DAMAGE PREVENTION BOARD

Agenda Item No. 01               Agenda

PRESENTER:  Mark Van Slyke, Chairman

OBJECTIVE:  Approve agenda for the January 26, 2017 Damage Prevention Board meeting.

ACTION:  Consent

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS:  Tentative agenda
TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

DAMAGE PREVENTION BOARD
VIDEOCONFERENCE MEETING

Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello

Thursday, January 26, 2017
9:30 a.m. - 3:00 p.m. (MT)

(Note: North Idaho - Meeting Commences @ 8:30 a.m. PT)

9:30 a.m. CALL TO ORDER – Mark Van Slyke, Chairman
  o Roll Call & Introductions
  o Open Forum

CONSENT AGENDA
1. Approval of the January 26, 2017 Agenda
2. Approval of the November 10, 2016 Board Meeting Minutes

ACTION AGENDA
3. PHMSA Notice and Appeal – Joe Leckie, Board Member

INFORMATIONAL AGENDA
4. Subcommittee Reports – Various Board Members
5. Virtual DIRT Report Expert (GoTo Meeting 11:00AM) – Steven Blaney, DIRT Program Manager, New York
6. Pipeline & Hazardous Materials Safety Administration (PHMSA) – Joe Leckie, Board Member
7. Management of Complaints Pending Defined Process – Chairman, Mark Van Slyke
8. Damage Prevention Board Webpage Design and Development – Chairman, Mark Van Slyke
9. Administrator Report – Chris Jensen
   a. Financial Report

3:00 p.m. ADJOURN

All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on Board preference. 1/12/2017
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<th>Agenda Item No. 02</th>
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<tr>
<td>PRESENTER:</td>
<td>Mark Van Slyke, Chairman</td>
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<tr>
<td>OBJECTIVE:</td>
<td>Approve minutes from the November 10, 2016 Damage Prevention Board meeting.</td>
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<tr>
<td>ACTION:</td>
<td>Consent</td>
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<td>BACKGROUND:</td>
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<td>PROCEDURAL HISTORY:</td>
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<td>ATTACHMENTS:</td>
<td>Draft minutes</td>
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IDaho Damage Prevention Board
Videoconference Meeting

Thursday, November 10, 2016 – 9:30 a.m. (MT)

Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello

*Draft Minutes of the November 10, 2016 Meeting*

Note: The following report is not a verbatim transcript of the discussions at the meeting; however, is intended to record the significant features of those discussions.

Chairman Mark Van Slyke called the meeting to order at 9:30 a.m. (MT)

**Board Members Present:**
- Mark Van Slyke, Chairman
- Vaughn Rasmussen, Vice-Chairman
- Jeanna Anderson - Absent
- Bob Chandler
- Jeffrey Diehl
- Roy Ellis - Absent
- Joe Leckie
- Linda Phillips
- Nichole Rush
- Scott Spears
- Jerry Piper

**DBS Staff Members Present:**
- C. Kelly Pearce, Administrator
- Steve Keys, Deputy Administrator
- Patrick Grace, Deputy Attorney General
- Fred Sisneros, Financial Manager
- Chris Jensen, Regional Manager, Region 3
- Larry Jeffres, Regional Manager, Region 1
- Laurie Jilbert, Executive Assistant

- Call to Order
  Chairman Van Slyke called the meeting to order at 9:30 a.m. (MT). Roll call taken, Jeanna Anderson and Roy Ellis absent. Quorum established.

- Open Forum
  The Chairman noted there were no guests in the audience; however, he took the opportunity to discuss the use of Roberts Rules of Order to conduct the Damage Prevention Board (Board) meetings. The Chairman is agreeable to relax the formal process, but supports the need to maintain order at the meeting.
• Approval of the November 10, 2016 Agenda
The Chairman called for the approval of the agenda; Jerry Piper made a motion to approve, Chairman Van Slyke requested a couple of changes to the agenda; Joe Leckie asked for the PHMSA presentation to be moved to the next meeting, and agenda item 5, formation of three (3) subcommittees, clarification on the number of subcommittees.

MOTION: Jerry Piper made the motion to approve the agenda with the removal of item 6 (PHMSA), motion seconded by Joe Leckie. Vote called, all in favor, motion carried.

• Approval of the September 8, 2016 Board Meeting Minutes and September 22, 2016 “Special” Board Meeting Minutes.

MOTION: Jerry Piper made the motion to approve the September 8, 2016 Board Meeting Minutes and September 22, 2016 “Special” Board Meeting Minutes as presented. Bob Chandler seconded. Vote called, all in favor, motion carried.

• Public Hearing
Patrick Grace, Deputy Attorney General (DAG), discussed the Board’s action at the September Board meeting to establish a fee rate and collection on notices to one-number notification services in the form of a temporary/proposed rule. The notice of rulemaking was published in the Administrative Bulletin which came out on November 2\textsuperscript{nd}. This notice affords the public the opportunity to comment on the temporary/proposed rule. The hearing was scheduled for today to allow any interested parties to come before the Board to express any concerns or contributions to the rule. The Division of Building Safety (DBS) has not received any comments on this rulemaking. Patrick Grace believes the Damage Prevention Board rulemaking is ready to proceed to the legislature. Discussion was held on negotiated rulemaking, the DAG clarified the agency’s practice with the negotiated rulemaking process to include interested parties’ participation with the formulation of the rule, and participation with comments on the rule after it’s been published in the Administrative Bulletin.

• Schedule 2017 Board Meetings
Chairman Van Slyke recommended the Board meet every other month to address the business required of the Board. Vaughn Rasmussen recommended the Board pick a day of the month to meet, i.e. Wednesday, Tuesday, etc. The Board agreed Thursdays would be a good day of the week for most. Discussion continued, the fourth Thursday of the month was recommended as the meeting dates for the Damage Prevention Board. Review of the DBS Boards calendar for open dates on the fourth Thursday. Discussion was held on the dates to be selected for 2017.
**MOTION:** Jerry Piper made a motion for the Damage Prevention Board to meet in 2017 on January 26th, March 23rd, May 25th, July 13th, and September 28th. Scott Spears seconded the motion. Vote called, all in favor, motion carried.

**ACTION:** The 2017 Damage Prevention Board meeting dates will be published on the calendar on the DBS website.

- **Formation of Committees**
  Chairman Van Slyke addressed the Board on the formation of subcommittees to fulfill the statutory tasks the DAG provided the Board at the September 8, 2016 meeting. The statutes are 55-2203(9), 55-2203(13), 55-2203(14), 55-2203(17), 55-2208(4), 55-2208(5), and 55-2211(1). The Chairman called for volunteers. Subcommittee #1 will be chaired by Vaughn Rasmussen and will include Joe Leckie, Mark Van Slyke, Jerry Piper and Linda Phillips. Subcommittee #2 will be chaired by Joe Leckie and will be comprised of Jerry Piper, Linda Phillips and Vaughn Rasmussen. Subcommittee #3 will be chaired by Scott Spears and will consist of Jeffrey Diehl, Nichole Rush and Bob Chandler. Jerry Piper inquired if the subcommittees were bound to the Open Meeting Law? Patrick Grace, DAG, researched the question and advised the Board they would not be bound to the Open Meeting Law.

