectives. IUB anticipates to continue reviewing and evaluating this year through three previously identified phases: 1) Developing and revising process and procedures for One Call investigations, Damage Prevention application and Damage Prevention midyear report; 2) Making the evaluation of our Damage Prevention process more efficient by developing quality assurance controls utilizing trackable year to year metrics; and 3) Establishing continuous process improvement controls by setting frequencies for policies and procedures reviews.

**Accomplishments for this Performance Period**

**Element 1: Effective Communication**

IUB staff attended the Common Ground Iowa (CGI) annual membership meeting on December 11, 2020. IUB staff also created a presentation to describe the roles of the IUB and the AG’s office, respectively, as investigation and enforcement agencies. The presentation shows the IUB’s general roles, the investigation process, a One Call sample summary and the number of One Call complaints since 2017.

During the meeting, an excavating company described the process it undertook to reduce underground facilities damages by changing its culture through implementation of company procedures to call for more open communication in relation to locating issues. CGI conducted its normal business meeting, which included elections to their Board. Iowa One Call presented its “Appointment Request System,” which is in its design phase and will better enable locators and excavators to document their planned meets. Iowa One Call also presented possible legislation efforts to Iowa Code Chapter 480 by a third party. IUB staff also prepared a presentation to be used for meetings similar to this. IUB staff created a spreadsheet of industry organizations, which includes organization contact information and registered lobbyists for each organization. IUB staff plans to utilize this spreadsheet to effectively communicate with industry organizations.

## **Element 2: Comprehensive Stakeholder Support**

IUB staff attended the Iowa One Call board meetings on November 5, 2020; January 8, 2021; and March 4, 2021, in order to hear comments, questions, and/or concerns regarding the proposed One Call legislation and to understand current trends, difficulties, and proposed changes to the One Call process.

## **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 regarding proposed One Call their reported One Call deficiencies and excavation damages. IUB staff mined data from their Pipeline and Hazardous Materials Safety Administration’s annual reports regarding excavation damages and One Call metrics. IUB staff continued to evaluate the utilities for One Call inadequacies and damages analysis. Within the analysis, IUB staff found one operator who has tripled its total leaks between 2018 and 2020. Over the same period, the same operator reported a doubling of insufficient One Call notifications and a slight increase in insufficient excavation practices. A second operator reported a slight increase in leaks caused by excavation damage, a 50 percent increase in insufficient One Call notifications in one year, and an increase in excavation damages by other causes of 70 percent. A third operator reported zero leaks since 2016 and a slight increase in insufficient locating practices. The last investor-owned operator reported doubling total leaks in one year and a slight increase in insufficient locating practices. Images 1, 2, and 3 provide examples of these analyses. Staff will continue to evaluate the remaining gas operators and continue to correspond with operators depending on the results of those evaluations.

