U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

**1200 New Jersey Avenue SE
Washington DC 20590**

PIPELINE SAFETY

2010 State Damage Prevention Grant

for

Virginia Utility Protection Service

Please follow the directions listed below:

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign page 2.
3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Karina Munoz
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
Office of Contracts and Procurement
1200 New Jersey Avenue, SE Second Floor E22-228
Washington, D.C. 20590**

FedSTAR Information

Submission Date: 8/28/2009 10:44:23 AM

Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington DC 20590

DEPARTMENT OF TRANSPORTATION

APPLICATION

2010 GRANT PROGRAM IN SUPPORT OF STATE DAMAGE PREVENTION

The Virginia Utility Protection Service hereby applies to the Department of Transportation for Federal funds appropriated for the support of State Damage Prevention Programs established under 49 U.S.C. Section 60134 et seq.

The state agency plans to carry out the State Damage Prevention Program, during calendar year 2010, as described in Attachment 1, "Project Abstract/Statement of Objectives". To accomplish the program, the state agency proposes to expend funds as set forth in Attachment 4, "State Damage Prevention Estimated Budget".

Signature

Title

Date

Project Abstract/Statement of Objectives

Please provide a clear and concise description of the work this grant will fund for calendar year 2010

The purpose of this project is to create a one-call ticket management system for the excavating community. Four distinct applications will be built within this system.

1.Work order management software integration

a.Allow for the integration of an excavator's work order management system with the one-call software. This integration would allow an excavator to generate an excavation ticket automatically by using data that has been entered into their work order management system. The advantages are two-fold. Data that already resides within a work order management system could automatically populate one-call software data fields shortening the time for ticket entry and, most importantly, reduce potential errors from rekeying data. In order to implement this application, VUPS would need to develop an XML / SOAP based ticket server that would allow work order management systems to submit tickets to the VUPS one-call software

2.Locate request scheduling

a.Following similar logic to "on-line banking", create a scheduling component complete with calendar functions, allowing excavators to more accurately reflect actual work start dates. This could reduce the tendency for peak workload days by normalizing the workload across the entire week. The system would review all 'scheduled' tickets on a daily basis and by using the standard date calculation routines (including the application of holidays), determine which tickets qualify for 'just-in-time' scheduling. Those tickets would then be submitted automatically and normal ticket functions would continue. An email with the ticket number, work order number and scheduled ticket ID would be sent to the excavator for confirmation.

3.Ability for an excavator to download work order images

a.Create an application to allow an excavator to download work order images into the excavator ticket management system. The image can be sent to the utility locator through a link utilizing XML. The utility locator would now have the ability to view the excavator work drawings, better understand the work to be performed and therefore, be able to perform a more effective locate.

4.Two-way positive response

a.Within the excavator ticket management software, create a two-way positive response mechanism where the excavator can respond back to the utility locator. Currently, the only mechanism an excavator has to respond to an electronic positive response notification is by telephone. Example: Virginia positive response code 90 states that the locator could not gain access to property. The excavator could automatically respond back that the gate is unlocked. These communications would be time stamped and archived.

The excavator ticket management system would require redundant software and hardware in order to ensure reliability. Archiving of all data would also be required.

State Damage Prevention Elements

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."

Does the proposed project address this element? (Required) Yes

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 1, maintaining effective communications from the first request to the completion of the excavation, through various means of automated communications.

In 1995, Virginia created a positive response system that would effectively communicate the status of a locate request to the excavator. It is mandatory for utility locators to respond to the positive response and it is mandatory for excavators to check the positive response system prior to beginning excavation. In order to accommodate all users, the positive response is accessible through either the internet or through an Integrated Voice Response (IVR).

VUPS created an email confirmation to the exactor that includes all pertinent locate request information. Each response from the individual utility locator is identified along with a marking code, contact information in the event of questions concerning the locate and a utility damage number that would go directly to a utility emergency response center. This confirmation is sent after the completion of the locate request and can be used as a document to be maintained at the job site.

Virginia has developed standardized utility marking standard that defines and standardizes many attributes of locate marking including: the unique utility and the size and material of the utility line. This provides the excavator with a well defined description of the locate.