Jerry Piper proposed each subcommittee provide a report at the January meeting; standing agenda item for each meeting.

The Chairman called for a motion.

**MOTION:** Joe Leckie made a motion to move forward with the formation of the subcommittees, Linda Phillips seconded. Vote called, all in favor, motion carried.

**ACTION:** Three subcommittees have been formed with assigned tasks and will provide reports at the Board meetings as a standing agenda item.

- **Pipeline & Hazardous Materials Safety Administration (PHMSA)**
  The PHMSA presentation was postponed until the January meeting. Chairman Van Slyke asked Joe Leckie if he had any information for the Board on PHMSA in advance of the presentation. Joe informed the Board Idaho went through the PHMSA review in June for adequacy and inadequacy, that determination has not been made public yet, so he is not aware if Idaho was deemed adequate or inadequate. Seven states have been deemed inadequate and five have been deemed adequate. Idaho will probably be in the next group of states where the decision will be revealed. Joe advised PHMSA will scale the degree of inadequacy in the determination; however, it is unclear on how that will be measured, but are afforded a grace period to address deficiencies. If Idaho is deemed inadequate, it will be
based upon the old law and Joe is confident with the passing of the new law and creation of the Idaho Damage Prevention Board, Idaho will be afforded some leeway. Discussion continued. Linda Phillips inquired what the parameters were for the states that were determined adequate. Joe has not afforded a lot of time assessing this information, however, the sense he gets is the PHMSA committee that is performing the review appreciates the Idaho Damage Prevention Board model. Chairman Van Slyke expressed the ultimate goal is to stop damages to underground facilities. Joe emphasized the need for metrics to reveal success with the reduction of damages. Joe will attempt to gather as much information on adequate and inadequate plans for the presentation at the January meeting.

* Damage Information Reporting Tool (DIRT) Report

Steve Keys referred to the information included in the board packet on virtual private DIRT. Steve does support this is probably the best solution to gathering data relative to incidents; however, there doesn’t appear to be a mechanism for capturing or enabling the enforcement of reporting an incident. Steve clarified the information is not specific to the parties involved, it is basically anonymous, but is the mechanism that most other jurisdictions use to gather this data. Under the statute, there are two different levels of reporting; a level for gathering information relative to the overall performance and; the complaint process that comes to the Board where it is expected to take action. The recommendation DBS would make to the Board is for the Board to proceed down the path of developing a virtual DIRT reporting mechanism for the state of Idaho. Steve revealed costs would include $500 set-up and $500 annually, initial cost $1,000. Another consideration to take into account is whether utilities are currently using virtual DIRT, if they have their own virtual DIRT reporting mechanism at this time or not, because the way virtual DIRT works is based upon a hierarchal system that accumulates all of the data into the national report. If there were other entities in Idaho that have their own virtual DIRT reports, their data would need to flow into the Idaho report. Steve is confident this option would be far less expensive for Idaho than trying to develop our own data collection program. Linda Phillips offered she didn’t believe any entities had their own virtual DIRT private report. Linda reported there are currently 20-24 entities (underground facility owners) that are reporting to DIRT now, but she explained there are also approximately a dozen entities that don’t have annual damages that just forward their information along to the one-call center. Discussion continued. Placement of the virtual DIRT report for the state of Idaho could be housed on the Division of Building Safety’s website.

Discussion continued on the process to notify all underground facility owners of the need to report their information on the Idaho virtual DIRT report through a link on the DBS website. Concern was expressed on how the Board could get all entities to report their data. The Board has the ability to impose civil penalties. Enforcement sanctions were discussed. Steve emphasized the virtual DIRT report cannot be used for regulatory action, it is frowned upon.
Vaughn Rasmussen expressed desire to speak with someone that is using the virtual DIRT report. Chairman Van Slyke inquired with Linda Phillips if there was a ‘quasi expert’ that could speak to the Board. Linda confirmed the person is from Colorado and she will make contact to see if he could provide a presentation to the Board in January.

**Larsen Farms Complaint**
Vaughn Rasmussen reported he received a call from DBS with a reported concern from Larsen Farms, a big farmer north of Rexburg in the Du Bois area; they process alfalfa and ship worldwide. Vaughn contacted the foreman and was notified he wasn’t able to get anyone to come out and locate lines, it was a valid complaint. Vaughn was able to make some calls into the one-call center and was able to get him help. The question Vaughn posed to the Board was, is this an issue the Board would manage as a complaint or does it have to be after damages occur. Linda Phillips advised there is a misconception the one-call center performs the locate, they don’t; it was the locate company for the underground facility owner. Discussion continued. The Damage Prevention Board statute addresses non-compliance. Administrator Pearce extended appreciation on behalf of DBS to Vaughn Rasmussen for his assistance with the matter. Chairman Van Slyke believes the process is already working!

**Open Meeting Law**
Patrick Grace was asked at the last Board meeting to provide a more in-depth summary of the Open Meeting Law. Patrick distributed the Open Meeting Law Manuals that are distributed by the Attorney General’s Office. Idaho Code 74-201 states the general purpose of the Open Meeting Law. Patrick continued, whenever a board makes a decision, it has to be done in a public meeting; a judicatory situation applies as well. Interpretation by the DAG; has to be a meeting with a quorum with the intent to decide or deliberate on an issue. The DAG continued the review. Section 74-204 addresses the notice of meetings, regular meetings must be noticed not less than five (5) calendar days, posting of agenda must be done two days prior to the meeting. The DBS will be responsible for notice and posting requirements for the Damage Prevention Board. Special meetings require at least 24 hours for both notice and posting of the agenda. Executive session can only be had in the confines of a meeting which requires notice; it must be on the agenda. Section 74-205 written minutes requirement reviewed. Minutes are required for executive session; you have to conclude sufficient detail to identify the topic or purpose of the executive session, but not information sufficient to compromise the purpose of going into executive session, roll call, vote with 2/3 approval, and cite the subsection of the law. Executive session is not the proper forum to make any final decisions, discussions only. Review continued. Final section 74-208, violation of the Open Meeting Law; all decisions at the meeting are made null and void, and members that participate in a meeting that violates the Open Meeting Law are subject to a $250 civil
penalty. There is an appeal process to try to cure the violation and there are prescribed timelines for the cure process to take place.

