

One Call and the Damage Prevention Committee

WHAT WE HAVE LEARNED

September 10, 2020

Presenters: Terri Cooper-Smith, DPC Chairperson
Kasha Schreffler, Damage Prevention Supervisor





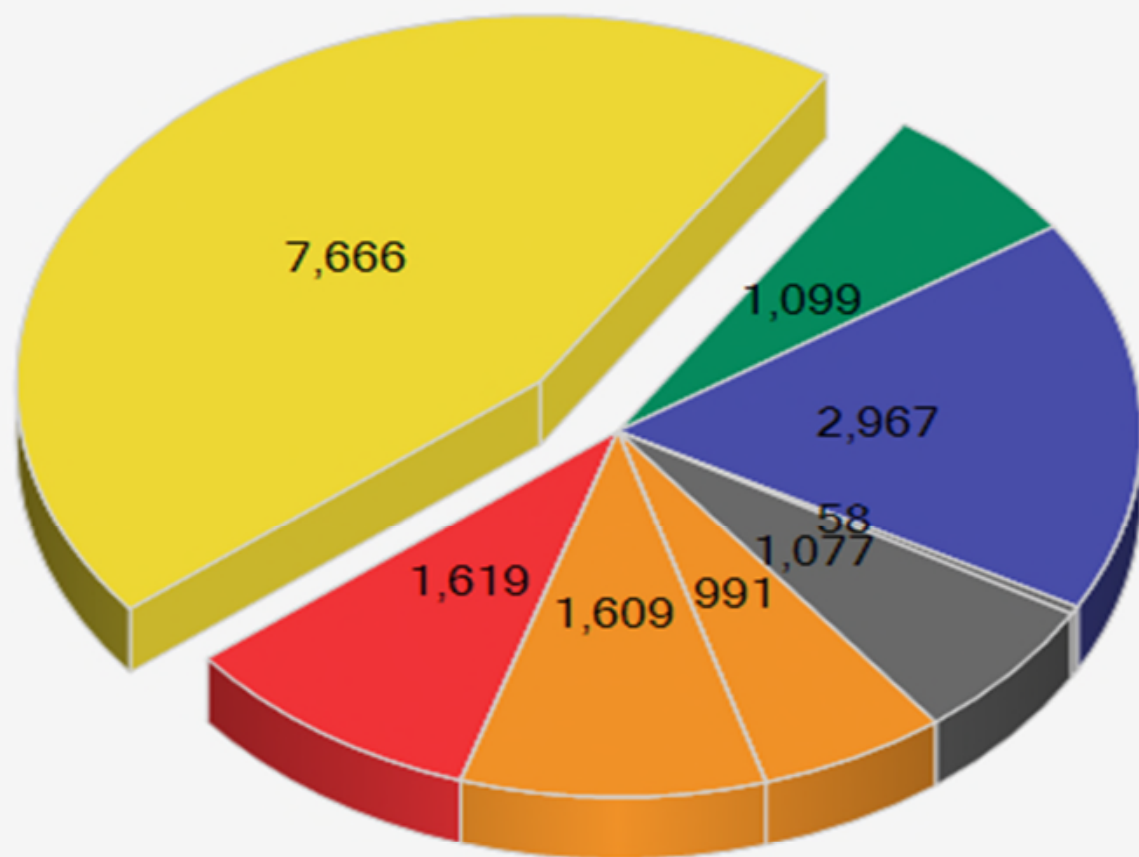
THE TEAM

Alleged Violation Reports (AVRs)

As of September 1, 2020:

- We have received 17,717 AVRs since we were established on April 28th, 2018
- So far in 2020, we've received 5,630 AVRs
- All AVRs are reviewed and recorded





Other Communications Natural Gas/Petroleum Pipeline Water/Waste Water Traffic Loop
Cable Electric Sewer



Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120





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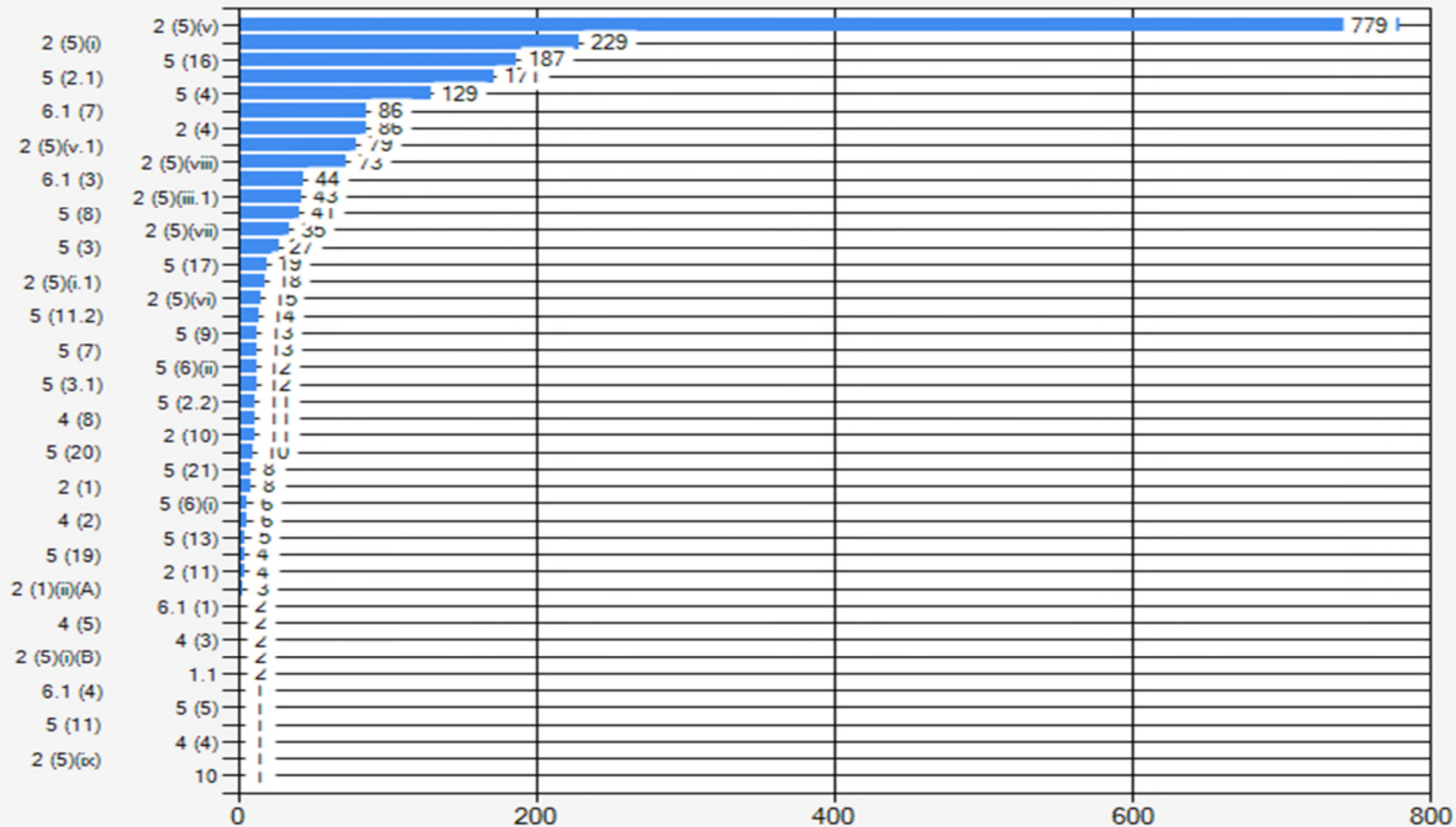
There was no ABC employee on site at time of line hit, contractor had 2 to 3 crews at the time working on main line project. Eddie one of ABC's employee's was with the service crew at the time of the hit and did not hear about it until a day or 2 after. He did not receive much information about it, other than it was a service line.

