

# 2019 Annual MDPB Meeting

Michigan Public Service Commission  
Gas Operations / Public Act 174 - Damage  
Prevention

May 23, 2019

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# Agenda

- PHMSA Audit
- Damage Prevention Statistics
- MPSC DP Summit
- MPSC DP on-going case
- MPSC Gas Safety Database
- DP Complaint Form
- Damage Complaints
- Excavation Damage Incidents
- Significant Violations



# PHMSA Audit

- PHMSA Conducted an Adequacy Evaluation of Michigan's Enforcement of PA 174 on October 10, 2018
- Result was "Adequate" (Verbally)
- Official Results Pending

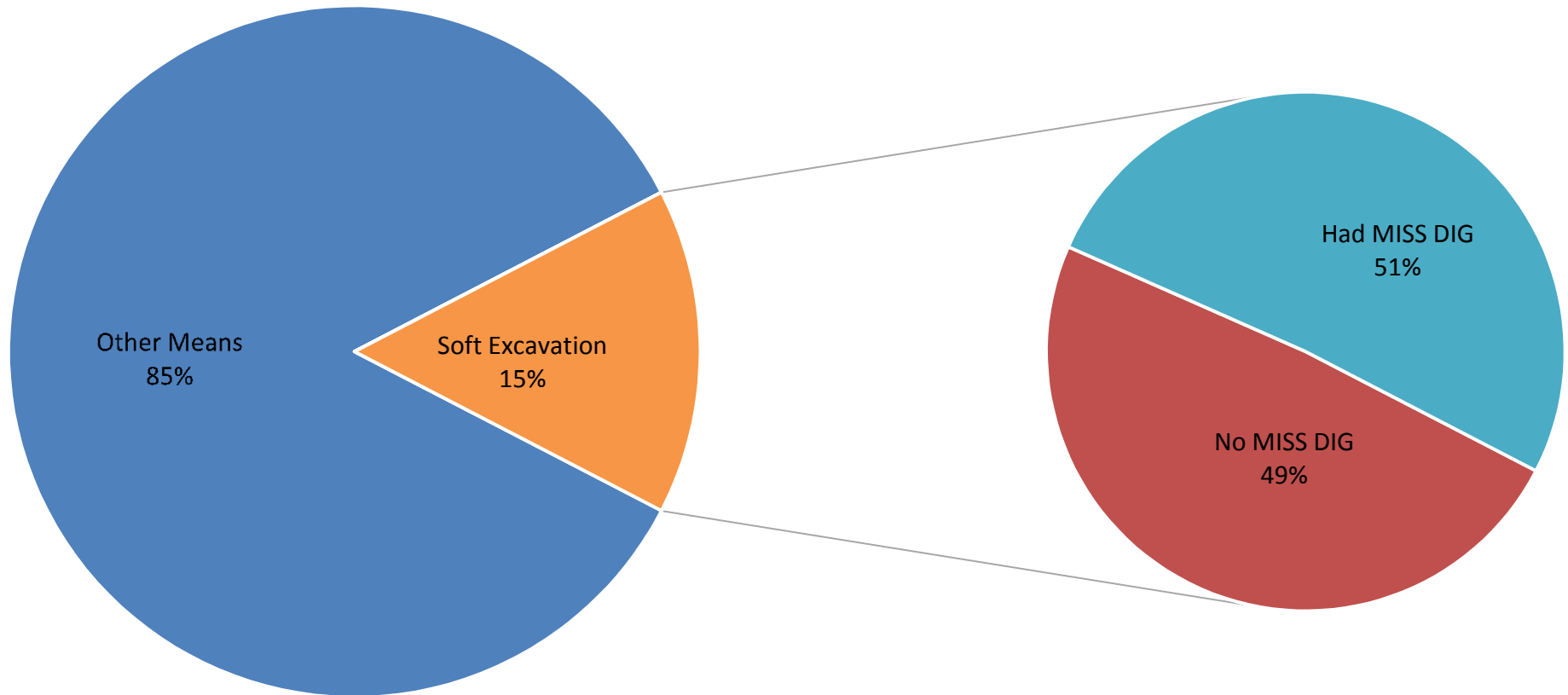
# PHMSA Audit

- Authority to Stop Excavation
  - Increase Field Presence
  - Cease and Desist
- Damage Citations Posted on Website
  - Frequent Offenders
  - Assessed Civil Fines
- Consider Ways to Improve/Investigate Locator Performance
- High Number of Tickets “Late Notification – 999”
- Investigate High Number of
  - Second Party Damages
  - Hand Digging Damages
  - Damages with Tickets
- Website Presence Improvements