**Administrator Report**
Kelly Pearce explained, traditionally, we would have Fred Sisneros, Financial Manager, provide a financial report at this point in the meeting, however, there really are no finances, however included in the back of your board packet is a report of expenditures that have been made; without going into detail the expenditures are the administrative charges. Kelly Pearce called upon Linda Phillips to provide a review of the report on ticket volume from 2006-2016. Review continued. Kelly stated the annual estimation is about $80,000 in cash flow for the Board. Once the Board gets beyond the federal grant monies, there aren’t any guarantees of future monies. The grant monies have yet to be received, DBS has been working with two separate federal agencies in an attempt to get some definitive information on the delivery of funds. With Joe Leckie’s assistance, Kelly believes they have instructed the agency to ‘cut the check’. Kelly provided an overview of the building activity with a comparison from 2008 to 2016. Linda cautioned the trends that Kelly cited with the building industry holds true with the ticket projections.

**Adjournment**
**MOTION:** Jerry Piper made a motion to adjourn the meeting, Nichole Rush seconded. Vote taken, all in favor, motion carried.

The meeting adjourned at 12:10 p.m. (MT)

MARK VAN SLYKE, CHAIRMAN  CHRIS JENSEN, ADMINISTRATOR
IDAHO DAMAGE PREVENTION BOARD  DIVISION OF BUILDING SAFETY

DATE  DATE

*These DRAFT minutes are subject to possible correction and final approval by the Idaho Damage Prevention Board. 1/5/17lj*
### DAMAGE PREVENTION BOARD

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<td><strong>PRESENTER:</strong></td>
<td>Joe Leckie, Board Member</td>
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<td><strong>OBJECTIVE:</strong></td>
<td>Review PHMSA Determination of Idaho’s Damage Prevention Enforcement Program.</td>
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<tr>
<td><strong>ACTION:</strong></td>
<td>Determine whether Idaho will appeal PHMSA determination.</td>
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<td><strong>ATTACHMENTS:</strong></td>
<td>PHMSA Adequacy Evaluation Rating Letter</td>
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OVERNIGHT EXPRESS MAIL

The Honorable Lawrence G. Wasden
Attorney General of Idaho
700 W. Jefferson Street, Suite 210
Boise, ID 83720

Dear Attorney General Wasden:

On June 1, 2016, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an adequacy evaluation of Idaho’s enforcement of its excavation damage prevention law, Title 55, Chapter 22—Underground Facilities Damage Prevention. This letter serves as your official notice of our findings and determination. Based on the evaluation, PHMSA has determined that enforcement of Idaho’s excavation damage prevention law is INADEQUATE due to the State responding no to the following evaluation criterion:

   In the previous calendar year, did the State assess civil penalties and/or other sanctions for violations?

PHMSA conducted the evaluation pursuant to 49 United States Code (USC) § 60114 and 49 Code of Federal Regulations (CFR) Part 198, Subpart D—State Damage Prevention Enforcement Programs. Our representatives met with Joe Leckie of the Idaho Public Utilities Commission. During the evaluation, PHMSA asked a series of standard questions regarding actions that the State executed in calendar year 2015 to enforce the Idaho excavation damage prevention law.

In accordance with 49 CFR Part 198.55, States must be able to demonstrate that they adequately meet the seven Federal criteria that PHMSA uses to assess the effectiveness of the State’s damage prevention enforcement programs. These criteria evaluate if the State has the authority to enforce its excavation damage prevention law, whether the State utilizes its authority to issue civil penalties and other appropriate sanctions for violations of the law, and if the State is able to provide documented procedures, processes, and data to demonstrate an effective overall damage prevention enforcement program. The evaluation criteria are attached.

PHMSA representatives stressed during the evaluation the importance of consistent, fair, and balanced enforcement for violations of the excavation damage prevention law, as well as data collection and analysis to evaluate the impact of the enforcement program. PHMSA encourages Idaho stakeholders to address these issues in any future legislation or rulemakings.
PHMSA urges all States to review the definitions for excavator and excavation in their excavation damage prevention law to ensure the law does not exempt anyone from the reporting requirements of 49 USC § 60114 and 49 CFR Part 198.55. An excavator is defined in 49 CFR Part 196.3 as "any person or legal entity, public or private, proposing to or engaging in excavation." According to 49 CFR Part 198.55 (a)(6)(iii), an excavator who causes damage to a pipeline facility:

A. Must report the damage to the operator of the facility at the earliest practical moment following discovery of the damage; and

B. If the damage results in the escape of any PHMSA-regulated natural or other gas or hazardous liquid, must promptly report to other appropriate authorities by calling the 911 emergency telephone number or another emergency telephone number.

Effective 30 days from receipt of this letter, the determination will go into effect and PHMSA may enforce the Federal excavation standards defined in 49 CFR Part 196 against an excavator who damages a hazardous liquid or natural gas pipeline in Idaho. It is important to note, this does not mean that Idaho is unable to continue its enforcement efforts, only that PHMSA now has the authority to enforce its own Federal minimum excavation damage standards alongside your current efforts. PHMSA recognizes the critical role Idaho officials play in the safety of their pipeline network, and will continue to work together with Idaho officials going forward.

Federal civil penalty levels are as high as $205,638 per violation per day the violation continues, with a maximum civil penalty of $2,056,380 for any related series of violations. Additionally, States that fail to establish an adequate excavation damage prevention law enforcement program within 5 years from the date of the final PHMSA determination notice may be subject to a four (4) percent reduction in PHMSA State Base Grant funding. This grant currently funds up to 80 percent of the cost of the pipeline safety program within the Idaho Public Utilities Commission.

Idaho has the right under 49 CFR Part 198.59 to submit to PHMSA a written response contesting the inadequacy determination and requesting that the determination be withdrawn within 30 days of receiving this letter. Upon receipt of such notification, PHMSA will review all relevant information and issue a final determination. Please send letters to my attention at the following address:

Mr. Alan K. Mayberry
Associate Administrator for Pipeline Safety
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE, Suite E22-321
Washington, DC 20590

Additionally, PHMSA evaluation of State damage prevention law enforcement will occur annually; however, if Idaho takes action to establish an adequate enforcement program prior to
the annual evaluation, Idaho may request that PHMSA review and reconsider the State’s designation of inadequate.

PHMSA strongly believes that effective damage prevention programs—including enforcement—are best addressed at the State level. Excavation damage continues to be a leading cause of hazardous liquid and natural gas pipeline incidents resulting in fatalities, serious injury, and environmental damage. Damaging a pipeline during excavation poses a serious safety risk to excavators, the public living and working in proximity to the excavation site, and the environment. Nationwide statistics show that effective enforcement of State excavation damage prevention laws reduces excavation damage and pipeline incidents, resulting in increased safety.

