

BUILDING

INVESTMENT-DRIVEN GROWTH

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Presentation Contents

- Introduction | NiSource
 - A little about NiSource Inc.
- Introduction | A Few Facts
 - A few facts regarding pipeline safety
- State Statutory Profiles
 - Indiana; also Kentucky, Maryland, Massachusetts, Ohio, Pennsylvania, Virginia
- Reporting Process in Practice in Indiana
 - Responding, cataloguing, and reporting damage to underground facilities
- Final Thoughts
 - Rising role of pipeline safety

Introduction



- Headquartered in Indiana
 - Merrillville (Northwest Indiana)
- Fortune 500
 - One of only a few headquartered in Indiana
- Publicly traded
 - NYSE: NI
- Serves energy to 3.8 million customers
 - Electricity and natural gas
- Presence in more than 20 states
 - Gulf Coast to the Midwest to New England

Introduction



Introduction | A few facts

- By the numbers
 - 40
 - *percentage of all damages occurring due to the fact that no one calls 811 prior to excavation* (Source: Indiana 811)
 - 35
 - *when asked in a national survey, the percentage of homeowners admitting to calling before digging* (Source: Indiana 811)
 - 0
 - *the amount a person gets charged by 811 for calling* (Source: Indiana 811)
 - 2,526,165
 - *how many total miles of pipeline lay beneath the surface of the U.S.* (Source: Pipeline Safety Awareness / PHMSA)
 - 2,066,000
 - *how many miles of total pipeline are natural gas distribution lines* (Source: Pipeline Safety Awareness / PHMSA)

Introduction | A few (more) facts

- By the numbers
 - 21
 - *the percentage of all lines that PHMSA considers to be “aging”* (Source: Pipeline Safety Awareness / PHMSA)
 - 36
 - *total number of pipeline incidents with death or major injury in 2010* (Source: Pipeline Safety Awareness / PHMSA)
 - 14
 - *the number of fatalities from pipeline incidents in 2010* (Source: Pipeline Safety Awareness / PHMSA)
 - 50
 - *the number of states affected by pipeline safety laws and regulations*

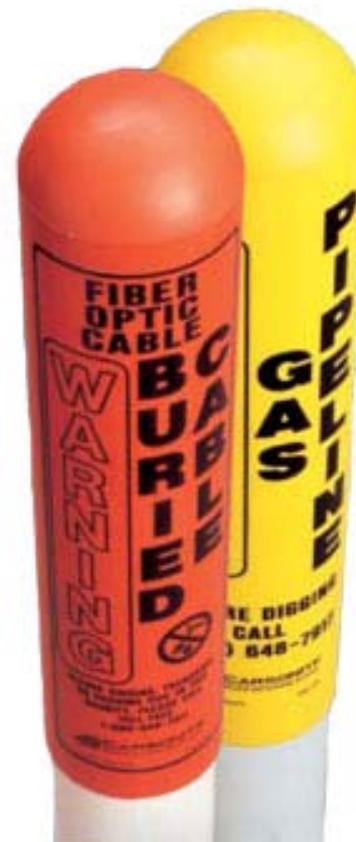


Image source: www.berntsen.com

State Statutory Profiles | Indiana

- Title 8, Sec. 1, Ch. 22.5 – Gas Pipeline Safety
 - Enacted in 1971, with some amendment in 2006
 - Establishes the Pipeline Safety Division of the Indiana Utility Regulatory Commission (IURC)
 - Establishes civil penalties that IURC can impose:
 - \$25,000 for each violation for each day the violation(s) occur
 - Maximum penalty of \$1,000,000 for any related series of violations
- Title 8, Sec. 1, Ch. 26 – Damage to Underground Facilities
 - Amended in 2009 to create the Underground Plant Protection Advisory Committee
 - Reviews improper locates, lack of record keeping, failing to call 811, etc.
 - Damage to electrical, natural gas, petroleum, CO₂ lines (among others)
 - Advises / recommends penalties for alleged violations
 - Civil Penalties (Up to \$10,000 per violation per day)
 - Participation in education or training programs developed and implemented by the commission
 - Warning Letters
 - Development of a plan to avoid future violations of this chapter

State Statutory Profiles | Indiana (cont.)