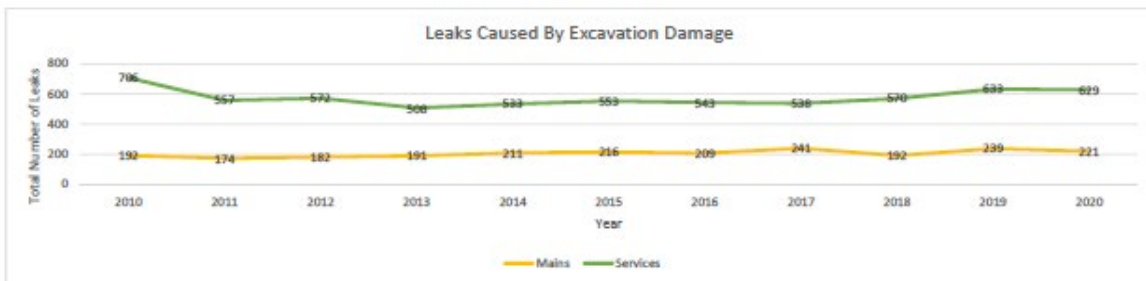
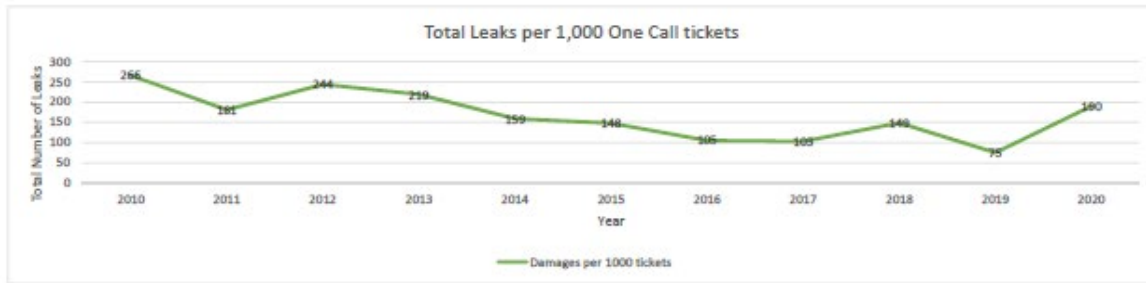
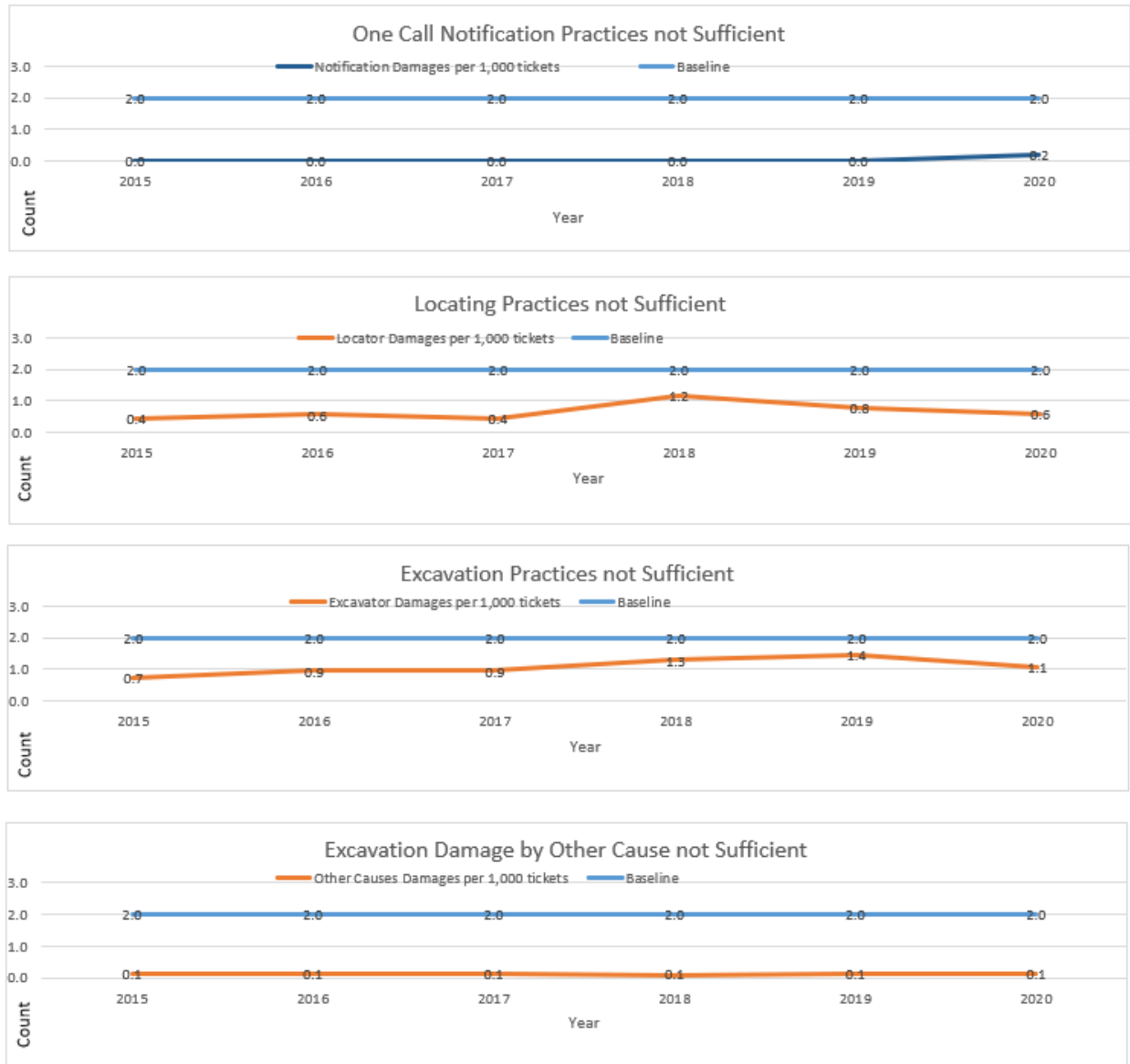


Image 1. Example Leaks graphs used to evaluate trends and concerns.