Idaho took a significant step towards strengthening enforcement of its State excavation damage prevention law when the Governor signed House Bill 454 on March 31, 2016. The new law became effective July 1, 2016, and the next important step is to utilize enforcement authority and be prepared to demonstrate to PHMSA that the State is fully exercising its authority consistent with the terms of 49 CFR Part 198.55. We strongly urge Idaho to review the PHMSA evaluation criteria and take them into consideration as the State rolls out the enforcement program and prepares for the next PHMSA evaluation in 2017. We believe the new law will help protect the public, the environment, and our Nation’s critical underground pipeline infrastructure. PHMSA offers its assistance to work with your State to address this deficiency. If we can be of any assistance, please contact our Damage Prevention Team by email at excavation.enforcement@dot.gov or phone at (804) 556-4678.

Sincerely,

[Signature]

Alan K. Mayberry
Associate Administrator for Pipeline Safety

Enclosure

cc: The Honorable C.L. “Butch” Otter, Office of the Governor, State of Idaho
    Paul Kjellander, President, Idaho Public Utilities Commission
    Joe Leckie, Pipeline Safety Manager, Idaho Public Utilities Commission
    Linda Phillips, Manager, Dig Line, Inc.
    P. Marie Brown, Manager, Pass Word, Inc.
Background

49 USC § 60114 provides the United States Department of Transportation with back stop authority to conduct administrative civil enforcement proceedings against excavators who damage hazardous liquid and natural gas pipelines in a state that has failed to adequately enforce its excavation damage prevention or one-call laws.

PHMSA published a Final Rule on July 23, 2015 that establishes
1. Criteria and procedures for determining the adequacy of state pipeline excavation damage prevention law enforcement programs
2. An administrative process for making adequacy determinations
3. Federal requirements PHMSA will enforce in states with inadequate excavation damage prevention law enforcement programs
4. The adjudication process for administrative enforcement proceedings against excavators where Federal authority is exercised

Criteria to be used to Evaluate State Damage Prevention Programs

1. Does the state have enforcement authority including civil penalties?
2. Is there a designated enforcement body?
3. Is the state using its authority and making enforcement records available to the public?
4. Does the state have a reliable means of learning about damages?
5. Does the state have damage investigation practices that are adequate to determine the at-fault party when damage occurs?
6. At a minimum, does state law require:
   a. Excavators must call 811 before digging
   b. Excavators must “respect the marks”
   c. If damage to a pipeline occurs...
      i. Excavator must report damage to operator at earliest practical moment
      ii. If release occurs, excavator must call 911
7. Are exemptions from the DP law limited? Written justification of exemptions is required.
Administrative Process for States to Contest Notices of Inadequacy

1. PHMSA issues a notice of inadequacy to the state in accordance with 49 CFR 190.5
2. State will have 30 days to submit written response
   Mail responses to:
   Alan Mayberry
   Acting Associate Administrator for Pipeline Safety
   Pipeline and Hazardous Materials Safety Administration
   U.S. Department of Transportation
   1200 New Jersey Avenue, SE, Suite E22-207
   Washington, DC 20590
3. PHMSA issues a final decision to states that contested a notice of inadequacy
4. State may petition PHMSA to reconsider at any time following a finding of inadequacy; PHMSA will respond not later than the date of the next annual review
5. States that fail to establish an adequate enforcement program within five years of effective date of final rule may be subject to 4% reduction in base grant funding

Federal Standard for Excavators

1. Call 811 before excavating
2. Wait for pipeline operators to establish and mark the location of underground pipelines before excavating
3. Excavate with proper regard for the marks, take all practicable steps to prevent excavation damage
4. Make additional use of one-call as necessary
5. Any contact with pipelines must be reported to operator at earliest practical moment
6. If there is a release, excavator must call 911

There are no exemptions in the new regulation for calling 811 prior to excavation. PHMSA understands many states have one-call law exemptions and will be considerate of those exemptions when undertaking Federal enforcement action.

For More Information

Contact Our Damage Prevention Team

Our team of damage prevention professionals, Sam Hall, Annmarie Robertson, and Steve Fischer are available to answer questions pertaining to this final rule, state one call laws, and damage prevention. They may be reached at excavation.enforcement@dot.gov.
ORIGIN ID: XSMX
(202) 366-4505
MR. ALAN K. MAYBERRY
U.S. DOT PHMSA OPS PHP-1
1200 NEW JERSEY AVENUE SE
EAST BLDG. 2ND FLOOR, EZ2-321
WASHINGTON, DC 20590
UNITED STATES US

SHIP DATE: 03JAN17
ACTWGT: 1.00 LB
CAD: 1082098900INET3790
BILL SENDER

TO
THE HONORABLE LAWRENCE G. WASDEN
ATTORNEY GENERAL OF IDAHO
700 W. JEFFERSON STREET, SUITE 210
BOISE ID 83720
(202) 366-4505
REF: DCHQ-465 POMDTPH56-15-F-00023

WED - 04 JAN 10:30A
PRIORITY OVERNIGHT
ASR
83720
BOI
### Agenda Item No. 04

**Subcommittee Reports**

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<th>PRESENTER:</th>
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<td>OBJECTIVE:</td>
<td>Subcommittee Reports</td>
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<td>ACTION:</td>
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<tr>
<td>BACKGROUND:</td>
<td>Three subcommittees established to address assigned tasks to define statutory process for the Damage Prevention Board.</td>
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<td>PROCEDURAL HISTORY:</td>
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<td>ATTACHMENTS:</td>
<td>Damage Prevention Complaint Form and Rules; Subcommittee #3.</td>
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This complaint form is authorized pursuant to section 55-2011, Idaho Code, and the rules of the Damage Prevention Board. It is a public record subject to the provisions of chapter 2, title 74, Idaho Code. This document is a formal complaint form from which discipline may be imposed on the alleged violator pursuant to section 55-2211, Idaho Code. General reports of underground facility damage or excavator downtime, which are not complaints but required by section 55-2208(5), Idaho Code should be made separately in accordance with procedures established by the Board.

Company or Person(s) making the complaint: ___________________________________________________

Address       City       State       Zip

Phone Number       Email Address

Company or Person(s) committing alleged violation: _____________________________________________

Address       City       State       Zip

Phone Number       Email Address

Location of alleged violation: _______________________________________________________________

Address

City       State       Zip

Date(s) of alleged violation: _______________________________________________________________

Date(s) Complainant became aware of alleged violation (if different): _________________________________

Description of alleged violation (attach additional pages if necessary): _________________________________

__________________________________________________________________________________________

__________________________________________________________________________________________

__________________________________________________________________________________________

__________________________________________________________________________________________
Did the violation cause damage to an underground facility?  [ ] Yes  [ ] No

If yes, explain: __________________________________________________________

Did the violation cause excavator downtime?  [ ] Yes  [ ] No

If yes, explain: __________________________________________________________

Please include any additional documents, photographs, invoices, contracts and/or other relevant information in support of the complaint and attach it to this complaint form.