These automated communications readily facilitates all stakeholder communications throughout the excavation process and is stored and archived at the one-call center for any potential need for future retrieval.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

The excavator ticket management project addresses element one through several different mechanisms. Overall, implementation of this project will increase communications between all stakeholders through the expanded use of technologies.

The following example depicts a normal work flow process within the locate request process. A utility will send a Project Engineer to do a field inspection for a service request. The

Budget Narrative for this element: (Required only if proposal addresses this element)

The primary expense with the proposed excavator ticket management system will be software development. VUPS estimates the cost for software development at a not to exceed of $90,000. The software development will be performed by Norfield Data Products, Inc. the one-call software provider to VUPS and therefore specified as contractor expense. Norfield Data Products has been involved with Phase I and II of the Virginia Pilot projects. Once completed, this application can be readily applied to all of the Norfield Data Products users. Once the project is complete and proven, the generic process flow could easily be recreated in other one-call software applications. As this application has the opportunity to become widely used, VUPS will need two servers to run the application in a redundant mode. VUPS estimates the cost for hardware at $10,000 and is specified as equipment expense.

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 2, fostering and ensuring the support of multi stakeholders and local governments in all phases of the program through:

1) Damage Prevention Committees: Local damage prevention committees are groups of stakeholders who are concerned about preventing damage to underground utilities. Currently Virginia has 6 districts with local Damage Prevention Committees. These committees have the opportunity to discuss, in an informal setting, any concerns and ideas related to preventing damage to underground utility lines. The committees become part of a local and statewide network of stakeholders through which important damage prevention information is communicated quickly and effectively. Additionally, the damage prevention committees foster partnership! Developing partnerships with other stakeholders result in open communication, problem solving and avoiding conflicts. Regular meetings are held in each of the 6 districts.

2) Virginia Utility Protection Service Inc. (VUPS) has been certificated by the State Corporation Commission (SCC) to provide notification service for the entire state of Virginia. In accordance with the requirements of the Damage Prevention Act and the rules promulgated there under, at least 20 percent of the Directors shall be composed of individuals who are neither utilities nor operators nor employed by a utility or an operator. This 20 percent shall be comprised of individuals that may be impacted by the services provided by the notification center, including excavators, contract locators, property owners, and governmental entities that are not operators or utilities. At least 50% of the remaining Directors will be representative of utilities.

3) The Virginia Underground Utility Damage Prevention Act section 56-265.31 established an advisory committee consisting of representatives of the following entities: Commission staff, utility operator, notification center, excavator, municipality, Virginia Department of Transportation, Board for Contractors, and underground line locator. Persons appointed to the advisory committee by the Commission shall have expertise with the operation of the Underground Utility Damage Prevention Act. The advisory committee shall perform duties which may be assigned by the Commission, including the review of reported violations of the chapter, and make recommendations to the Commission.

4) The State Corporation Commission Division of Utility and Railroad Safety and Virginia Utility Protection Service, Inc. (VUPS) sponsors an annual Damage Prevention Conference. The conference provides a forum for Virginia stakeholders to get together and share information, discuss important damage prevention issues and foster partnerships. For ten years, more than 250 stakeholders have come together at the conference to share best

practices in damage prevention.

5) VUPS holds quarterly membership meetings to provide updates on new damage prevention technologies, provide monthly reports on the performance metrics of the one-call center, and invite guest speakers to provide presentations which may improve or expand on the damage prevention process. Attendances at the membership meetings include owner/ operators, locators, excavators, and local government.

6) The Virginia State Corporation Commission has initiated periodic task force teams to discuss new initiatives and process improvements. These task force teams are always comprised of multi stakeholders including: various utilities, excavators, locators, one-call, and state regulatory agencies.

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The Virginia State Corporation (SCC) Commission Division of Utility and Railroad Safety will conduct periodic audits of regulated pipeline operators. These audits include a review of the pipeline operator's internal performance measures regarding the persons performing locating services. The SCC has mandatory reporting of damages by all regulated pipeline operators. A damage ratio is calculated for each of the regulated pipelines and tracked for trending analysis. The SCC also monitors various contract locator positive response codes to determine any discrepancies and to develop a trending analysis.