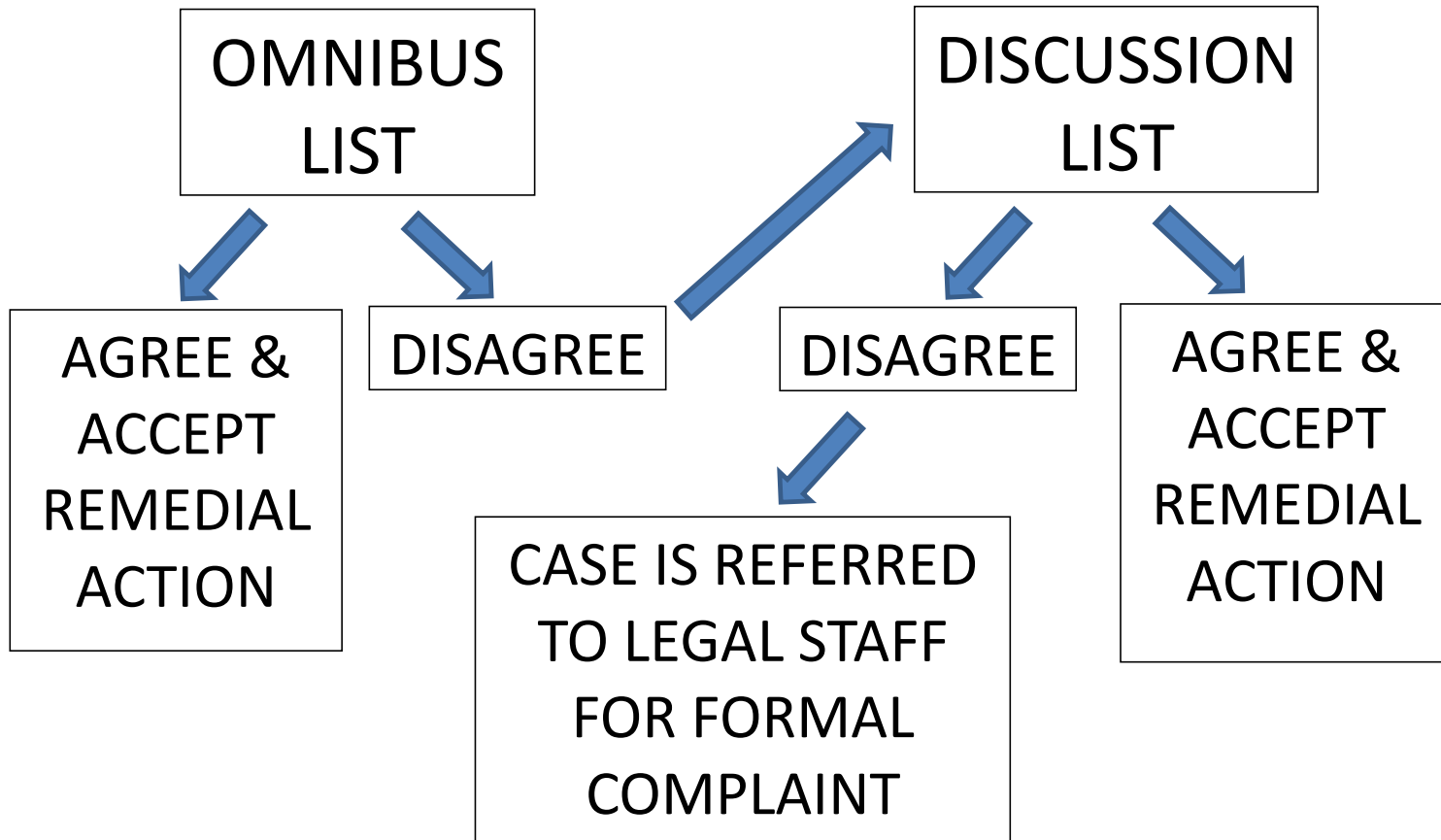


Summary

Home owner thought he knows where gas line is was to the left more than he thought







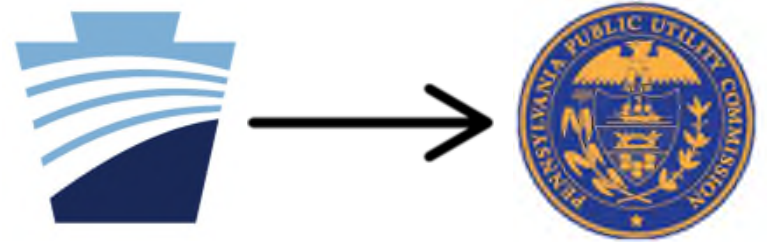
The Law

- Underground Utility Line Protection Law, 73 P.S. §§ 176 *et seq.*
- “Act 50” of 2017
 - Six-year endeavor
 - HB 284, SB 242 of 2017
 - Signed by the Governor on October 30, 2017
 - Fully effective on April 28, 2018



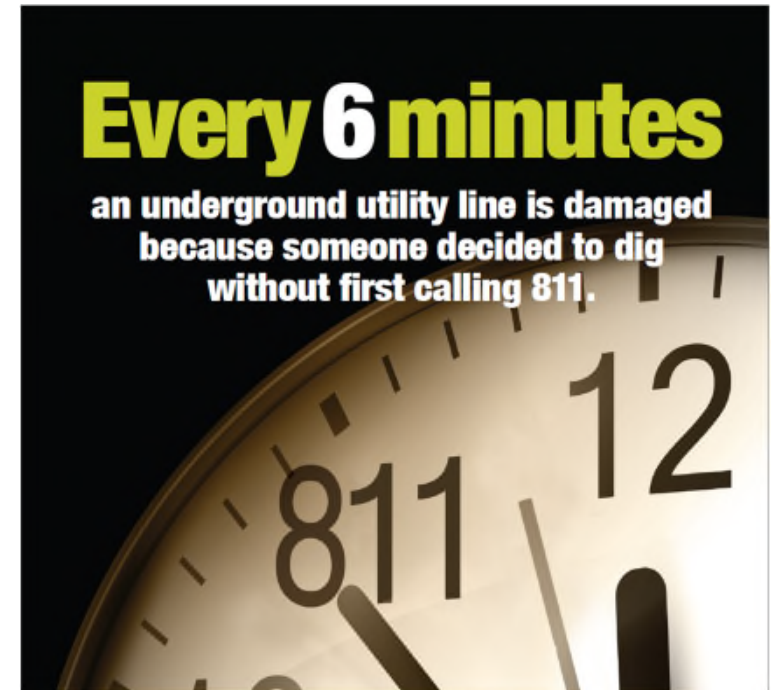
Amendments to Underground Utility Line Protection Law

