






# Statewide Damage Prevention Programs and the Nine Elements

## South Carolina Survey Submitted by Carolinas AGC

The PIPES Act of 2006 placed strong emphasis on addressing and improving state damage prevention programs. PHMSA’s position is that effective damage prevention programs should be developed and implemented at the state level. However, there is considerable variability among state damage prevention laws and related damage prevention programs.

PHMSA seeks to characterize and document the states’ damage prevention programs relative to the nine elements of effective damage prevention programs defined in the PIPES Act. PHMSA’s goal in this effort is to gain a better understanding of the variability in state damage prevention programs across the United States at a level of detail that will assist PHMSA with making decisions regarding where and how to apply resources. PHMSA has created this document as the foundation of the state damage prevention program characterizations.

The purpose of this effort is *not* to assign scores to states’ damage prevention programs or to compare state programs against each other. Rather, this effort is designed to illustrate damage prevention program strengths and areas that could use improvement relative to the nine elements. PHMSA is interested in presenting a “Consumer Reports” style characterization of state damage prevention programs for presentation on PHMSA’s [Stakeholder Communications website](#). Thus, the characterization for each criterion will be indicated by the following symbols:

-  = Fully implemented and effective program element
-  = Partially implemented or marginally effective program element that needs improvement; actions are underway or planned for improvements
-  = Partially implemented or marginally effective program element that needs improvement; no actions are underway or planned for improvements
-  = Program element is not implemented and needs to be addressed
-  = No information available

### Sources of Characterization Criteria

PHMSA believes that the criteria listed under each element below are representative, for the most part, of the findings and recommendations of all parties (NAPSR, EDPI, PHMSA, and others) that were involved in interpreting and providing guidance for implementing the nine elements. In many cases, the Common Ground Alliance (CGA) Best Practices state the recommendations in the most clear and concise way and are aligned with the intentions of the parties listed above. However, the use of CGA Best Practices as criteria should not be construed as a mandate for adoption of the CGA Best Practices. Please note that only a selection of CGA Best Practices was used in this document and only if the Best Practices aligned with one or more of the nine elements. PHMSA recognizes that effective damage prevention programs can take many forms and the intent of this effort is to simply document what state damage prevention programs are currently doing.

Certain elements are more easily analyzed than others. Accordingly, the number of questions for each element varies. The number of questions for each element should not be construed as an indicator of the importance of the element. All elements are considered equally important. Finally, this document is not intended to be used by PHMSA as a basis for adjusting scores or reducing funding for state pipeline safety base grants.

No single document was the driver for development of the criteria. The resources used to develop the criteria were:

- PHMSA personnel and support staff recommendations
- PHMSA's Damage Prevention Assistance Program (DPAP) Guide (<http://primis.phmsa.dot.gov/comm/publications/DPAP-Guide-FirstEdition-20080911.pdf?nocache=6648>)
- Common Ground Alliance (CGA) Best Practices v. 6.0 ([http://www.commongroundalliance.com/Content/NavigationMenu/Best\\_Practices/Best\\_Practices\\_2009/Best\\_Practices\\_Version\\_6\\_0.htm](http://www.commongroundalliance.com/Content/NavigationMenu/Best_Practices/Best_Practices_2009/Best_Practices_Version_6_0.htm))
- Integrity Management for Gas Distribution (DIMP) Phase I Report, December 2005 ([http://www.cyclac.com/opsiswc/docs/S8/P0068/DIMP\\_PhaseIReport\\_Final.pdf](http://www.cyclac.com/opsiswc/docs/S8/P0068/DIMP_PhaseIReport_Final.pdf))
- Excavation Damage Prevention Initiative (EDPI) Guide to the 9 Elements ([http://www.commongroundalliance.com/Content/ContentGroups/General\\_CGA/EDPI\\_GuideTo9Elements\\_CGAWebVersion.pdf](http://www.commongroundalliance.com/Content/ContentGroups/General_CGA/EDPI_GuideTo9Elements_CGAWebVersion.pdf))
- National Association of Pipeline Safety Representatives (NAPSR) member input

#### **Documentation of State Damage Prevention Programs Not Included in This Document**

- PHMSA's state damage prevention law review spreadsheet (currently under development)






- OCSI Resource Guide (2009-2010) one call law summary (p. 19)








## Element 1 – Effective Communications






Overall Characterization:






*“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.”*

	Characterization Criteria						Notes
1.a	Unless otherwise specified in state law, excavators call the one call center at least two working days and no more than ten working days prior to beginning excavation. (CGA Best Practices v. 6.0, Best Practice 5-1; PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
1.b	All excavators must request the location of underground facilities at each site by notifying the facility owner/operator through the one call center. Few excavation activities are exempted from the one call requirement. Please list exemptions. (CGA Best Practices v. 6.0, Best Practice 5-1; PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Excavators must notify facility owner/operators who belong to the one call center and those who are not members. Membership in PUPS is voluntary. There are numerous exemptions for several classes of excavators. State law States: “(a) When conducted after individual contacts with public utilities or after joint preconstruction conferences with public utilities and the person proposing the excavation or demolition has a statement in writing from all public utilities operating in the area that the proposed activity was reviewed and





	Characterization Criteria	●	◐	◑	●	⊗	Notes
							<p>notification provided; or</p> <p>(b) When the Department of Transportation or a public utility is carrying out excavation or demolition entirely on and within an easement or right-of-way owned and controlled or controlled by that public utility or department and where no other public utility's facilities have been permitted, are existing, or are likely to exist; or</p> <p>(c) When a landowner installs or has installed facilities for his own purposes and under his direction on his own land provided: (1) he or his authorized representative has general knowledge of the location of underground utilities on his lands; and (2) the work location is remote from these utilities or facilities of a public utility serving the landowner or others.</p> <p>(d) In those localities or communities and within recognized boundaries, the Department of Transportation and public</p>

	Characterization Criteria						Notes
							utilities are exempt if they (1) are doing minor excavations such as for replacing or setting one or two poles, digging test holes, handholes, normal roadway maintenance, or similar minor excavations, and (2) there is a local agreement between public utilities and the Department of Transportation which includes notification before excavation or demolition.”
1.c	The excavator has access to a one call center 24 hours per day, 7 days a week. (CGA Best Practices v. 6.0, Best Practice 5-7)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
1.d	The one call center(s) serving a specifically defined geopolitical area is (are) structured so that an excavator need only make one call and a facility owner/operator need only belong to a single one call center. (CGA Best Practices v. 6.0, Best Practice 3-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	An excavator must notify all facility owner/operators. Many are not members of the Center, which requires multiple “calls.”






	<b>Characterization Criteria</b>						<b>Notes</b>
1.e	All facility locate requests result in a positive response from the facility owner/operator to the excavator. A positive response may include one or more of the following: markings or documentation left at the job site, callback, fax, or automated response system. A positive response allows the excavator to know whether all facility owners/operators have marked the requested area prior to the beginning of the excavation. (CGA Best Practices v. 6.0, Best Practice 4-9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Remarkably, SC State law states, "Should there be no response by the operators of all the public utilities at the site within three working days of telephonic notification, the person responsible for the excavation or demolition is free to proceed as though the location of all utilities had been determined as described earlier in this section."
1.f	The one call center, facility owners/operators, and excavators all have clearly defined written processes that define roles and responsibilities and facilitate communication between all parties. (CGA Best Practices v. 6.0, Best Practice 4-14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such document(s).
1.g	The communications processes support and encourage feedback from stakeholders on how the communication process can be improved. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Very polarized environment. Many utility owner/operators reject open communication and cooperation with other stakeholder groups.
1.h	The one call center has a process for receiving and transmitting requests for meetings between the excavator and facility operator(s) for the purpose of discussing locating facilities on large or complex jobs. (CGA Best Practices v. 6.0, Best Practice 3-14).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
1i	When the excavation site cannot be clearly and adequately identified on the locate ticket, the excavator designates the route and/or area to be excavated using white pre-marking (white-lining) prior to the arrival of the locator. (CGA Best Practices v. 6.0, Best Practice 5-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	

	<b>Characterization Criteria</b>						<b>Notes</b>
1.j	A uniform color code and set of marking symbols is adopted. (CGA Best Practices v. 6.0, Best Practice 4-3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Color Code - Yes. Marking Symbols - No.
1.k	There are processes in place to encourage facility owners/operators to respond to locate requests promptly, accurately, in compliance with state law. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
1.l	Facility owners/operators provide the one call center with mapping data that will allow proper notification of excavation activities near the facility owners'/operators' infrastructure. (CGA Best Practices v. 6.0, Best Practice 6-12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only those owner/operators that choose to be members of the one call center.
1.m	The locator provides feedback to the one call center on land base mapping and location discrepancies [and the one call center has a process in place to address these discrepancies]. (CGA Best Practices v. 6.0, Best Practice 6-9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
1.n	The excavator notifies the facility owner/operator directly or through the one call center if an underground facility is not found where one has been marked or if an unmarked underground facility is found. (CGA Best Practices v. 6.0, Best Practice 5-21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
1.o	An excavator discovering or causing damage to underground facilities notifies the facility owner/operator and the one call center. All breaks, leaks, nicks, dents, gouges, grooves, or other damages to facility lines, conduits, coatings or cathodic protection are reported. (CGA Best Practices v. 6.0, Best Practice 5-24; 49 USC Section 60114(d)(3)(A))	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.p	In the event of a damage that results in the escape of any flammable, toxic, or corrosive gas or liquid or endangers life, health or property, the excavator responsible for the damage immediately notifies 911 and the facility owner/operator. (CGA Best Practices v. 6.0, Best Practice 5-25; 49 USC section 60114(d)(3)(B))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	State law requires the excavator to take action to protect the public, and then notify owner/operator, and thirdly 911. CGA Best Practices recommend calling 911 first.