**Image 2.** Example Damages graphs used to evaluate Damages trends and concerns.



**Image 3.** Example Damages graphs used to evaluate Damages trends and concerns per 1,000 locates.

#### **Element 4: Effective Employee Training**

Iowa did not apply for funds for this element.

#### **Element 5: Public Education**

IUB staff attended the Iowa Local Technical Assistance Program (LTAP) meeting in order to present One Call investigations and enforcement information. Staff provided a virtual

presentation in order to provide information about how complainants can submit One Call complaints, an overview of the complaint process, and metrics of past One Call investigations.

Further, IUB staff researched possible locations to disseminate One Call educational materials in historic regions with low, medium, and high underground facilities damages. Possible locations include county fairs and farmer markets across the state. During COVID-19 restrictions of last year, IUB staff was able to safely attend and distribute some of our 811/One Call promotional items. IUB has One Call educational materials remaining from performance year 2019 grant funds, including coffee mugs, water bottles, reusable shopping bags, key chains, and lens wipes. IUB plans to distribute these materials and new materials purchased with 2020 Damage Prevention funds.

### **Elements 6 and 7: Dispute Resolution and Enforcement**

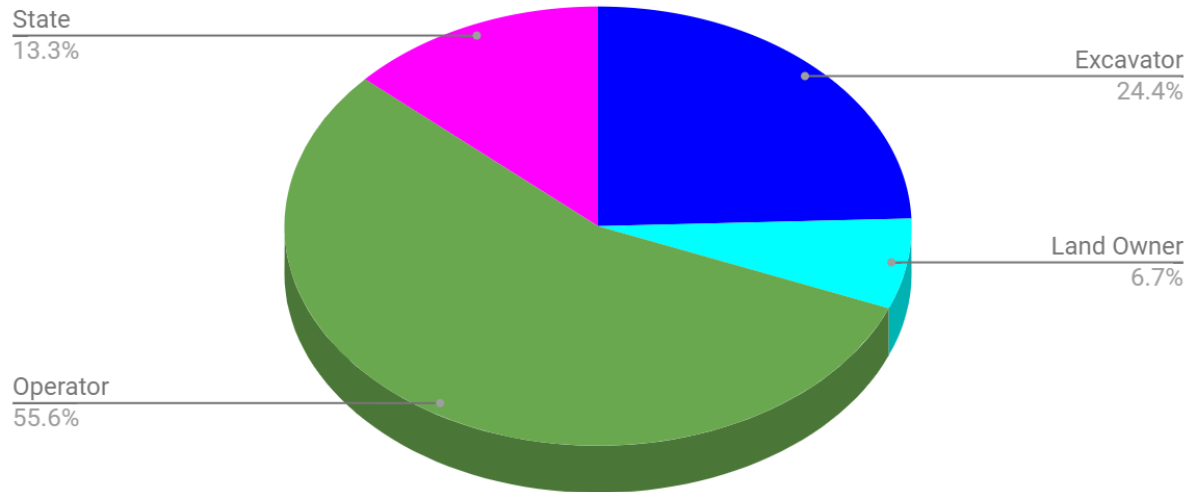
The IUB and AG continue their memorandum of understanding under which IUB conducts investigations and provides summaries of the investigation to AG and AG, at its discretion, enforces Iowa One Call laws.

Forty-two new complaints were received from the public during the midyear performance period from September 28, 2020, through March 27, 2021. In addition to the new complaints, the following actions were completed on pending complaints:

- Initial investigatory letters sent: 43 complaints
- Summary of investigation and complete files submitted to the AG's office: 66 complaints
- AGI responses sent to IUB staff: 70 complaints

The Iowa One Call investigation actions resulted in AG staff issuing 58 warning letters and 12 letters stating no confirmed violations. The IUB docketed One Call investigations within its Universal Content Manager (UCM). The IUB has received over a 60% increase in complaints filed over the last year. The IUB and AG continue to improve thoroughness of investigations and timely resolutions.