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 4, participation by operators, excavators and other stakeholders in the development and implementation of effective employee training programs to ensure operator, one call center, excavators and enforcing agencies have partnered together to design and implement training by the following programs:

A "Train the Trainer" education program has been designed by the Virginia State Corporation Commission (SCC), Division of Utility and Railroad Safety to provide those interested a more in-depth understanding of Virginia's Damage Prevention law, the Commission's Rules. For two days, the Division's training staff provides classroom training through an organized lesson plan to the attendees. Those who successfully complete the workshop receive a certificate and can educate others based on the Division's lesson plan. The class is attended by utility owners, operators, excavators, locators and employees of the one-call notification center.

Staking University of Illinois provides locator training classes sponsored by Virginia Utility Protection Service, Inc. These classes offer hands on training with experts from Staking University.

Southside Virginia Community College is developing a locator training program through the cooperative efforts of the Virginia State Corporation Commission, Virginia Utility Protection Service, Inc., contract locators and individual utility owners. The program is designed to train locators entering the damage prevention industry. The college also has an ongoing class to train heavy equipment operators. The class includes training on safe excavation around underground utility lines and includes placing mock calls to the Virginia 811 one-call center.

Pipeline operators provide annual state wide training to excavators and emergency response officials. This training includes information on pipeline safety and damage prevention. A one-call representative is typically present to answer questions and provide guidance on one-call issues.

ELEMENT 5 - PUBLIC EDUCATION

"A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 5, ensuring active participation by all stakeholders in public education activities. The SCC and VUPS participate in a joint educational campaign that directs resources to efforts that reach professional stakeholders and private citizens alike. This partnership is further bolstered by additional efforts that stakeholders undertake to expand the reach of the joint campaign. The campaign, inclusive of all stakeholder activities, is submitted to the SCC Commissioners for their approval.

Virginia developed an online database that allows various stakeholders to record their public awareness activities in a common place. Operators, locators, excavators and the notification center are all represented in the group of users who are utilizing this tool to share their activities for others to see. This allows the sharing of ideas and helps coordinate efforts, maximizing the impact of the multi-faceted public awareness approach.

The Virginia Underground Utility Damage Prevention Act requires that "the members of a notification center shall be responsible for developing and implementing a public awareness program to ensure that all parties affected by this chapter shall be aware of their responsibilities." Additionally, the SCC Rules Governing Certification, Operation, and Maintenance of Notification Center or Rules mandate that "Each notification center shall assist member operators and the commission in devising an effective public education/ awareness plan regarding underground utility damage prevention as required by ?? 56-265.16:1 E and 56-265.32 B of the Code of Virginia."

Virginia stakeholders commonly partner together to develop and implement training programs. The presentation of a "united front" strengthens the message shared and helps foster cooperation in working toward the common goal of damage prevention.

ELEMENT 6 - DISPUTE RESOLUTION

"A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 6, by having a process for resolving disputes that defines the State authority role as a partner and facilitator to resolve issues as described in the Virginia Underground Utility Damage Prevention Act sections 56.265.30 and 56-265.31:

Section 56-265.30. Authority of the State Corporation Commission.

A. The Commission shall enforce the provisions of the Underground Utility Damage Prevention Act as set out in this chapter. The Commission may promulgate any rules or regulations necessary to implement the Commission's authority to enforce this chapter.

B. Nothing in this chapter shall be construed to authorize the Commission to promulgate any rules or regulations pursuant to its authority to enforce this chapter that require any person, other than jurisdictional gas or hazardous liquid operators, to report to the Commission any probable violation of this chapter or any incident involving damage, dislocation or disturbance of any utility line.

Section 56-265.31. Commission to establish advisory committee.

A. The Commission shall establish an advisory committee consisting of representatives of the following entities: Commission staff, utility operator, notification center, excavator, municipality, Virginia Department of Transportation, Board for Contractors, and underground line locator. Persons appointed to the advisory committee by the Commission shall have expertise with the operation of the Underground Utility Damage Prevention Act. The advisory committee shall perform duties which may be assigned by the Commission, including the review of reports of violations of the chapter, and make recommendations to the Commission.