I swear (or affirm) under penalty of perjury that the foregoing information is true, complete, and correct. Additionally, I agree to assist the Division and Board in the resolution of this complaint, and if necessary appear before the board to verify and support the information contained in this complaint.

_______________________________________________________________________

Name (Print or Type) __________________________________ Signature __________________ Date Executed __________________________
000. LEGAL AUTHORITY.
The Idaho Damage Prevention Board of the Division of Building Safety is authorized under Section 55-2203, Idaho Code, to promulgate rules consistent with the act for the administration of Title 55, Chapter 22, Idaho Code, to effectuate the purposes thereof. (12-1-16)

001. TITLE AND SCOPE.
01. Title. These rules shall be cited as IDAPA 07.10.01, “Rules Governing the Damage Prevention Board, Division of Building Safety.” (12-1-16)

02. Scope. These rules shall be applicable to underground facilities, and facility owners as established in Title 55, Chapter 22, Idaho Code. (12-1-16)

002. WRITTEN INTERPRETATIONS.
In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Idaho Division of Building Safety offices. (12-1-16)

003. ADMINISTRATIVE APPEALS.
IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General,” Section 100, et seq., shall apply to contested cases, in addition to the provisions of Title 55, Chapter 22, Idaho Code. (12-1-16)

004. INCORPORATION BY REFERENCE.
There are no documents incorporated by reference into these rules. (12-1-16)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The principal place of business of the Damage Prevention Board is at the Division of Building Safety office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Damage Prevention Board may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho 83814, and at 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. All locations are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. The telephone number of the office is (208) 334-3950. The facsimile number of the office is 1-877-810-2840. The Department website is http://dbs.idaho.gov. (12-1-16)

006. PUBLIC RECORDS ACT COMPLIANCE.
The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (12-1-16)

007. FUNDING OF BOARD ACTIVITIES.
Each owner of an underground facility shall pay a fee of ten cents ($.10) each time such owner receives notice from a one-number notification service as required by Section 55-2205, Idaho Code. The fee assessed upon the underground facility owner shall be collected by the one-number notification service, and shall be payable to the board in accord with the following schedule: (12-1-16)

01. Fee Assessed. The fee shall be assessed on an underground facility owner for each notification issued by the one-number notification service to the underground facility owner, with the one-number notification service required to submit a summary of the number of notices issued in a given month to the board no later than fifteen (15) days following the end of the month in which the notices were issued. (12-1-16)

02. Payment Submission. The one-number notification service shall submit payment to the board for all payments received from underground facility owners no later than seventy (70) days following the end of the month in which the notices were issued to the facility owners. In those cases where the payment from the underground utility owner is received after the seventy (70) day period, the one-notification service shall include late payments in its next payment to the board. (12-1-16)

03. Notices Issued. The one-number notification service shall also submit a detailed list of notices issued, including the facility owner’s contact information, for which payment has not been received within the seventy (70) day period following the end of the month in which the notices were issued. Such list shall be updated on a monthly basis to reflect the status of all past-due payments due from underground utility owners that have not been received. (12-1-16)

04. Civil Penalties. Underground facility owners failing to submit payment to the one-number notification service in a timely manner shall be subject to the imposition of civil penalties and other remedies referenced in Title 55, Chapter 22, Idaho Code. (12-1-16)

008. AUDIT OF ONE-NUMBER SERVICE RECORDS.
The board shall have the right to review and audit the payment records of any one-number notification service relating to the collection of the ten cent ($.10) fee imposed on underground facility owners. In the event the board wishes to conduct a review and/or audit of a one-number notification service, the board shall provide no less than a five (5) business day advance notice of the intended action. The board may delegate any responsibilities contained herein this chapter to the Division of Building Safety. (12-1-16)

009. DAMAGE PREVENTION COMPLAINTS
01. Procedure. Persons may submit written complaints to the administrator regarding an alleged violation of chapter 22, title 55, Idaho Code on such forms as required by the Division of Building Safety. Forms are available at the Division of Building Safety offices located at 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642; 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814; and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. They may also be accessed electronically on the
02. Contents. Complaints shall include the name and address of the complainant and the alleged violator, the date and location of the alleged violation, as well as a complete description of the nature of the violation alleged, including whether it resulted in damage to an underground facility or an excavator downtime event. Complainants may also provide additional documentation in support of a complaint. Complaint shall be accompanied by a sworn declaration from the complainant declaring that the information contained therein is true and accurate. The administrator may request additional information or documents in support of the complaint. Complaint forms shall be subject to chapter 1, title 74, Idaho Code.

03. Complaint Timelines. Complaints shall be submitted to the Administrator not later than thirty (30) days from the date of the violation giving rise to the complaint or from the date the violation should have reasonably been discovered by the Complainant, whichever is later. The administrator shall notify the Complainant and the alleged violator of his recommended course of action not later than (30) days from the date of receipt of the complaint. The administrator may extend the period of time in which to determine a recommended course of action, and so notify the parties, if such is necessary to further review or investigate the complaint. Recommendations of the administrator regarding complaints may be reviewed by the Board at its next regularly scheduled meeting.

010 CLAIMS AND REPORTS OF DAMAGE OR EXCAVATOR DOWNTIME

01. Claims. Claims for the cost of repairs for damaged underground facilities shall be enforced by the affected underground facility owner in accordance with procedures as may be established by the facility owner, and in accordance with applicable law. Underground facility owners shall provide notice to excavator contractors of such procedures, along with sufficient information supporting the basis for the amount of a claim within six (6) months from the date of the event giving rise to the claim or from the date the event should have reasonably been discovered by the underground facility owner, whichever is later.

02. Reports. Underground facility owners and excavators who observe, suffer or cause damage to an underground facility or observe, suffer or cause excavator downtime related to a failure of one (1) or more stakeholders to comply with applicable damage prevention statutes or regulations shall report such information to the board on forms or by such method adopted for such by the Board. Forms are available at the Division of Building Safety offices located at 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642; 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814; and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. They may also be accessed electronically on the Division’s website at http://dbs.idaho.gov/.
DAMAGE PREVENTION BOARD

Agenda Item No. 05          Virtual DIRT Report Expert

PRESENTER:  Steven Blaney, DIRT Program Manager – New York

OBJECTIVE:  Resident expert to provide a presentation on virtual DIRT Report.

ACTION:  Overview of the virtual DIRT Report.