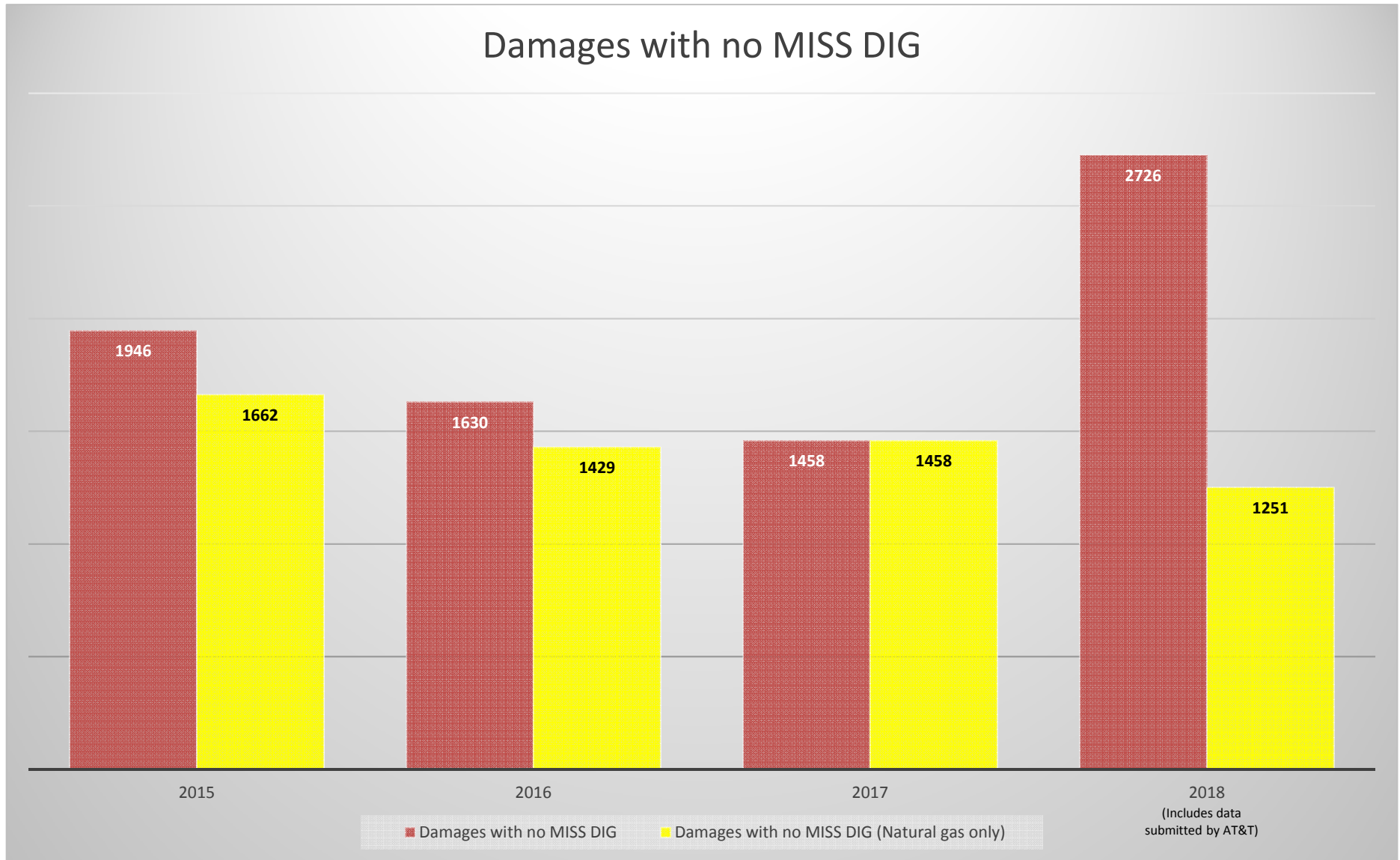
# Damage Prevention Statistics

## 2018 Total Excavation Damages

Excavation Equipment Used

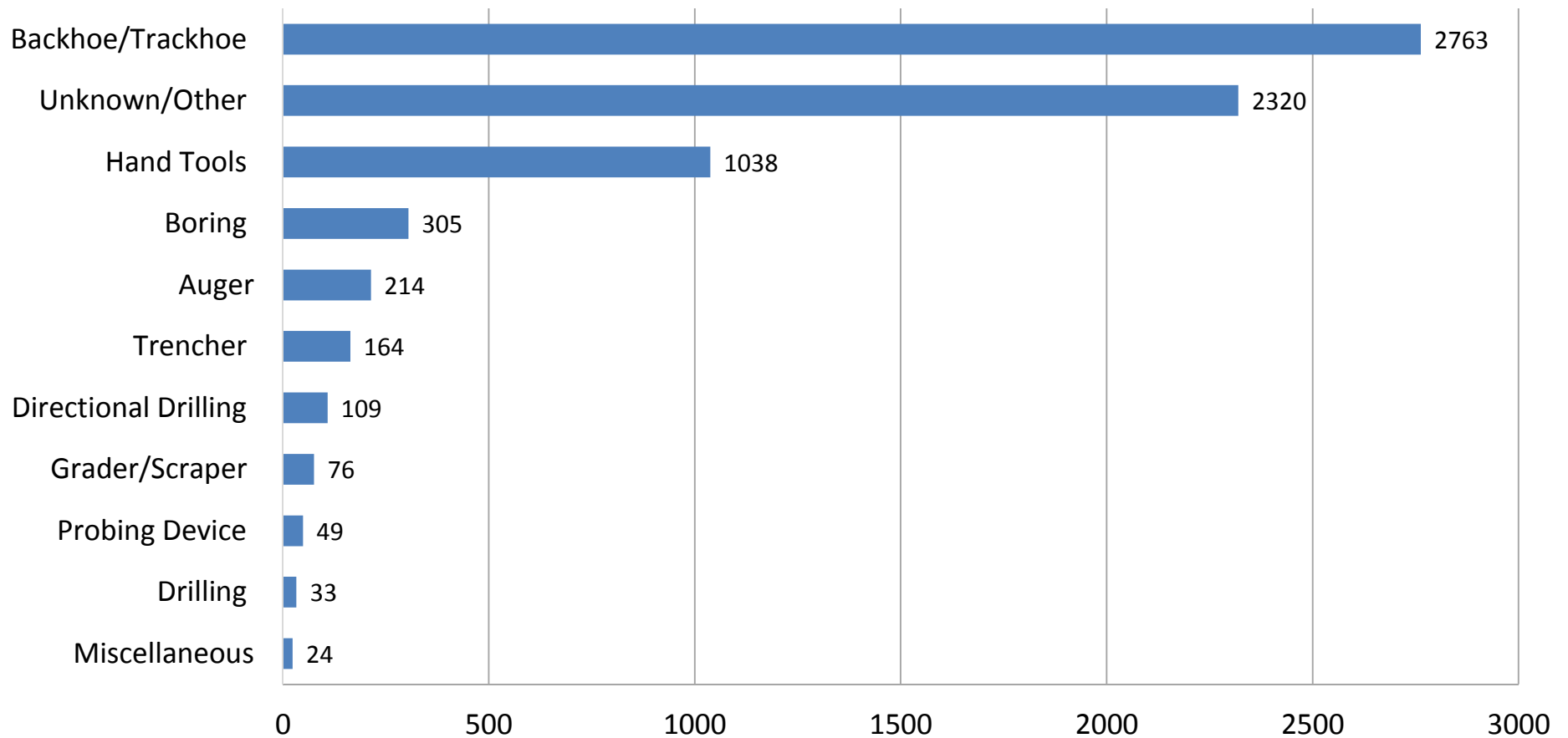