## Element 2 – Comprehensive Stakeholder Support

Overall Characterization:     

*“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.”*

	Characterization Criteria						Notes
2.a	There is a prominent and recognizable damage prevention program champion (organization or person) in the lead on improving the damage prevention program in the state.(PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	The construction industry along with several other stakeholders have promoted improving our program for years; however, resistance by some key owner/operators have stymied all efforts.
2.b	There are ongoing outreach efforts to engage and recruit stakeholders as partners in the damage prevention process. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such effort currently exists; however, we are in the process of creating an SC CGA Regional Partner.
2.c	There are few facility owners/operators that are exempt from one call membership. (CGA Best Practices v. 6.0, Best Practice 3-26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	There is no state requirement to be a member of the one call center.
2.d	The one call center board of directors is composed of representatives of all stakeholders, assuring that the viewpoints of all stakeholders will be considered in the policies and programs of the one call center. (CGA Best Practices v. 6.0, Best Practice 7-2: Incentive – One Call Center Board of Directors, p. 53)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	There is no mechanism to ensure legitimate industry representation on the one call board other than owner/operators.

	<b>Characterization Criteria</b>						<b>Notes</b>
2.e	All stakeholders have opportunity for providing input and feedback regarding the damage prevention process, including any efforts to change the state damage prevention law, rules, best practices, etc. (PHMSA; NAPSRS).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
2.f	The one call center or another entity routinely hosts and conducts in-house and field meetings with excavators, locators, and operators to educate, raise awareness, and encourage communication among stakeholders on how the damage prevention process can be improved. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	






### **Element 3 – Operator Internal Performance Measurement**

**Overall Characterization:**






*“A process for reviewing the adequacy of a pipeline operator’s internal performance measures regarding persons performing locating services and quality assurance programs.”*

Note: As stated in the PIPES Act, this element is focused on hazardous liquid and gas pipeline operators. The PHMSA DPAP Guidance expands the scope of this element to include all underground facility operators, although other facility operators are less likely to have such internal performance and QA programs.






	<b>Characterization Criteria</b>						<b>Notes</b>
3.a	Pipeline operators have a quality assurance program in place for monitoring the locating and marking of facilities. Facility owners/operators conduct regular field audits of the performance of locators/contractors and take action when necessary. (CGA Best Practices v. 6.0, Best Practice 4-18, NAPSRS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.

	<b>Characterization Criteria</b>						<b>Notes</b>
3.b	Pipeline operators include performance measures in facility locating services contracts with corresponding and meaningful incentives and penalties. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
3.c	Locate contractors address performance problems for persons performing locating services through mechanisms such as re-training, process change, or changes in staffing levels. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.
3.d	Facility owners/operators periodically review the Operator Qualification plan criteria and methods used to qualify personnel to perform locates. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.
3.e	During inspections of jurisdictional operators, the state pipeline safety agency reviews operators' locating and excavation <u>procedures</u> for compliance with state law and regulations. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
3.f	During inspections of jurisdictional operators, the state pipeline safety agency examines a sample of <u>records</u> to determine if locates are being made within the timeframes required by state law and regulations. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
3.g	During inspections of jurisdictional operators, the state pipeline safety agency determines if locating and excavating personnel are properly <u>qualified</u> in accordance with the operator's Operator Qualification plan and with federal and state requirements. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	

## Element 4 – Effective Employee Training


Overall Characterization:         

*“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.”*






	Characterization Criteria						Notes
4.a	A multi-stakeholder training committee or equivalent has been established, with participation by the one call center, facility owners/operators, the state enforcement agency, excavators, locators, and other interested stakeholders. Input from the committee is factored into the identification of training needs and the development and implementation of employee training programs for operators, excavators and locators. Damage prevention program training needs are systematically and periodically identified. (NAPSR; PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such committee or equivalent.
4.b	Training curricula are prepared, readily available, and periodically reviewed for needed changes. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.
4.c	Employee training programs and the development process for these programs are periodically evaluated for effectiveness and needed changes. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.
4.d	For all stakeholders, Employee training programs and needs are tailored to available data trends relative to performance, complaints, near misses or damage incidents and, if necessary, in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	

	response to specific incidents. (PHMSA)						
4.e	A training calendar is maintained and training is scheduled in support of the needs of stakeholders. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.
4.f	Training records for individuals are maintained. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only if required by federal regulations or done by choice, no state requirement or entity to oversee such activities.