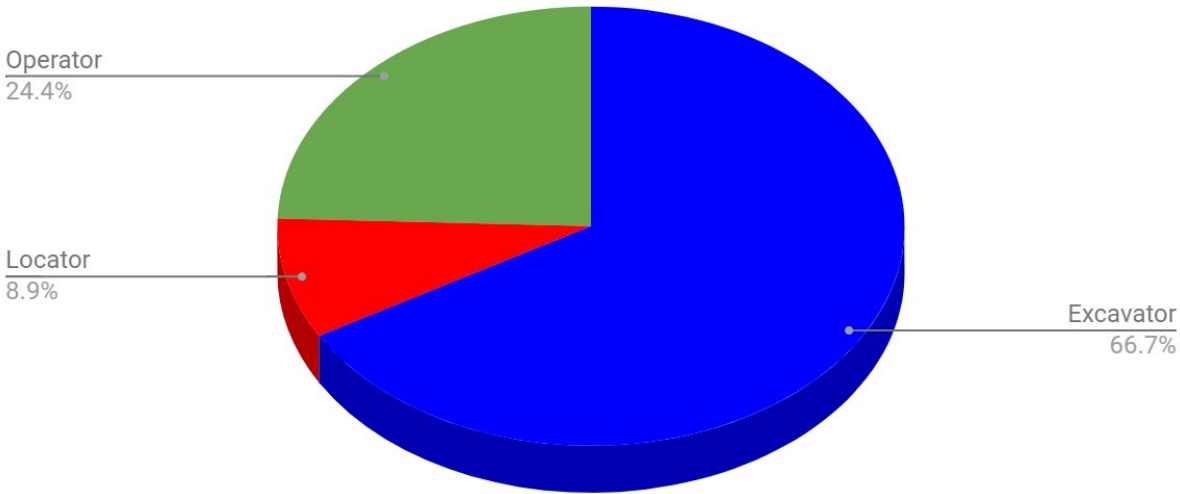
## Complainant by Stakeholder



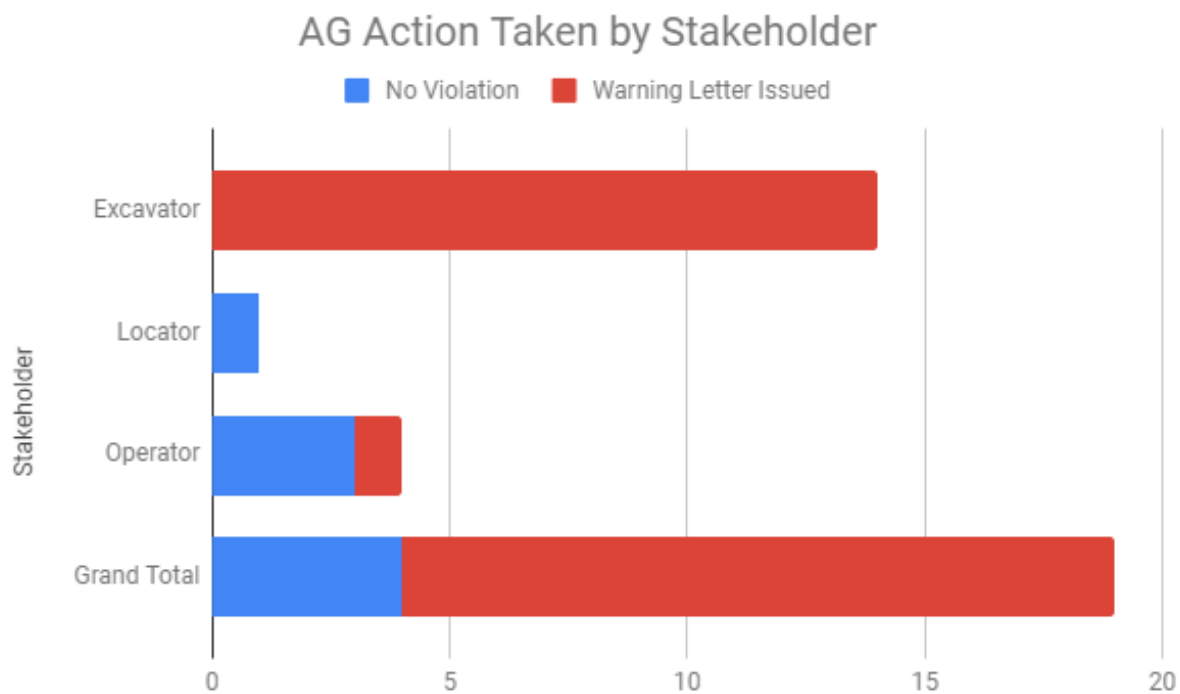
**Chart 1.** IUB's additional metrics describing One Call complaints submissions by Stakeholder groups are shown above in Chart 1. This graph illustrates the categorization of the complainant in One Call Complaints as Operator, Excavator, Locator and Landowner as a separate uninvolved party of the excavation that occurred.