BACKGROUND:  The Chairman inquired if there was a ‘resident’ expert that has used the virtual DIRT Report and could provide guidance to the Board on this report. Board Member Linda Phillips agreed to make contact with a program manager that has been using the virtual DIRT Report for about 10 years.

PROCEDURAL HISTORY:

ATTACHMENTS:
VIRTUAL PRIVATE DIRT

Users Group
July 31, 2014
1pm EST
VPD Frequently Asked Questions:

- **What is VPD?** Virtual Private DIRT is your own unique version of DIRT customized for your company/organization. VPD is similar to DIRT North America, but it allows the user to create additional fields *(Flex Fields)* related to your company needs. Your company/organization VPD will be located on a secure server maintained by CGA personnel.

- **What are Flex Fields?** Flex Fields give the user the option of collecting data which may be specific to your State, Province, or organizational needs. For example, you can add requirements that DIRT North America does not capture.
VPD Frequently Asked Questions:

• **How much does Virtual Private DIRT cost?** VPD has an initial set up fee of $500 and a $500 per year maintenance agreement. *The initial set up fee is waived for CGA Corporate Sponsors.*

• **Who can submit to a VPD?** Any CGA stakeholder that has data pertaining to excavation events (including damage and near miss). This includes facility operators, excavators, locators, as well as one call centers that collect data from stakeholders in their region. You do not have to be a CGA member to submit data.
Never Lose Valuable Damage Data with **Virtual Private DIRT:**

- **Litigation Readiness:** One central database to collect damage and near miss information. Data such as photos and reports can be stored in VPD.
- **Secure:** VPD is a secure and custom-built solution that allows stakeholders real-time access to their specific data.
Never Lose Valuable Damage Data with **Virtual Private DIRT:**

- **Flexible:** Database can be modified to capture important organizational data.
- **Statistics:** VPD owner’s data gets automatically submitted to the CGA’s DIRT North America securely and anonymously. This aids in the data gathering for the DIRT Analysis and Recommendations Report by ‘opting in’.
  - **Note:** *Flex Field* data is never part of DIRT North America analysis.
VPD Basics: Registration / Roles

- **User:** Can only enter data into the system as well as view the data.

- **Manager:** Can enter and edit data, and has report generating capabilities.

- **Company Administrator:** Responsible for maintaining the list of individuals in his/her stakeholder company allowed to utilize VPD, provides data grants, enter and edit data, generate reports.

- **Application Administrator:** Responsible for maintaining the company or business’ VPD application.
Virtual Private DIRT (VPD)
- Get it
- More Information
VPD Basics: VPD Registration

Registration Wizard

Here we will help you choose the right instance of DIRT for your registration -- whether that is a stakeholder group-, organization-, state/province-specific Virtual Private DIRT or CGA DIRT North America.

*Choose Country:

-- select --
VPD Basics: Custom Login

Northern Natural Gas (DIRT)

Single Sign-On
Welcome to Single Sign-On! CGA’s central site for gaining access to a host of applications and services.

What is SSO?
Already registered and forgot your password? Forgot Password

Log In

New to DIRT?
Registration is fast and easy. In just a few minutes, you can be submitting your data via our secure web-based form or taking advantage of our Automated Data Loader or Universal Front End Loader tools.

Why use DIRT?
Find out more...

Register

DIRT Tools & Documentation
Annual Report Manual
DIE Release Notes 7.0
Universal Front End Loader Manual
DIRT User Guide Guide
DIRT Security Whitepaper Manual
DIRT Confidentiality Memo Manual
Damage Report Form (off-line completion) Manual

Need Training?
Registration
Web Data Entry
Automated Data Loader
Profile & Password
Manager Tools
Data Grants & Query Wizard

About Northern Natural Gas
Northern Natural Gas is based in Omaha, Nebraska, and operates an interstate natural gas pipeline extending from the Permian Basin in Texas to the Upper Midwest.

Northern Natural Gas
1111 South 103rd Street
Omaha, NE 68124

Toll Free: 1-(877)-654-0646
Omaha Local: (402)-398-7200

Toll Me More

Virtual Private DIRT
You are logging in to a Virtual Private DIRT.

VPD Overview

Feedback & Support

Have a question or comments? Maybe you need account assistance?

Feedback & Support
VPD Basics: Data Submission

• Various ways to input data (same as DIRT North America)...
  – **Individual damage reports** entered singularly via Damage Report selection
  – **Bulk data submission** via file upload selection (ADL Delimited Text File or XML File)
VPD Basics: VPD Form

Same info for DIRT North America

A. Who is submitting data
B. Date and Location of the event
C. Affected Facility Information
D. Excavation Information
E. Notification
F. Locating and Marking
G. Excavator Downtime
H. Description of Damage
I. Description of the Root Cause
J. Additional Comments
(Character Limit: 4000)

Z. Site Specific NON-CGA Data — Flex Fields —

Z. cont. (non-CGA) Images and Attachments
VPD Basics: Flex Fields

**Flex Field examples:**
- Near Miss Specific
- One Call Violations
- Equipment Type
- Facility Material
- Facility Status
- Specific Part of Facility Damaged
- Above Ground Specifics
- Railroad Specifics

Flex Fields have no limitations on the types of data to collect – *imagine the possibilities.*
# VPD Flex Fields Creation