# Damage Prevention Statistics



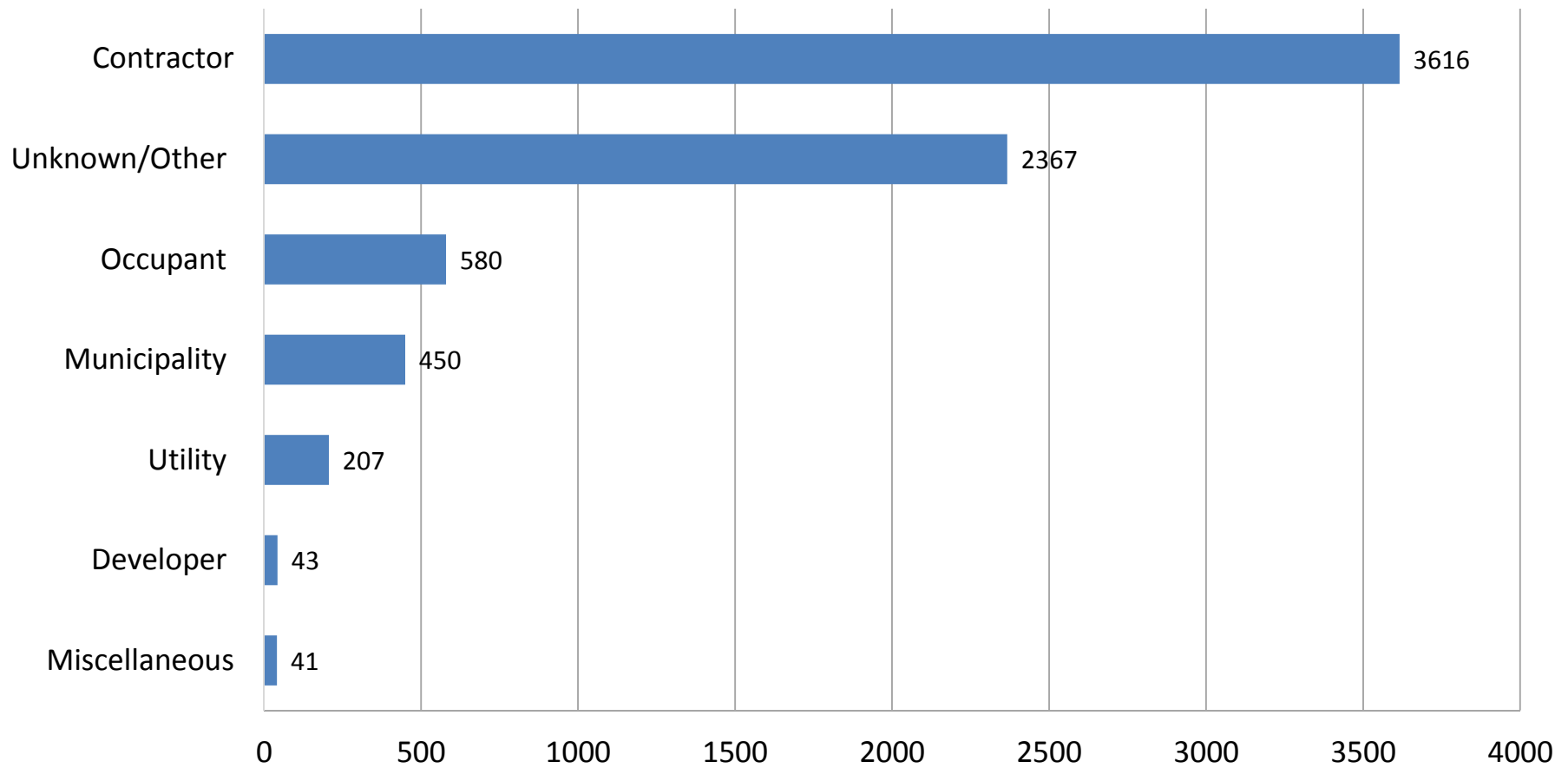
# Damage Prevention Statistics

## Excavation Damages by Excavation