- Title 8, Sec. 1, Ch. 26 – Damage to Underground Facilities
 - Also creates the Underground Plant Protection Account
 - Consists of the payment of penalties
 - Used to pay for education and outreach, such as:
 - Public awareness
 - Training and educational opportunities for excavators, locators, operators
 - Incentive programs for excavators, locators, operators to reduce the number of violations
 - Administered by the IURC

The screenshot displays the Indiana Utility Regulatory Commission (IURC) website. The header includes the IURC logo and the text "Indiana Utility Regulatory Commission". The main content area is titled "Advisory Committee" and contains the following text: "The Underground Plant Protection Advisory Committee was established under IC 8-1-26-23 to act in an advisory capacity to the IURC concerning the implementation and enforcement of the Damage to Underground Facilities Act, IC 8-1-26. The Advisory Committee may recommend penalties with respect to persons that the IURC's Pipeline Safety Division has found in violation of the Act, including civil penalties, participation in education or training programs developed and implemented by the IURC, warning letters, and development of plans to avoid future violations of the Act." Below this text, it states "For more information, please contact the Advisory Committee staff." and provides contact information for Rick Slagle, Advisory Committee Chairman: "Office: 812-491-4611 | [Email](#)".

The left sidebar contains a navigation menu with the following items: IURC Home, Chairman and Commissioners, Commission Reports, Newsroom, Video Streaming, Employment Opportunities, Contact Us, Technical Divisions (highlighted), Communications Services Division, Electricity Division, Natural Gas Division, Pipeline Safety Division, and Water and Wastewater Division.

The right sidebar features "Online Services FIRST IN LINE EVERY TIME" with links to Electronic Filing System, Electronic Document System, File a Complaint, and Forms.IN.gov. Below this is "More Online Services" with a link to the Subscriber Center. At the bottom right, there is a "Top FAQs" section with the following questions: "1. Where do I file a complaint about my utility?" and "2. What jobs are currently available at the Indiana Utility Regulatory Commission?".

State Statutory Profile | Kentucky

- KY Rev. Stats. 367.4901 – 367.4917 – Call Before You Dig Law
 - Similar to “dig laws” of other states:
 - Establishes excavator, facilities owner (lessee, operator) responsibilities
 - Example: Operator must provide a notification center for excavators to call (dialing Kentucky 811)
 - Example: Excavator must alert the Notification Protection Center of its plans to excavate
 - Requires assessment of underground facilities before commencing work (whitelining, locating)
 - Provides guidance for proper markings
 - Such as the “Zone of Tolerance” (also found in Indiana’s law) which requires exclusive use of hand tools within a certain distance of facilities
 - Assessable penalties:
 - Violators are guilty of “endangering underground facilities”
 - \$250 for the first offense; no more than \$1,000 for the second offense within one year; no more than \$3,000 for any subsequent violation
 - Payable to “the General Fund of the state, county, or city which issued the citation”



Homeowner Information

Member Utilities

Professional Excavators

LATEST NEWS

Every digging job requires a call – even small projects like planting trees
and checkel <http://www.call811.com>

Ask the Expert!

Got a specific question you need to ask before you start digging? Ask the Expert!

[Read More](#)

Become a Member

If you are a utility or own underground facilities, learn more about joining Kentucky 811.

[Read More](#)

Web Ticket Entry Info

Professional Excavators and Utilities can enter normal locate requests via the web 24/7.

[Read More](#)

State Statutory Profile | Maryland

- Md. Public Utilities Code Ann. Title 12 – Underground Facilities
 - Establishes the Maryland Underground Facilities Damage Prevention Authority
 - Has the power to review alleged violations
 - Civil Penalties for acts such as failing to provide notice of excavation or demolition
 - No more than \$2,000 for the first offense; \$4,000 for subsequent offenses
 - In lieu of civil penalties the Prevention Authority can require damage prevention training; mitigation procedures to prevent damage; or similar measures
 - Claims not taken to the Prevention Authority can be made in courts of general jurisdiction (and includes damages for up to 10-times the cost of repair)
- Maryland Underground Facilities Damage Prevention Education and Outreach Fund
 - Established to pay for outreach programs and education
 - Also for the development of safety procedures to prevent damages
 - Administered by the Prevention Authority
 - Funded through civil penalties assessed by the Prevention Authority



Home

Maryland Underground Facilities Damage Prevention Authority

The [Maryland Underground Facilities Damage Prevention Authority \(MDUFDPA\)](#) was established by the Maryland legislature as Senate Bill 911 of the law of the 2010 session, updating the Maryland Underground Facilities Damage Prevention Law, more commonly known as the Miss Utility Law.