B. The members of the advisory committee shall be immune, individually and jointly, from civil liability for any act or omission done or made in performance of their duties while serving as members of such advisory committee, but only in the absence of willful misconduct.

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of element 7, by the State Corporation Commission enforcement of The Virginia Underground Utility Damage Prevention Act as described in section 56-265.32:

56-265.32. Commission to impose civil penalties for certain violations; establishment of Underground Utility Damage Prevention Special Fund.
A. The Commission may, by judgment entered after a hearing on notice duly served on any person not less than thirty days before the date of the hearing, impose a civil penalty not exceeding $2,500 for each violation, if it is proved that the person violated any of the provisions of this chapter as a result of a failure to exercise reasonable care. Any proceeding or civil penalty undertaken pursuant to this section shall not prevent nor preempt the right of any party to obtain civil damages for personal injury or property damage in private causes of action. This subsection shall not authorize the Commission to impose civil penalties on any county, city or town. However, the Commission shall inform the counties, cities and towns of reports of alleged violations involving the locality and, at the request of the locality, suggest corrective action.

B. The Underground Utility Damage Prevention Special Fund (hereinafter referred to as "Special Fund") is hereby established as a revolving fund to be used by the Commission for administering the regulatory program authorized by this chapter. The Special Fund shall be composed entirely of funds generated by the enforcement of this chapter. Excess funds shall be used to support any one or more of the following: (i) public awareness programs established by a notification center pursuant to subsection B of ? 56-265.16:1; (ii) training and education programs for excavators, operators, line locators, and other persons; and (iii) programs providing incentives for excavators, operators, line locators, and other persons to reduce the number and severity of violations of the Act. The Commission shall determine the appropriate allocation of any excess funds among such programs, and shall establish required elements for any program established under clause (ii) or (iii).

C. All civil penalties collected pursuant to this section shall be deposited into the Underground Utility Damage Prevention Special Fund. Interest earned on the fund shall be credited to the Special Fund. The Special Fund shall be established on the books of the Commission comptroller and any funds remaining in the Underground Utility Damage Prevention Special Fund at the end of the fiscal year shall not revert to the general fund, but shall remain in the Special Fund.

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

VUPS has initiated many technology enhancements in damage prevention primarily through the Virginia Pilot Programs. These programs incorporate multi-stakeholder group participation. Below is a description of some of the primary programs in which VUPS and other primary stakeholders in Virginia have accomplished to improve technologies used in Virginia:

Virginia Pilot Program Phase I

Phase I of the Virginia Pilot know as "Electronic White line" allows a contractor to create a Miss Utility ticket in the field using a GPS enabled PDA phone. The application allows the contractor to create a complete ticket in the field or to start a ticket and complete it at a later time in the office on a PC.

Virginia Pilot Program Phase II

Phase II of the Virginia Pilot involves the application of GPS technology with locating instruments. The locator, utilizing locating equipment integrated with GPS receivers, will locate the underground facilities capturing the lat/long coordinates of the underground utility. The data captured, including a positive response, will then be uploaded to a PC which will correct the GPS data to sub meter accuracy. The data will then be transmitted to the one-call software application for the creation of the electronic manifest and posting of the positive response. This data will then be viewable by the excavator for the life of the ticket and all of the utilities that have been located on the ticket will have access to the data indefinitely.

Mapping Enhancements

VUPS began acquiring Virginia Geographical Information Networks' (VGIN) land-base map in 2007. The conversion to the VGIN map provided VUPS a geo-positional accurate map and provided VUPS a more accurate mapping system. The ortho-photography is flown at 1 foot resolution and when overlaid onto the RCL data, the information improves the accuracy of both excavators and Damage Prevention Specialists in locating an excavation site. Through membership participation, VUPS has been able to obtain municipality data. This data includes parcels, buildings and point addresses.

Adopt a Community Program

VUPS in conjunction with Williams Gas Pipeline (WGP) and PHMSA collaborated ideas to

enhance community awareness and design software with providing additional communications to enhance underground utility protection. The following applications were developed and are now in use:

1) E-911 Alert Server
2) Encroachment Notices
3) Building permit notification

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."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

Virginia meets the requirements of Element 9 by annually reviewing the state's damage prevention program at its Damage Prevention Conference, held each year since 1999. Participation by all stakeholders is encouraged; training and public awareness efforts are reviewed; the frequency and nature of Damage Prevention Act violations are reviewed in terms of the need to re-focus education on new areas; and new technology is highlighted.