- Act 50 of 2017
 - Transferred enforcement authority
 - Removes certain exemptions
 - Creates a Damage Prevention Committee
 - Establishes administrative process for violations and penalties



Commission Goals in Enforcement

- Promote public safety
- Reduce damage to underground lines and facilities that can result in property damage, injury, and/or death
- Reduce number of “near-miss” events
- Heighten stakeholder awareness
- Develop a peer-based group of professional facility owners, excavators, and municipalities that will aid in the state-wide effort to minimize damage to underground utilities



The Damage Prevention Committee

- “A new general in town”
- Section 7.8(a) of Act 50
- Established to assist in the enforcement efforts of the Commission and in matters related to damage prevention of underground lines and facilities



DPC Composition

- Comprised of 13 members representing the Commission, PA One Call System, PennDOT, facility owners, excavators, municipalities, and municipal authorities
- Members nominated by peers, approved by the Commission



Terri Cooper Smith, Chair



Eric Swartley, Vice Chair



Mark Santayana, Secretary

DPC Duties and Responsibilities

- Section 7.8(b) of Act 50
- Review reports of alleged violations of Act 50
 - Violations resulting in injury or death are referred directly to I&E-Legal for formal prosecution
- Issue warning letters
- Issue informal determinations
 - Impose administrative penalties
 - Require the attendance of educational programs



DPC Goals

- Reduce line hits and service interruptions
- Facilitate communication, cooperation, and coordination among stakeholders
- Heighten stakeholder awareness to the requirements of Act 50
- To promote and participate in education and training programs related to the prevention of damage to facilities to increase public safety



Administrative Process

- Section 7.8(c) of Act 50
- DPC informal determination modifies, adopts, or dismisses recommendation of Damage Prevention Investigator (DPI)
- DPC may assess administrative penalty of up to \$2,500 per violation
- Alleged violator may accept or reject DPC informal determination
 - Accept: pay administrative penalty and/or attend educational program
 - Reject: matter referred to DPI for further action, if appropriate, matter is referred to I&E-Legal for prosecution



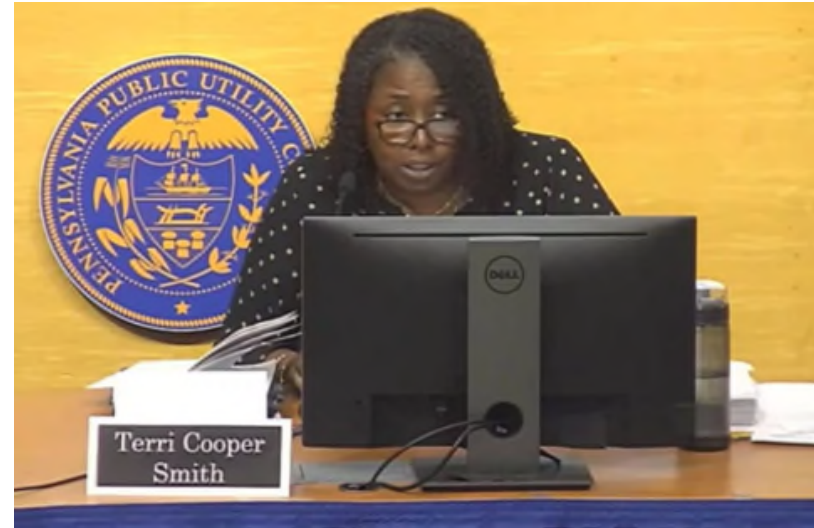
DPC Meetings

- Monthly
- Informal and open to the public
- Alleged violator presents position to DPC
 - Technical representative preferred



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- December 2019 DPC Meeting:
https://www.youtube.com/watch?v=ex3uDXSZ_0U



DPC Statistics

- Since its initial meeting in November 2018:
 - Held 18 meetings
 - Reviewed 639 cases
 - Cited nearly 2,228 violations of Act 50
 - Levied \$1,234,025 in administrative penalties