## DIRT Main Menu

<table>
<thead>
<tr>
<th>Feature</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damage Report</td>
<td>Submit a new Damage Report</td>
</tr>
<tr>
<td>Browse Damage</td>
<td>Browse Damage Reports for all companies</td>
</tr>
<tr>
<td>Browse Damage</td>
<td>Upload a file containing multiple Damage Reports to be processed by the</td>
</tr>
<tr>
<td>Reports</td>
<td>Automated Data Loading (ADL) process</td>
</tr>
<tr>
<td>File Upload</td>
<td>Browse file uploads and associated Damage Reports for all companies</td>
</tr>
<tr>
<td>Data Grants</td>
<td>Grant/Revoke access to your raw data for reporting purposes. Set whether or</td>
</tr>
<tr>
<td></td>
<td>not this is a Reporting Organization to which other organizations may grant</td>
</tr>
<tr>
<td></td>
<td>access. Cross DIRT Data Grants is now available for sharing between DIRT</td>
</tr>
<tr>
<td></td>
<td>North America and Virtual Private DIRT. Optionally, you can now share your</td>
</tr>
<tr>
<td></td>
<td>identity (i.e. Company/Org Name only) with whom you provide a Data Grant.</td>
</tr>
<tr>
<td>Data Quality (DQI)</td>
<td>The Data Quality Index reports provide simple metrics on the number of</td>
</tr>
<tr>
<td></td>
<td>essential fields submitted to DIRT and the measure of their contribution</td>
</tr>
<tr>
<td></td>
<td>to the DIRT Annual Report.</td>
</tr>
<tr>
<td>Dashboard</td>
<td>Dashboard provides visibility into key performance indicators (KPIs) through</td>
</tr>
<tr>
<td></td>
<td>simple visual graphics such as charts and tables (tabular data)</td>
</tr>
<tr>
<td>Query Wizard</td>
<td>Query Wizard now provides two interfaces - &quot;Quick Reports&quot; and &quot;Power</td>
</tr>
<tr>
<td></td>
<td>Reports&quot;. The new Power Report Designer uses a &quot;Wizard&quot; like process to</td>
</tr>
<tr>
<td></td>
<td>step you through the report creation process. Also, you'll be able to</td>
</tr>
<tr>
<td></td>
<td>choose from a list of predefined reports, organized by &quot;owner&quot; and reports</td>
</tr>
<tr>
<td></td>
<td>shared by others. Currently, your role will allow you to download submitted</td>
</tr>
<tr>
<td></td>
<td>data for all companies</td>
</tr>
<tr>
<td>Company Admin</td>
<td>Browse and edit existing company information.</td>
</tr>
<tr>
<td>User Admin</td>
<td>Browse and edit new and existing users of this application for all companies</td>
</tr>
<tr>
<td>Edit Profile</td>
<td>Edit your contact information</td>
</tr>
<tr>
<td>Change Password</td>
<td>Change your password</td>
</tr>
<tr>
<td>Browse Feedback</td>
<td>Browse, view, and edit submitted feedback comments.</td>
</tr>
<tr>
<td>Downloads</td>
<td>Access downloads for Field Forms, User Guide, Annual Reports, Virtual Private</td>
</tr>
<tr>
<td></td>
<td>DIRT Overview, and Software [Universal Front End Loader, Online Training</td>
</tr>
<tr>
<td></td>
<td>Videos]</td>
</tr>
<tr>
<td>New Submission</td>
<td>As a Company Administrator of Northern Natural Gas you can specify your data</td>
</tr>
<tr>
<td>Status</td>
<td>submission status. Advise CGA that you have NO damages/incidents to report</td>
</tr>
<tr>
<td></td>
<td>for the current reporting period OR specify that data loading is complete.</td>
</tr>
<tr>
<td>Site Admin</td>
<td>Virtual Private DIRT site administration. This feature is exposed only to</td>
</tr>
<tr>
<td>Log Out</td>
<td>registered Application Administrators of DIRT North America.</td>
</tr>
</tbody>
</table>
IMPORTANT – display order of Flex Fields!

Number used to determine the order in which this flex field is displayed on the damage report form and file upload specification.

IMPORTANT to label related to field name!

IMPORTANT to have consistent naming conventions!

Integer number or range
Free-form text string
Date

This flex field is currently in use by damage reports and is subject to restrictions on modification. Please be aware of the impacts on your users, particularly ADL/bulk load users if you change flex field constraints.
VPD Flex Fields Creation

*Site Admin:* selected from the DIRT Main Menu and click on ‘Add’ to get started

### Examples of Flex Field creation

As the Application Administrator of your own Damage Collection software you can choose to collect fields that are not part of the DIRT North America specification. By default, your software will collect the fields required by DIRT, however, ‘Flex Fields’ give you the option of collecting data which may be specific to your State, Province, or Organizational needs. Here’s an example: DIRT North America does not collect latitude or longitude co-ordinates. You can add the option to collect these data values as either required or non-required fields.

<table>
<thead>
<tr>
<th>Ord.</th>
<th>Field Name</th>
<th>Label</th>
<th>Type</th>
<th>Req’d</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1540</td>
<td>NearMiss</td>
<td>Was this a Near Miss?</td>
<td>Pick-list of values</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1560</td>
<td>1CallViolation</td>
<td>Was the One-Call Violation reported for prosecution? (Yes/No)</td>
<td>Pick-list of values</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1570</td>
<td>1CallViolWho</td>
<td>If yes, who reported the violation?</td>
<td>Free-form text string</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1580</td>
<td>1CallViolReason</td>
<td>If not reported, reason for non-report</td>
<td>Free-form text string</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1590</td>
<td>1CallViolState</td>
<td>Identify state enforcement agency for reporting</td>
<td>Free-form text string</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1600</td>
<td>1CallViolDate</td>
<td>Date the violation was reported</td>
<td>Date</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1610</td>
<td>1CallViolResults</td>
<td>Identify the result of the reported violation</td>
<td>Pick-list of values</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1620</td>
<td>1CallViolClaim</td>
<td>Was a claim filed?</td>
<td>Pick-list of values</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1630</td>
<td>1CallViolResolut</td>
<td>If a claim filed, what was the resolution?</td>
<td>Free-form text string</td>
<td>N</td>
<td>Edit</td>
</tr>
<tr>
<td>1640</td>
<td>1CallViolComment</td>
<td>One-Call Violation Comments</td>
<td>Free-form text string</td>
<td>N</td>
<td>Edit</td>
</tr>
</tbody>
</table>

[Add button]
### VPD Flex Fields Examples

<table>
<thead>
<tr>
<th>Field Description</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Was this a Near Miss?</td>
<td>Yes/No</td>
</tr>
<tr>
<td>Was the One-Call Violation reported for prosecution? (Yes/No):</td>
<td>Select from options</td>
</tr>
<tr>
<td>If yes, who reported the violation?</td>
<td>Text field</td>
</tr>
<tr>
<td>If not reported, reason for non-report:</td>
<td>Text field</td>
</tr>
<tr>
<td>Identify state enforcement agency for reporting:</td>
<td>Text field</td>
</tr>
<tr>
<td>Date the violation was reported:</td>
<td>Date format (MM/DD/YYYY) or YYYY-MM-DD with minimum and maximum values</td>
</tr>
<tr>
<td>Identify the result of the reported violation:</td>
<td>Select from options</td>
</tr>
<tr>
<td>Was a claim filed?</td>
<td>Yes/No</td>
</tr>
<tr>
<td>If a claim filed, what was the resolution?</td>
<td>Select from options</td>
</tr>
<tr>
<td>One-Call Violation Comments:</td>
<td>Text field</td>
</tr>
</tbody>
</table>
VPD Query Wizard

Same options as DIRT North America

- **Quick Reports**: Damage data over a set date range in a chosen format.
- **Power Reports**: uses a "Wizard" like process to step you through the report creation process.
Data Sharing: Data from VPD Parts Z are not collected for DIRT North America analysis.

Data Sharing

Share your raw collected data with the CGA’s DIRT North America database. You must opt-in to share data or elect to stop participation at any time by choosing No.