## Element 5 – Public Education

Overall Characterization:     

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

	Characterization Criteria						Notes
5.a	Public education programs are used to promote compliance. A single entity is charged to promote comprehensive and appropriate programs to educate all stakeholders about the existence and content of the damage prevention laws and regulations. This is not meant to discourage individual stakeholders from providing educational programs. (CGA Best Practices v. 6.0, Best Practice 7-1 A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No one entity has been “charged” with this because there is no authority to charge any one. Individual stakeholders/groups conduct their own programs, i.e., one call center, AGC, municipalities, etc.
5.b	The state damage prevention education program establishes strategic relationships in an effort to leverage common resources. These relationships are established between governmental agencies, emergency responders, associations of all types, media outlets, grass roots organizations, and others and involve partnering to further damage prevention education efforts. (CGA Best Practices v. 6.0, Best Practice 8-8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such program exists.
5.c	The state damage prevention education program includes a comprehensive, strategic marketing/advertising plan that focuses on setting realistic goals and allocating sufficient resources required to achieve these goals within specified timeframes. (CGA Best Practices v. 6.0, Best Practice 8-1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
5.d	Damage prevention stakeholders, including facility owners/operators, locators, excavators, government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	

	Characterization Criteria						Notes
	representatives, and others use field representatives to provide education anytime and anywhere it is needed. (NAPSR)						
5.e	The state damage prevention education program includes identification of target audiences and their individual needs. (CGA Best Practices v. 6.0, Best Practice 8-2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such program exists.
5.f	The one call center has a documented, proactive public awareness, education and damage prevention program. (CGA Best Practices v. 6.0, Best Practice 3-1)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	

## **Element 6 – Dispute Resolution**

Overall Characterization:






*“A process for resolving disputes that defines the State authority’s role as a partner and facilitator to resolve issues.”*






	Characterization Criteria						Notes
6.a	A state authority is designated as having a clearly defined role as a partner and facilitator in resolving/mediating damage prevention disputes. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such authority exists.
6.b	There is a due process for resolving disputes related to damage prevention issues. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.
6.c	The state authority operates under a transparent set of rules and procedures to resolve damage prevention disputes. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such authority exists.
6.d	Dispute resolution is accomplished through a balanced committee of stakeholders. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.

## Element 7 – Enforcement

Overall Characterization:

*“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.”*

	Characterization Criteria						Notes
7.a	A damage prevention enforcement authority is defined by state law or regulation. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	The State’s Attorney General is charged in the law with enforcement. However, there has never been an enforcement action since the law was put into effect in 1978.
7.b	The enforcement authority (if one exists) has a defined process for receiving reports of violations from any stakeholder. and a transparent violation review process and violation assessment considerations. (CGA Best Practices v. 6.0, Best Practice 7-5 A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.
7.c	The violation review process and violation assessment considerations are transparent. (CGA Best Practices v. 6.0, Best Practice 7-5 A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.
7.d	The enforcement authority (if one exists) collects and makes available to interested parties annual statistics on the numbers of incidents, investigations, enforcement actions, proposed penalties, and collected penalties. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
7.e	Damage prevention law and regulations are reasonably enforced. Reasonable enforcement refers to actions by enforcement authority officials and enforcement processes, both of which aim to fairly arrive at rational outcomes without imposing unnecessarily high transaction costs on any participant. The	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No enforcement whatsoever.