The new Law went into effect on **October 1, 2010**. Although created by the legislature, **MDUFDPA** is not a state agency and is prohibited by law from receiving any state budget funds or appropriations. The **MDUFDPA** is a stakeholder-run organization that has the ability to enforce the Miss Utility Law in the form of mandatory training or fines for violators.

All nine members of this Authority are appointed by the Governor to serve staggered two-year terms. They do not receive any compensation or any reimbursement for expenses.

The makeup of this Authority is as follows:

- Two underground facility owners that are Maryland members of the Maryland/DC Subscribers Committee;
- One from the [Associated Utility Contractors of Maryland](#);
- One from the [Public Works Contractors Association of Maryland](#);
- One from the One-Call Centers operating in the State;
- One that represents the underground utility locator community selected by the Maryland members of

The Mission

The Authority seeks to protect underground facilities of owners in the State of Maryland from destruction, damage or dislocation to prevent:

- death or injury to individuals;
- property damage to private and public property; and
- the loss of services provided to the general public.

To accomplish this, the Authority seeks to promote, enhance, and assist the State of Maryland in furthering and enforcing the Maryland Underground Facilities Damage Prevention Law and programs through efforts that include consistent enforcement, effective public education, and the constant knowledge that public safety through reduced damages is

State Statutory Profile | Massachusetts

- Ann. Laws of Mass. Ch. 82, §§ 40 – 40E – Notice of Excavations to Public Utility Companies (“Dig Safe Law”)
 - Excavator must give adequate notice to public utilities with underground facilities at the work site
 - Must provide notice of activity between 30 days to 72 hours before commencing work and must premark the work area
 - Company with underground facilities must mark its facilities after being notified of the excavation
 - Notifies through the Dig Safe network
 - Like some states’ 811 (Indiana or Kentucky, for example): gathers information on the excavation and provides it to the underground facilities operator
 - Violations are reviewed by the Department of Public Utilities
 - Failure to call Dig Safe before excavating or for violation of the Dig Safe Law can result in civil penalties:
 - \$1,000 for the first offense; between \$5,000 and \$10,000 for any subsequent offense in a 12 month period



The Official Website of the Executive Office of Energy and Environmental Affairs

Energy and Environmental Affairs

Search... in Energy & Environment SEARCH

Energy, Utilities & Clean Technologies	Land Use, Habitats & Wildlife	Air, Water & Climate Change	Recreation, State Parks & Beaches	Agriculture, Forestry, Fishing & Hunting	More
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Home > Grants & Technical Assistance > Guidance & Technical Assistance > Agencies and Divisions > Department of Public Utilities > Pipeline Safety Division >

Dig Safe

State law requires any person performing excavations on public or private property to call Dig Safe

Overview: the Dig Safe Law

The purpose of the Dig Safe Law is to prevent damage to underground utilities. Dig Safe, Inc. ("Dig Safe") is a communication network that notifies utility companies about planned excavation projects. After an excavator notifies Dig Safe of a proposed project, member utility companies will physically go to the site of the planned excavation and mark the location of their underground facilities with paint or stakes.

When you call Dig Safe, the Dig Safe operator collects pertinent information about your project. This information is incorporated in a one page document called a Dig Safe ticket. Each ticket has a Dig Safe number.

The Department of Public Utilities has the authority to investigate, conduct hearings and issue statutory civil penalties for violations of the Dig Safe Law. If you excavate without calling Dig Safe, or violate any other provision of the Dig Safe Law, you may be fined by the Department of Public Utilities. Civil penalties under the Dig Safe Law are \$1,000 for the first offense, and not less than \$5,000, nor more than \$10,000, for any subsequent offense within 12 consecutive months.

Frequently Asked Questions

[The Dig Safe Law, M.G.L. c. 82, §§ 40, 40A-40E](#)

Department Dig Safe Regulations

[Dig Safe Violation Report forms for submission to the DPU](#) 1MB

Related Links

- [Dig Safe, Inc. website](#)
- [Excavation Manual and Other Materials](#)
- [Best Practices for Digging Safely](#)
- [MUST- Managing Underground Safety Training](#)

Key Resources

[FAQs](#)

