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2. Email your completed document to Carrie.Winslow@dot.gov We will review your report and let you know if further details are required.

2020 State One Call Grant Final Report

CFDA Number: 20.721

Award Number: 693JK32040007PSOC

Project Title: Kentucky ONE CALL Compliance and Enforcement Program

Date Submitted:

Submitted by: Myra Kelemen Financial Report and Melissa Holbrook Progress Report

1. Project Details:

a. Specific Objective(s) of the Project

1.2 Compliance Enforcement - Cost of enforcement and/or complaint investigations

Grantee will use the grant funds to offset a portion of the salary and fringe benefit expenses for one (1) damage prevention investigator hired by the Kentucky Public Service Commission. This investigator is dedicated to the investigation of damages reported to the Commission by regulated natural gas and liquid pipeline operators.

The Commission enforcement program was developed to meet the requirements set forth in changes to the Underground Facility Damage Prevent Act of 1994 (KY Dig Law). These changes, which included granting the Commission exclusive jurisdiction and responsibility to administer the enforcement provisions of the KY Dig Law. The new provisions were approved by the 2018 Kentucky State General Assembly, signed by the Governor and took effect on July, 14, 2018.

Specific responsibilities for this investigator will include: monitoring the Commission's Damage Reporting System for damages reported by jurisdictional operators; confirming information and data received from the reporting operator; confirming excavator information of the violating party provided by the operator; contacting the alleged violating party to discuss the incident; entering relevant information into the Commission's Inspection Reporting System (IRS); determining if a violation of any provision of KRS 367 occurred and forwarding the investigation to supervisor for review in the IRS; managing all documents and all correspondence relating to the specific investigation; and preparing the associated enforcement document, if necessary.

b. Accomplishments for the grant period

The one-call grant period from September 2020 until September 2021 has allowed the Kentucky Public Service Commission to utilize grant funds to enhance the ability to investigate pipeline damages in addition to assisting the KY PSC in the development and administration of the enforcement program. During the grant period, the KY PSC damage prevention staff has assisted in the enforcement program that has received 1120 third party damage reports. Of those reports 621 damage incidents have been investigated, in which 493 were closed. . The penalty's assessed for grant period was \$1,321,900.00 with the penalty collected \$1,381,200.00. Some of the penalty collected may have come from the previous year.

Commission staff is actively seeking opportunities to provide damage prevention training to trade groups. This is done by participation in damage prevention councils and through contacts made at regularly scheduled training classes. In 2020 and 2021, limited in-person meetings were held due to covid. In 2020 the following training was conducted to review the 811and KY dig law:

KY Gas Association training, Fern Creek High School, Damage prevention councils. In 2021 the following training was conducted: KY PERI, KY Water, and Waste Water Association, KY 811 annual meeting, Ball Homes 811 Training, KY Damage Prevention Councils, 54th Annual KGA meeting, Knott County Water District, Water management council, KY Transportation Cabinet, and, Martin Construction.

c. Quantifiable Metrics/Measures of Effectiveness

The program was implemented in 2018. The grant has successfully funded one investigator to implement in the investigations of the KY dig laws. After a review of the state's performance metrics, KY has seen a downward trend of pipeline damages. Since the implementation of the program, pipeline damages per 1,000 locate tickets. 2016-4.0, 2017-3.1, 2018-3.0, 2019-2.6, and 2020-2.3.

For the grant period the KY PSC received 1120 reports of 3rd party damage to natural gas lines. The two investigators dedicated to damage prevention reports have worked 621 cases and closed 493. With a backlog of 510 cases. The penalty's assessed for grant period was \$1,321,900.00 with the penalty collected \$1,381,200.00. Some of the penalty collected may have come from the previous year.

d. Issues, Problems or Challenges

The program was implemented in 2018, with the hire of two investigators in 2019. The implementation of the program was a learning process due to the overwhelming amount of cases reported and a restriction of penalty funds, and not being able to hire more investigators. The program currently has a backlog of 510 cases. The current process is very time-consuming, and investigators have difficulty making contact with 3rd party damage violators. With the help of a deputy executive director, administrative assistant, and damage prevention lawyer, the program is being evaluated to be a more efficient process.

2. Financial Details

- i. Total amount of award: \$ 46,738.00
- ii. Total of award expended: Fully Expended
- iii. Repayment to PHMSA required *NO*

a. Final Financial Narrative

[Please provide a summary of funds expenditures and by category below and include supporting documentation such as invoices, receipts, spreadsheets, etc.]

b. Personnel and associated costs paid for by grant:

- i. Names of personnel and affiliation (Eric Tout Complaint Investigator Division of Inspections
- ii. Personnel Costs: \$ 15,996.15
- iii. Fringe Benefits Costs: \$ 21,657.73
- iv. Travel Costs: 0.00
- v. Indirect Costs: \$ 9,048.12

c. Listing of equipment and/or supply purchases and/or Contracts for Professional Services (*Invoices must be attached to your Progress Report)

- i. Equipment and/or Supplies*: n/a
- ii. Contracts for Professional (outside) Services* (Any contract for outside services must be outlined and preapproved in advance): n/a

d. Any other costs please describe here: n/a

3. Damages per 1000 Locate Tickets – 3-5 years

Pipeline Damages per 1,000 locate tickets	<p>Data Source: PDM State Performance Metrics</p> <p>CY 2020 __2.3__</p> <p>CY 2019 __2.6__</p> <p>CY 2018 __3.0__</p> <p>CY 2017 __3.1__</p> <p>CY 2016 __4.0__</p>
All Utility Damages per 1,000 locate tickets (If available) not available KY PSC only tracks natural gas damages.	<p>Data Source:</p> <p>CY 2020 ____</p> <p>CY 2019 ____</p> <p>CY 2018 ____</p> <p>CY 2017 ____</p> <p>CY 2016 ____</p>