In addition to the annual conference, the Virginia Underground Utility Damage Prevention Advisory Committee's monthly meetings include time set aside to review and analyze the progress in meeting the other eight elements of an effective damage prevention program. During the last 12 months, these reviews have led to the establishment of task groups to address the marking of sewer and water laterals, the use of the one call system by Realtors installing signs, and the marking of newly installed facilities by installation contractors.

Legislative/Regulatory Actions

Provide a description of any legislature or regulatory actions (including legislative/regulatory studies) taken by the State within the past five (5) years pertaining to damage prevention program improvement, even if those actions were not completely successful.

Virginia has had several legislative changes over the past 5 years. Changes were made to the Virginia Underground Utility Damage Prevention Act that addressed issues involved with abandoned facility lines. The Virginia State Corporation Commission Rules for the Enforcement of the Underground Utility Damage Prevention Act also received several additions including the following:

Section 20VAC5-309-80. Appeals generally: Creates an appeal process to the Supreme Court of Virginia

Section 20VAC5-309-110. General marking requirements: Identified eighteen specific utility line marking standards to be used across the state. This provided consistency with all marking allowing for easier understanding of the marks by excavators.

Section 20VAC5-309-140. Excavator's responsibilities to avoid damage, dislocating or disturbances of utility lines: Identifies five specific procedures for excavators to follow to protect underground facilities during the time of excavation.

State Damage Prevention Application Attachments

DraftgovernorsletterII.doc

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8. State Damage Prevention Program	$	$	$	$
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	$	$	$	$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. Non-Federal	$				
15. TOTAL (sum of lines 13 and 14)	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b)First	(c) Second	(d) Third	(e) Fourth
16. State Damage Prevention Program	$	$	$	$
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:

22. Indirect Charges:

23. Remarks:

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Standard Form 424A (Rev. 7- 97)
Prescribed by OMB (Circular A -102) Page 2

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OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received: 08/28/2009

4. Applicant Identifier:

5a. Federal Entity Identifier:

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Virginia Utility Protection Service

* b. Employer/Taxpayer Identification Number (EIN/TIN): 550859075

* c. Organizational DUNS: 146011619

d. Address:

* Street1: 1829 Blue Hlls Circle
Street2:
* City: Roanoke
County:
* State: VA: Virginia
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 24012

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr
* First Name: Richard
Middle Name:
* Last Name: Pevarski
Suffix:

Title: President & CEO

Organizational Affiliation:

* Telephone Number: 5409859355
Fax Number:

* Email: rpevarski@vups.org

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OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Pipeline &Hazardous Material Safety Administration

11. Catalog of Federal Domestic Assistance Number:

20.720

CFDA Title:

Pipeline Safety

*** 12. Funding Opportunity Number:**

DTPH56-10-SN-0001

* Title:

State Damage Prevention Grants

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

Virginia Utility Protection Service State Damage Prevention

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,00 0 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subjec t to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

* APPLICANT'S ORGANIZATION

Virginia Utility Protection Service

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Mr * First Name: Richard Middle Name:

* Last Name: Pevarski Suffix:

* Title: President & CEO

* SIGNATURE: Richard Pevarski * DATE: 08/28/2009

SEP 10 2009

COMMONWEALTH of VIRGINIA

Office of the Governor

Timothy M. Kaine
Governor

August 26, 2009

Mr. Jeffrey D. Wiese
Associate Administrator, Pipeline Safety
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE, Room E22-326
Washington, DC 20590

Dear Mr. Weise:

The purpose of this letter is to inform you that Virginia Utility Protection Service, Inc. (VUPS) is the appropriate state authority within the Commonwealth of Virginia to receive any grants under Section 2 of the Pipeline Inspection, Protection, Enforcement and Safety Act of 2006.

Sincerely,

Timothy M. Kaine

Patrick Henry Building • 1111 East Broad Street • Richmond, Virginia 23219
(804) 786-2211 • TTY (800) 828-1120
www.governor.virginia.gov