	Characterization Criteria						Notes
	penalty system (if one exists) does not allow any violator or class of violators to be shielded from the consequences of a violation (i.e., all stakeholders are held accountable). (CGA Best Practices v. 6.0, Best Practice 7-3) (CGA Best Practices v. 6.0, Best Practice 7-2; NAPSRS)						
7.f	The compliance program (if one exists) includes penalties for violations of the damage prevention laws or regulations. Performance and penalty incentives are equitably administered among stakeholders subject to one call provisions. The penalty system (if one exists) uses a tiered structure to distinguish violations by the level of severity or repeat offenses (e.g., warning letters, mandatory education, civil penalty amounts). (CGA Best Practices v. 6.0, Best Practice 7-3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such program exists.
7.g	The enforcement authority (if one exists) has a defined process for involving stakeholders in periodic review and modification of enforcement processes. (CGA Best Practices v. 6.0, Best Practice 7-5 A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.
7.h	The enforcement authority (if one exists) has the resources to respond to notifications of alleged violations in a timely manner. (CGA Best Practices v. 6.0, Best Practice 7-5 A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
7.i	Any time a pipeline damage occurs, the enforcement authority (if one exists) performs a proper investigation. This is to determine not only the responsible party but also the root cause of the damage. (CGA Best Practices v. 6.0, Best Practice 4-16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
7.j	During investigations of incidents or accidents resulting from excavation damage, the state pipeline safety agency determines if state laws and regulations on locating and proper excavation were followed. (NAPSRS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
7.k	A structured review process is used to impartially adjudicate alleged violations. The review process is performed by either: <input type="checkbox"/> Type 1: A single entity, like a state pipeline regulatory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	






	Characterization Criteria						Notes
	authority, Attorney General, etc. Please indicate the entity performing reviews in notes. <input type="checkbox"/> Type 2: An advisory committee (made up of stakeholders) partnered with the enforcement authority.						
7.1	Regardless of type, the review process is considered effective by most stakeholders. (CGA Best Practices v. 6.0, Best Practice 7 B)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such process exists.
7.m	The enforcement authority (if one exists) uses incentives, such as performance and education credits, to encourage compliance by stakeholders. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	

## **Element 8 – Technology**






Overall Characterization:

*“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.”*






	Characterization Criteria						Notes
8.a	A multi-stakeholder committee or equivalent has been established to evaluate technologies that may improve damage prevention processes. The committee includes participation by the one call center, facility owners/operators, the state enforcement agency, excavators, locators, and other interested stakeholders. Damage prevention program technology needs are systematically and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	No such committee or equivalent exists.






	<b>Characterization Criteria</b>						<b>Notes</b>
	periodically identified. (PHMSA)						
8.b	Implementation of technology among stakeholders is generally tailored to data trends relative to performance, complaints, near misses or damage incidents and, if necessary, in response to specific incidents. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
8.c	Effective training accompanies the implementation of new technologies. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
8.d	Critical stakeholders (such as the one call center and the enforcement authority) maintain records of key technologies that have been implemented, including disaster recovery and continuity of operations plans. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
8.e	The one call center uses available technology whenever possible to enhance all aspects of its communications with members, excavators, and the general public. (NAPSR)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	

## Element 9 – Damage Prevention Program Review

Overall Characterization:     

*“A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews.”*

	Characterization Criteria						Notes
9.a	Data analysis and program evaluation are used to support the effectiveness of the program and the One Call law, identification and implementation of program improvements, such as process changes, enforcement actions, legislative actions, rulemaking/regulatory actions, and decisions regarding resource allocation. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
9.b	The one call center establishes and monitors performance standards for the operation of the center, including average speed of answer, abandoned call rate, busy signal rate, customer satisfaction, locate request quality, and notification delivery. (CGA Best Practices v. 6.0, Best Practice 3-23)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
9.c	Facility owners/operators, locators, excavators, or stakeholders with an interest in underground damage prevention report damages to the CGA Damage Information Reporting Tool (DIRT) or equivalent. (CGA Best Practices v. 6.0, Best Practice 9-1; PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Only on a case-by-case voluntary basis, no statewide organized effort.
9.d	Training and education on how and when to complete the damage reporting form (via DIRT or equivalent) is made available. (CGA Best Practices v. 6.0, Best Practice 9-8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
9.e	The reported damages data is used to assess and improve underground damage prevention efforts. (CGA Best Practices v. 6.0, Best Practice 9-16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	

	<b>Characterization Criteria</b>						<b>Notes</b>
9.f	Results of damage reports are quantified against a standardized risk factor. The risk factor considers a stakeholder's exposure to potential damage. This risk factor may be based on factors such as the number of miles of line installed or the number of one call center notification tickets. For example, a risk factor may compare how many underground damages occurred in a certain time period versus the total number of notification tickets issued. (CGA Best Practices v. 6.0, Best Practice 9-20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
9.g	Performance levels and trends are assessed against other organizations. (CGA Best Practices v. 6.0, Best Practice 9-21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	
9.h	The reported damages data (in whole or summarized) is made available to the public. (PHMSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	