Automatically share? Yes -- opt in
VPD – SANDBOX

Use the **Virtual Private DIRT** Demo site for Flex Field Creation Practice:

Available via direct Internet URL at:

[https://sandbox.cga-dirt.com/vpddemo](https://sandbox.cga-dirt.com/vpddemo)
VPD - Q & A

• Are you new to CGA or the DIRT process?
• What value would VPD bring to me and my company?
• How can I use the data?
• Do you have a re-occurring issue?
• Do you want your own database to capture and monitor damages without the high cost of development and maintenance?
• Do you need the ability to customize a database with additional data fields of information?
VPD

Additional Q & A

Further information:
www.cga-dirt.com

Submit Questions:
dirt@commongroundalliance.com
DAMAGE PREVENTION BOARD

Agenda Item No. 06

PRESENTER: Joe Leckie, Board Member

OBJECTIVE: Who is PHMSA? What is the federal law and regulations governing the operation of the DPB; beyond and in addition to state statutes?

ACTION: Informational

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS:
DAMAGE PREVENTION BOARD

<table>
<thead>
<tr>
<th>Agenda Item No. 07</th>
<th>Management of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRESENTER:</td>
<td>Mark Van Slyke, Chairman</td>
</tr>
<tr>
<td>OBJECTIVE:</td>
<td>Establish a process for managing complaints pending the establishment of complaint protocols.</td>
</tr>
<tr>
<td>ACTION:</td>
<td>Informational</td>
</tr>
<tr>
<td>BACKGROUND:</td>
<td></td>
</tr>
<tr>
<td>PROCEDURAL HISTORY:</td>
<td></td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td></td>
</tr>
</tbody>
</table>
Agenda Item No. 08  DPB Webpage Design and Development

PRESENTER:  Mark Van Slyke, Chairman

OBJECTIVE:  Discussion on the formation of a subcommittee assigned to work with DBS IT staff on the design and development of the Damage Prevention Board Webpage.

ACTION:  Assignment of DPB webpage design and development work group.

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS:
**DAMAGE PREVENTION BOARD**

**Agenda Item No. 9**

**Administrator Report**

**PRESENTER:** Chris Jensen, Administrator

**OBJECTIVE:** Provide an overview of the Division’s current activities.

**ACTION:** Informational

**BACKGROUND:** This topic is addressed at all regularly scheduled Damage Prevention Board meetings.

**PROCEDURAL HISTORY:**

**ATTACHMENTS:** No documentation
DAMAGE PREVENTION BOARD

Agenda Item No. 9a  Financial Report

PRESENTER:  Chris Jensen, Administrator

OBJECTIVE:  Review financial report for the Damage Prevention Board.

ACTION:  Informational

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: Financial Report
Division of Building Safety
UNDERGROUND FACILITIES DAMAGE PREVENTION
Fiscal Year 2017 Financial Statements
As of 12/31/2016

Statement of Revenues and Expenditures - 0229-27 Dedicated Fund

<table>
<thead>
<tr>
<th>Class</th>
<th>Budget</th>
<th>Fiscal Year To Date</th>
<th>YTD as a % of Budget</th>
<th>Remaining Budget</th>
<th>Projected for Remainder of Year</th>
<th>Projected Year End Totals</th>
<th>Projected Total as a % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues:</td>
<td>50,000</td>
<td>25,116</td>
<td>50%</td>
<td>24,884</td>
<td>24,884</td>
<td>50,000</td>
<td>100%</td>
</tr>
<tr>
<td>Expenditures:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel:</td>
<td>-</td>
<td>1,373</td>
<td>0%</td>
<td>(1,373)</td>
<td>1,275</td>
<td>2,648.35</td>
<td>0%</td>
</tr>
<tr>
<td>Operating:</td>
<td>50,000</td>
<td>6,518</td>
<td>13%</td>
<td>43,482</td>
<td>26,073</td>
<td>32591.05</td>
<td>65%</td>
</tr>
<tr>
<td>Capital:</td>
<td>-</td>
<td>954</td>
<td>0%</td>
<td>(954)</td>
<td>0</td>
<td>954</td>
<td>0%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>50,000</td>
<td>8,845</td>
<td>18%</td>
<td>41,155</td>
<td>27,348</td>
<td>36,193</td>
<td>72%</td>
</tr>
<tr>
<td>Net for FY 2017</td>
<td>-</td>
<td>16,271</td>
<td></td>
<td></td>
<td>(2,464)</td>
<td>13,807</td>
<td></td>
</tr>
</tbody>
</table>

Statement of Cash Balance - 0229-27 Dedicated Fund

<table>
<thead>
<tr>
<th>July 1, 2016 Beginning Cash Available</th>
<th>Fiscal Year to Date Revenues</th>
<th>Fiscal Year to Date Expenditures and Encumbrances</th>
<th>Other Changes in Cash</th>
<th>Available Cash as of Dec 31, 2016</th>
<th>Projected Change in Cash for Remainder of Year</th>
<th>Projected Year End Available Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>25,116</td>
<td>8,845</td>
<td>0</td>
<td>16,271</td>
<td>(2,464)</td>
<td>13,807</td>
</tr>
</tbody>
</table>

Statement of Revenues and Expenditures - 0348-00 Federal Grant (State Damage Prevention Program Grant - 2016)

<table>
<thead>
<tr>
<th>Class</th>
<th>Budget</th>
<th>Fiscal Year To Date</th>
<th>YTD as a % of Budget</th>
<th>Remaining Budget</th>
<th>Projected for Remainder of Year</th>
<th>Projected Year End Totals</th>
<th>Projected Total as a % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues:</td>
<td>83,838</td>
<td>0</td>
<td>0%</td>
<td>83,838</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Expenditures:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel:</td>
<td>23,611</td>
<td>-</td>
<td>0%</td>
<td>23,611</td>
<td>0</td>
<td>0</td>
<td>0%</td>
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<tr>
<td>Operating:</td>
<td>60,027</td>
<td>0</td>
<td>0%</td>
<td>60,026</td>
<td>0</td>
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<tr>
<td>Capital:</td>
<td>-</td>
<td>0</td>
<td>0%</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>83,838</td>
<td>0</td>
<td>0%</td>
<td>83,838</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Net for FY 2017</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tbody>
</table>

Statement of Cash Balance - 0348-00 Federal Grant (State Damage Prevention Program Grant - 2016)

<table>
<thead>
<tr>
<th>July 1, 2016 Beginning Cash Available</th>
<th>Fiscal Year to Date Revenues</th>
<th>Fiscal Year to Date Expenditures and Encumbrances</th>
<th>Other Changes in Cash</th>
<th>Available Cash as of Dec 31, 2016</th>
<th>Projected Change in Cash for Remainder of Year</th>
<th>Projected Year End Available Cash</th>
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<tr>
<td>0</td>
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</tr>
</tbody>
</table>