# Respondent by Stakeholder



**Chart 2.** IUB’s additional metrics describing One Call Respondents by Stakeholder groups are shown below in Chart 2. Chart 2 represents the proportion of responsible parties in One Call Complaints by Operator, Locator, or Excavator.



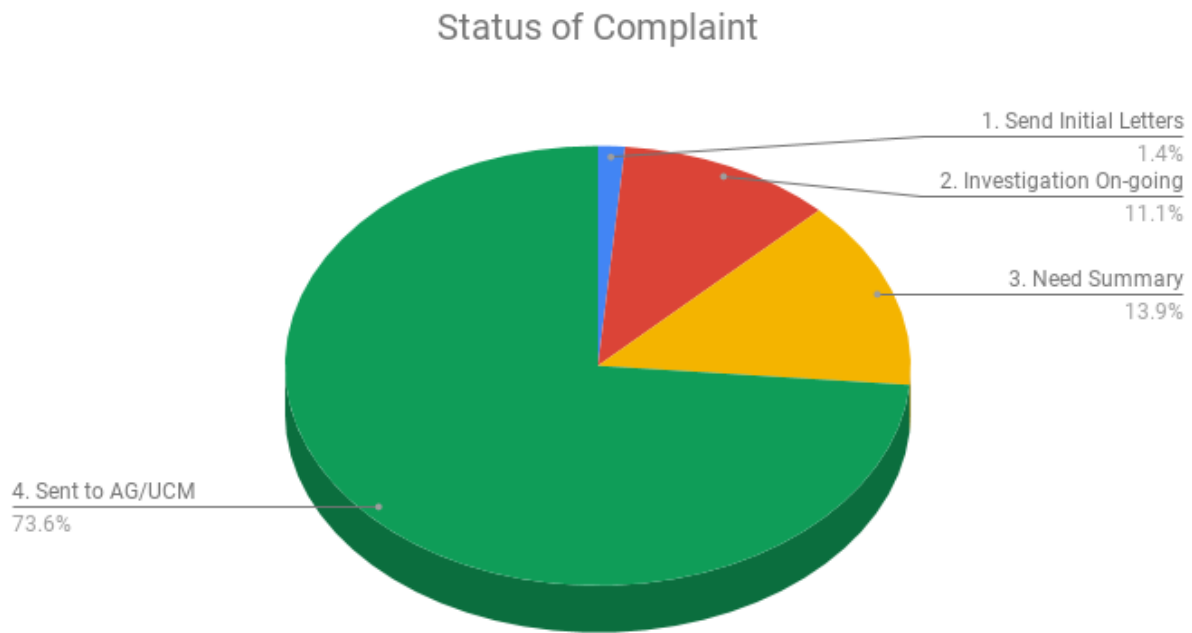
**Chart 3.** Chart 3 illustrates the resolutions provided by the AG per each stakeholder group from September 28, 2020, through March 27, 2021.

#### **Element 8: Technology**

Iowa did not apply for funds for this element.

#### **Element 9: Damage Prevention Program Review**

IUB staff continued to modify and to improve the existing processes and procedures for all elements of this grant. IUB staff prioritized updating its policies and procedures for One Call investigations, Damage Prevention application, and Damage Prevention midyear report. Some of the updates include: clarifying initial letters to define investigation purpose, defining roles of parties in complaints, and utilizing a central spreadsheet to provide program overview. IUB Staff and Attorney General Staff meet quarterly to discuss current complaints, processes, and public outreach opportunities. Current tracking of the active One Call complaints is listed below in Chart 4.



**Chart 4.** Status of One Call complaints for this performance period are illustrated above in Chart 4. Chart 4 illustrates the ongoing status of One Call complaints within IUB workflow. Complaints begin with IUB sending out initial letters to all parties (Send Initial Letters), continuing on to investigation ongoing (Investigation On-going), further onto final summary (Need Summary), and finally being sent to the AG office awaiting their resolution (Sent to AG/UCM Complete).