

**2009 State Damage Prevention Program Grants Progress Report**  
**Funding Opportunity Number: DTPH56-09-SN-0001**  
**CFDA Number: 20.720**

**Award Number:** DTPH56-G-PHPS12

**Project Title:** Railroad Commission of Texas State Damage Prevention

**Date Submitted:** 7/31/09

**Submitted by:** Mary McDaniel

**Specific Objective(s) of the Agreement**

Under this grant award, the Railroad Commission of Texas will continue to digitize documents associated with enforcement activities stemming from third party damage to underground pipeline facilities. As a result, the Commission will enhance its online data reporting system by providing open access to documents associated with enforcement activity.

**Workscope**

Under the terms of this agreement, the Grantee will address the following elements listed in 49 USC §60134 through the actions it has specified in its Application.

- Element (6): A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues.
- Element (7): 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 Section 9.01 Progress Report: “A comparison of actual accomplishments to the objectives established for the period.”)**

The Railroad Commission's Safety Division began enforcing damage prevention for the “movement of earth” on or in the vicinity of pipelines in September 2007. During the first twelve months of the program there were approximately 16,350 reports of damages submitted via the Commission's online damage reporting system. Damage reporting for year two appears to follow the same trend, with 18,720 reported from September 2008 to June 2009.

Actual accomplishments for much of the grant period are reported on the final report for grant DTPH56-08-G-PHPS11, as the performance periods for the two grants overlapped for five of the six months covered by this mid-year report. The Railroad Commission began work on grant DTPH56-09-G-PHPS12 in June 2009. The Commission seeks to improve the transparency of enforcement activities by making such actions available to stakeholders with the goal of fostering the support, education, and partnership of all interested parties. The Commission continues to enhance its online data reporting system by providing open access to all document associated with third party damage enforcement actions related to underground pipeline facilities. In the month of June, the Commission reports the following activity levels for Element 6 and Element 7:

- *1,855 on-line damage reports, with 1,198 by filed operators and 657 filed by excavators.*

- *2,156 scanned documents with a total page count of 12,691. Scanning includes: closed reports, closed dockets, safety division mail, returned mail, signed agreed orders, release notices, supporting documents and no damage reports.*
- *352 dockets went to Commissioners' Conference, including 163 for operators and 189 for excavators, with a total penalty amount collected of \$153,545.*
- *4 no damage reports were received for non-compliance and none for second notice.*

**Quantifiable Metrics/Measures of Effectiveness (Item 2 under Section 9.01 Project Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)**

The Commission prefers not to calculate a cost per unit of output at this time due to the limited period during which work occurred for this grant. The Commission will calculate a cost per unit at the conclusion of the grant period when more data is available specific to this grant.

**Issues, Problems or Challenges (Item 3 under Section 9.01 Project Report: “The reasons for slippage if established objectives were not met. “)**

The Commission did not begin work on this grant until June 2009 due to overlapping grant periods with grant DTPH56-08-G-PHPS11. Objectives were met during the period January to June 2009, but are applicable to the 2008 grant for five months of the six months mid-year reporting period. Data from June 2009 indicates that the Commission will meet established objectives for the 2009 grant since the overlapping period is over.

**Mid-term Financial Status Report**

The mid-term financial report has been sent as a separate attachment to the AA.

**Plans for next period (remainder of grant)**

During the remaining months of the grant period, the Commission will continue to digitize documents associated with enforcement activities stemming from third party damage to underground pipeline facilities. During this period, the Commission will also explore the possibilities of creating new queries or a unified query screen to make the Texas Pipeline Damage system data and enforcement actions more readily available online.

**Requests of the AOTR and/or PHMSA**

No actions requested at this time.