State Statutory Profile | Ohio

- Ohio Revised Code §§ 3781.25 – 3781.21 – One-Call Utility Protection Service
 - Excavators must relay the dates of excavation(s) and the location of the site to the Protection Service between 10 days and 2 days before starting work
 - A utility must locate and mark its facilities within 48 hours of notice from the Protection Service or relay that it has no facilities in excavation area
 - Excavator must maintain care while excavating around facilities (such as adequate distance between mechanized equipment and the facilities)
 - Report immediately any damage to facilities to the owning utility
- Ohio Utilities Plant Protection Service
 - Established in 1971
 - Is a nonprofit organization that “serves as a communication link between utility companies and individuals planning any digging activity”
 - Does not do the physical markings
 - Relays the information to the utilities / locate companies



- [The Law](#)
- [FAQs](#)
- [Locate Work Order Form](#)
- [Legislative Coalition \(OUDPC\)](#)
- [Ohio Marking Standards](#)
- [Promotional Catalog](#)
- [Links](#)
- [Contact Us](#)
- [Site Map](#)

Monday, April 30, 2012

Ohio Utilities Protection Service

Call 811

before you dig

[2012 Safety Day – June 7th -
Cygnet, Ohio](#)

O.U.P.S. is pleased to present our new magazine, The Damage Prevention Journal. View the [e-version here!](#)



i-dig is a ticket entry program for professional excavators, contractors and utility facility owners.



e-dig is a ticket entry program for single non-emergency locates



Welcome to the Ohio Utilities Protection Service!

Call 8-1-1 or 1-800-362-2764 before you dig: It's the law!

State Statutory Profile | Pennsylvania

- 73 Penn. Statutes §§ 176 et seq. – Excavation and Demolition
 - Pennsylvania One Call System is Pennsylvania's 811
 - Among the requirements:
 - Excavators must call Pennsylvania One Call System at least 3 business days (but not more than 10 days) before starting work
 - Facilities operators must respond to locate requests
 - Hand tools only in the tolerance zone
 - Penalties:
 - Can be pursued by Department of Labor and Industry or by the State Attorney General (or any district attorney)
 - Civil fines can range from \$2,000 to \$50,000
 - Administrative penalties can be \$500 per violation
 - Warnings
 - Costs recovered by the Department can go toward damage prevention activities
 - Civil actions brought by wronged parties are not foreclosed

PENNSYLVANIA 811

Know what's below. Dial 8-1-1 before you dig.

[ABOUT](#) | [MEMBER SERVICES](#) | [EVENTS](#) | [RESOURCE CENTER](#) | [PRODUCTS & SERVICES](#) | [APPLICATIONS](#) | [CONTACT](#)

Homeowner

Excavator

Facility Owner

Designer

Project Owner

Emergency Responder

PA Damages Database

Safety Days



Pennsylvania One Call System supports Safe Digging Month and reminds you to always Call Before You Dig!

Our purpose is to prevent damage to underground facilities. To promote safety, we provide an efficient and effective communications network among project owners, designers, excavators, and facility owners.

Copyright © Pennsylvania One Call System, Inc.

[Privacy Policy](#)

News

[Member Mapping](#)
(2/13/2012)

[Act 127](#) (3/14/2012)

[2012 CGA Excavation Safety Conference](#)
(3/21/2012)

[National Safe Digging Month](#)
(3/30/2012)

[Win an iPad](#) (4/6/2012)

[NSDM Press Conference](#)
(4/11/2012)

[News Archive](#) (4/11/2012)

State Statutory Profile | Virginia

- Code of Virginia Title 56, Ch. 10.3 – Underground Utility Damage Prevention Act
 - Gives oversight authority to the Virginia State Corporation Commission
 - Like other state Dig Laws, establishes duties for excavators; such as:
 - Taking reasonable steps to protect underground facilities
 - Must alert local notification center (such as Virginia 811) before commencing work (the center will then relay the facilities owners in that area)
 - Excavator may commence work 48 hours after providing notice to the call center (the notice is valid for 15 days (other states have this, too))
 - Created the Virginia Damage Prevention Advisory Committee as an entity of the State Corporation Commission
 - Statutory goals: to “review of reports of violations ... and make recommendations to the Commission”
 - Virginia has several regional Local Damage Prevention Advisory Committees
 - Southwestern VA, Northern VA, Western VA, Central VA, Eastern VA

State Statutory Profile | Virginia (cont.)