Equipment



# Damage Prevention Statistics

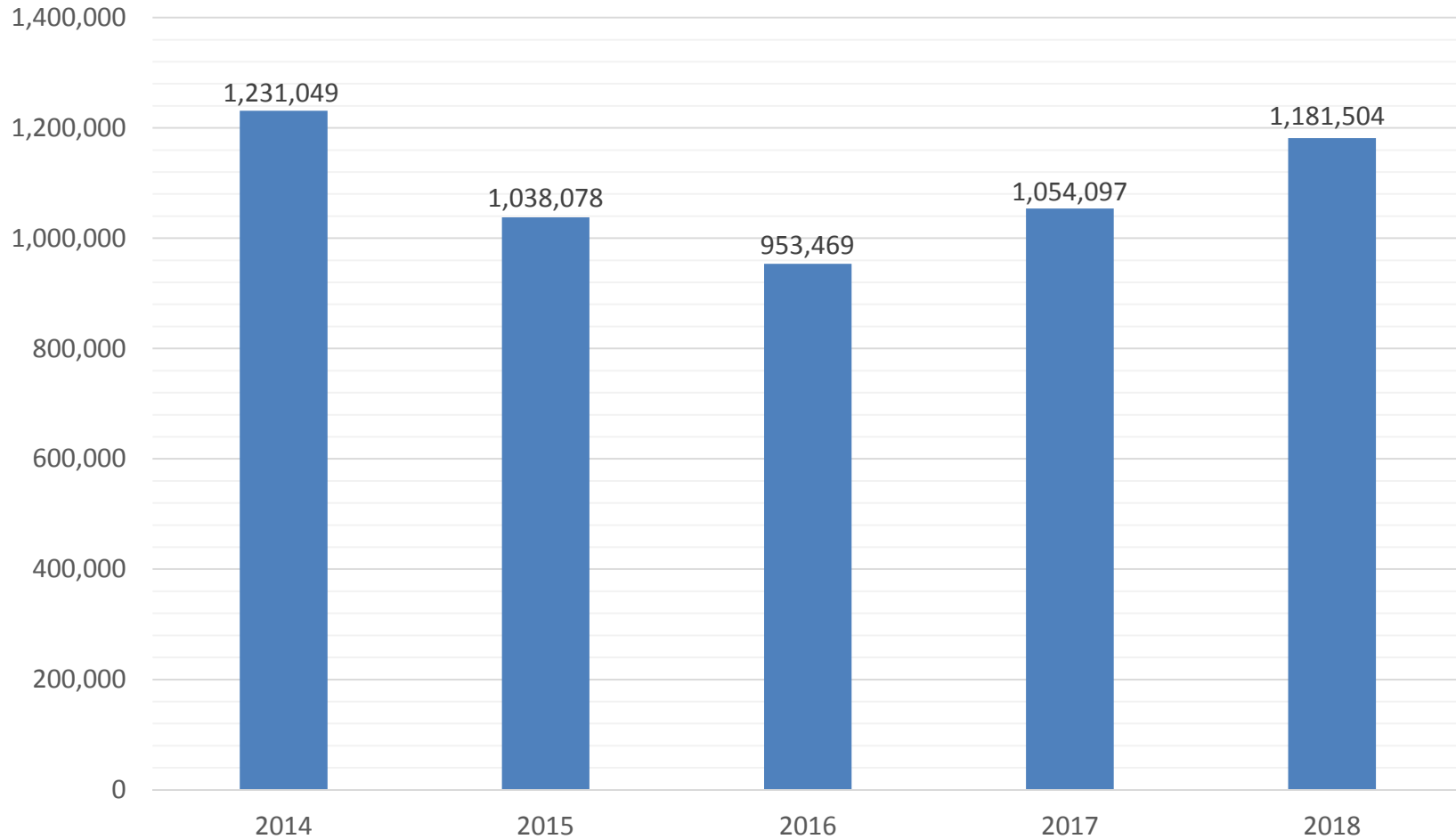
## Excavation Damages by Excavator Type





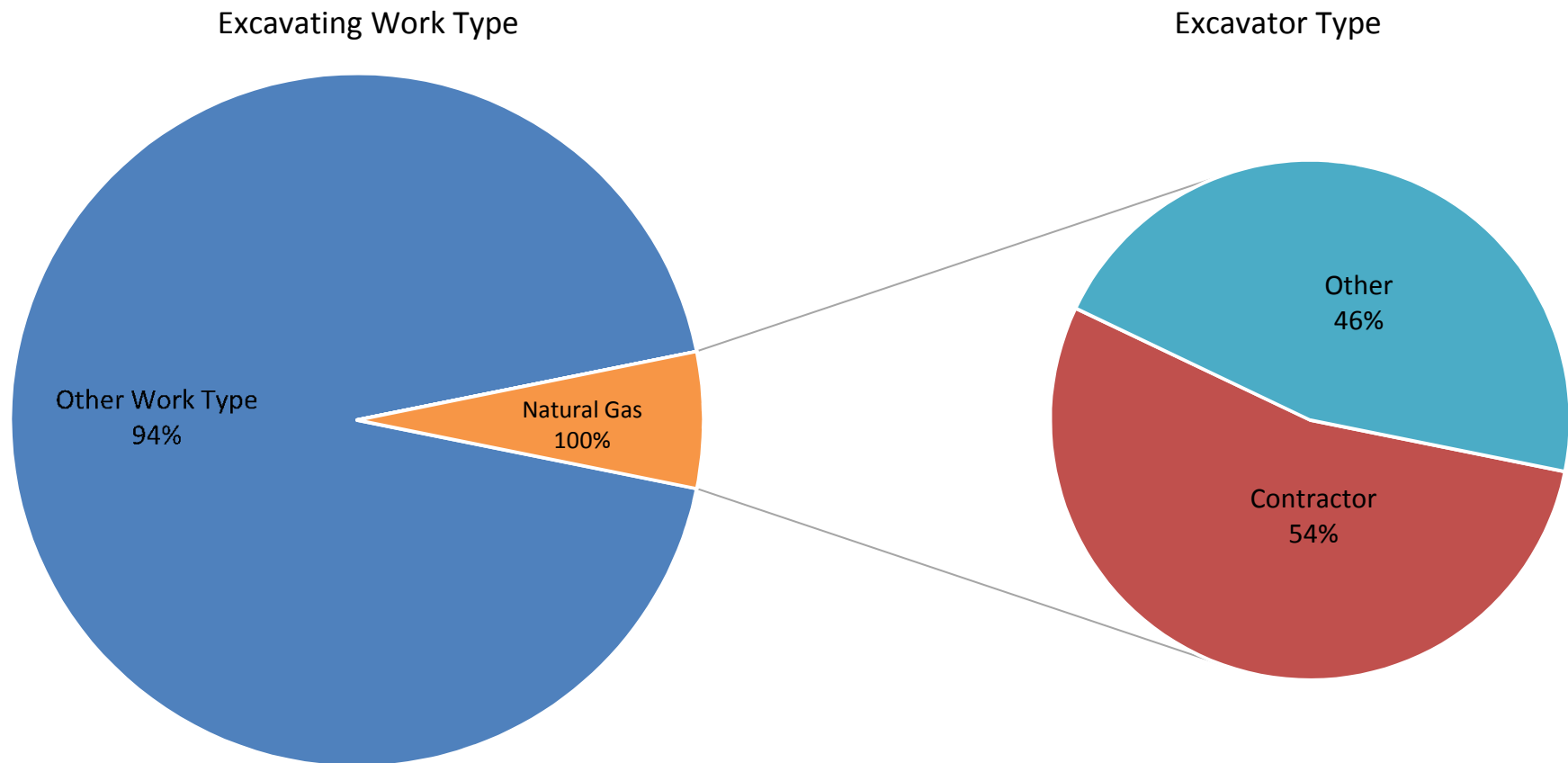
# Damage Prevention Statistics

## “999” – Late Responses



# Damage Prevention Statistics

## 2018 Apparent 2<sup>nd</sup> Party Damages (Natural Gas Only)



# Damage Prevention Statistics

<b>Michigan</b>	
Excavation Damages	4,054
Excavation Tickets	819,538
Excavation Damages / 1000 Tickets	4.9

