The never ending journey
The road system comprises 3.9 million miles of public roads along with 2 million miles of oil and natural gas pipelines.
Plus unknown millions of other buried facilities
In 2009 PHMSA initiated an effort to assess the extent to which each state is taking steps to incorporate the nine elements of effective damage prevention programs into the state’s damage prevention program. The nine elements were cited by Congress in the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006.

18 states were lacking in 2 or more categories
The Nine Elements of Effective Damage Prevention Programs include the following.

Element 1 - Enhanced Communication between Operators and Excavators
Element 2 – Fostering Support and Partnership of all Stakeholders
Element 3 – Operator’s Use of Performance Measures for Locators
Element 4 – Partnership in Employee Training
Element 5 – Partnership in Public Education
Element 6 – Enforcement Agencies’ Role to Help Resolve Issues
Element 7 – Fair and Consistent Enforcement of the Law
Element 8 – Use of Technology to Improve the Locating Process
Element 9 – Data Analysis to Continually Improve Program Effectiveness
Fair is fair

States lacked or partially lacked element
FACT
States with comprehensive damage prevention programs having lower damage rates
H.R. 2845: Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011
SEC. 3. PIPELINE DAMAGE PREVENTION.

(a) Minimum Standards for State One-Call Notification Programs- Section 6103(a) is amended to read as follows:

‘(a) Minimum Standards-

‘(2) IN GENERAL- In order to qualify for a grant under section 6106, a State one-call notification program, at a minimum, shall provide for--

‘(A) appropriate participation by all underground facility operators, including all government operators;

‘(B) appropriate participation by all excavators, including all government and contract excavators; and

‘(C) flexible and effective enforcement under State law with respect to participation in, and use of, one-call notification systems.

‘(2) EXEMPTIONS PROHIBITED- In order to qualify for a grant under section 6106, a State one-call notification program may not exempt municipalities, State agencies, or their contractors from the one-call notification system requirements of the program.’.
The Pipes act of 2006 provides limited authority to PHMSA to conduct civil enforcement proceedings against excavators in states who have failed to adequately enforce damage prevention laws.

Two intersecting pathways

- Do Nothing
- Go Forward
Public safety is the goal

“WE ARE THE PEOPLE THAT MAKE UP PUBLIC”
Damage prevention partnerships

- Owners
- Operators
- Contractors
- State agencies
- Public awareness outlets
Questions

Don Patterson
NW Natural-Damage prevention
dwp@nwnatural.com