- Code of Virginia Title 56, Ch. 10.3 – Underground Utility Damage Prevention Act
 - Penalties:
 - An excavator who willfully fails to provide notice can be held liable for any damage to the owner's(s') underground facilities
 - 3-times the cost of repair
 - Punitive damages not to exceed \$10,000
 - State Corporation Commission may impose civil penalties:
 - Up to \$2,500 for each violation of the Virginia Dig Law
 - An action by the SCC does not preempt a civil cause of action for damages or injury
 - Operators who fail their duty to properly mark or respond to a notification can be held liable for the damages to an excavator (pursuant that the excavator followed the Dig Law)
 - A person who damages facilities but did so while following the Dig Law is not liable if the operator failed to exercise its duty
 - Funds collected go toward the Underground Utility Damage Prevention Special Fund

Always call 811 before
you dig in Virginia.

Homeowners

Professionals

Tickets



[Events](#) ▪ [Member Information](#) ▪ [Resources](#) ▪ [FAQs](#) ▪ [Laws/Policies](#) ▪ [News](#) ▪ [Contact Us](#) ▪ [About Us](#)

Upcoming Events

May 1, 2012

Advisory Committee Meeting

May 1, 2012

Web Ticket Entry Training

May 4, 2012

**Northern Virginia Damage
Prevention Committee
Meeting**

[View All Events](#)

News

Why is my yard marked?

Do you have utility markings in your yard, even though you have not called 811? Learn more about this by clicking [here](#).

Dig with CARE

Call 811 before You Dig
Allow required time for marking
Respect and protect the marks
Excavate carefully

Call Before You Dig

Dial 811 in Virginia or
1-800-552-7001

Virginia 811 is the free "one call" Virginia communications center for excavators, contractors, property owners, and those planning any kind of excavation (digging) or demolition. We notify participating utilities of the upcoming excavation work so they can locate and mark their underground facilities in advance to prevent possible damage to underground utility lines, injury, property damage and service outages.

Calling before you dig is a simple step, but one that can make your construction, planting or home improvement project safer while preventing utility outages that can be inconvenient or even dangerous for your neighbors.

In addition, calling 811 before you dig is the LAW.

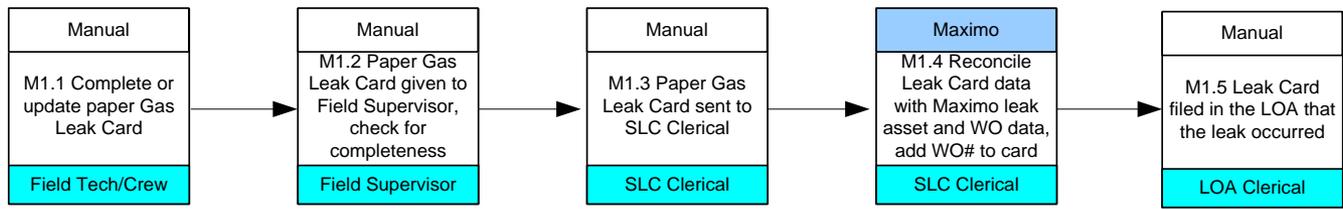
In Practice

- Northern Indiana Public Service Company (NIPSCO)
 - Serves the natural gas needs for the northern third of Indiana
 - The State's largest natural gas distribution company
 - NIPSCO has about 240,000 locate requests in 2011
 - Had about 865 3rd-party damages
 - compared to over 2,000 five years ago!
 - A glance at the process:
 - Locate requests come from Indiana 811 – Call Before you Dig
 - Parties wanting their property marked (such as excavators) dial in to request
 - The 811 center contacts the company's locate agent who performs the facilities locate on its behalf
 - Facility damages are sent to the UPPAC for its review
 - Determination of whether NIPSCO failed its duties to mark its facilities

In Practice **NIPSCO**

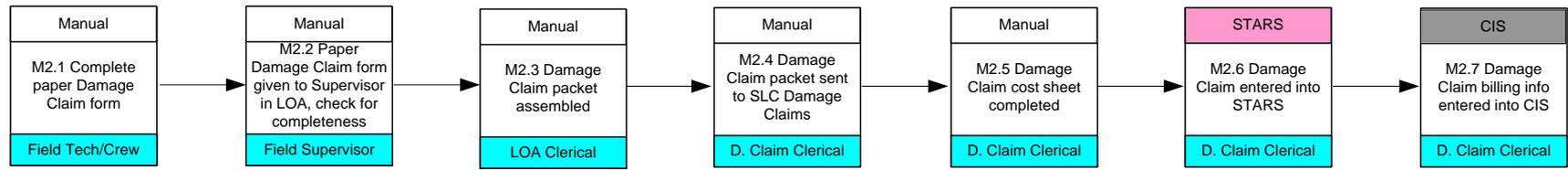
Manual Gas Leak Card Process

M1 Leak Card Process



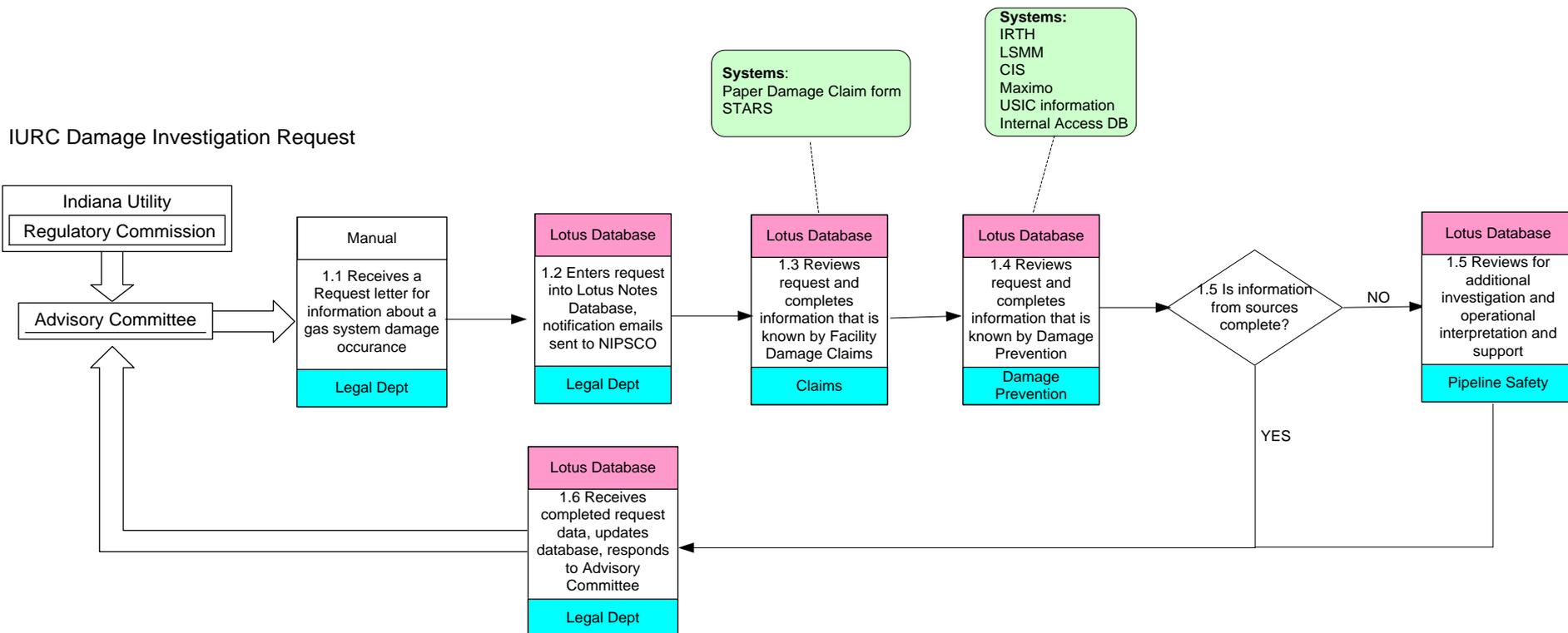
Manual Damage Claim Process

M2 Damage Claim Process



In Practice **NIPSCO**

IURC Damage Investigation Request



In Practice NiSource Gas Transmission & Storage®

- NGT&S Integrity and Reliability Program
 - Active cross-functional integrity and reliability team
 - Over 130 employees involved
 - Dedicated to total asset integrity management
 - Integrity management, planning, and technical support for pipelines and storage fields
 - Reliability strategy, planning, and technical support for equipment and facilities
 - Implementation of reliability and integrity maintenance and modernization projects
 - Focus on Maximum Allowable Operating Pressure (MAOP)
 - Why? - - It impacts several key functions
 - NGT&S has multiple functions dependent upon MAOP
 - Data and records sources have been identified
 - Plan includes records research and capture, plus technology integration

Final Thoughts

- Regulations and laws on pipelines and underground facilities vary in requirements, but get to the same goal : **SAFETY**
- Spread the word back home:

Call before you dig

Enjoy a part of Hoosier tradition!



Source: Speed Channel