<b>National</b>	
Excavation Damages / 1000 Tickets	2.7

Source: 2018 Annual Distribution Reports. Form PHMSA F7100.1-1

# Damage Prevention Statistics

## Michigan Leak Summary

<b>Mains</b>	
Excavation Leaks	493
Leaks / 100 Miles of Main	0.83

<b>Services</b>	
Excavation Leaks	3235
Leaks / 1000 Services	0.98

Source: 2018 Annual Distribution Reports. Form PHMSA F7100.1-1

**Slide 12**

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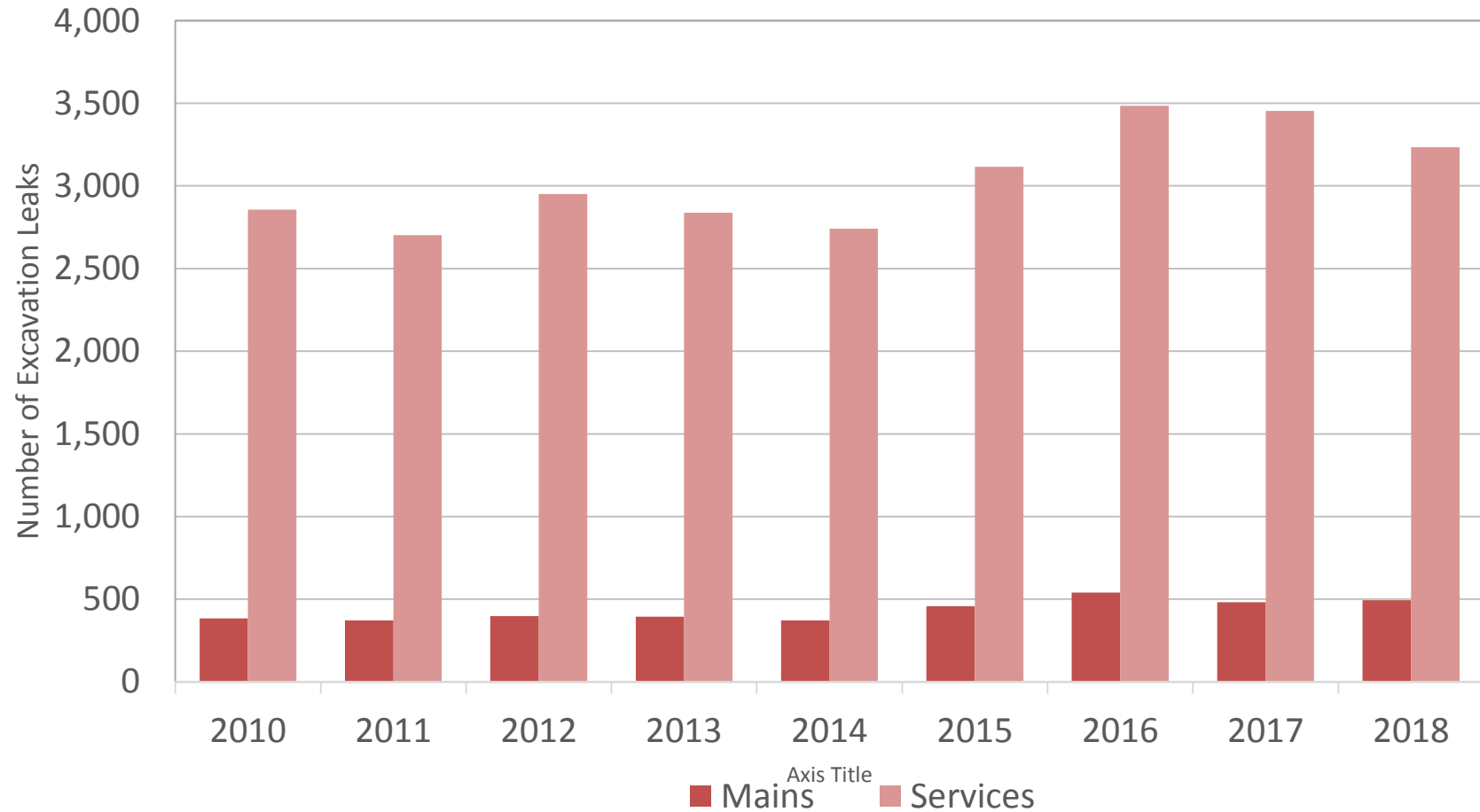
**QJ(5)**

Couldn't update.

Quirante, Jeffrey (LARA), 4/15/2019

# Damage Prevention Statistics

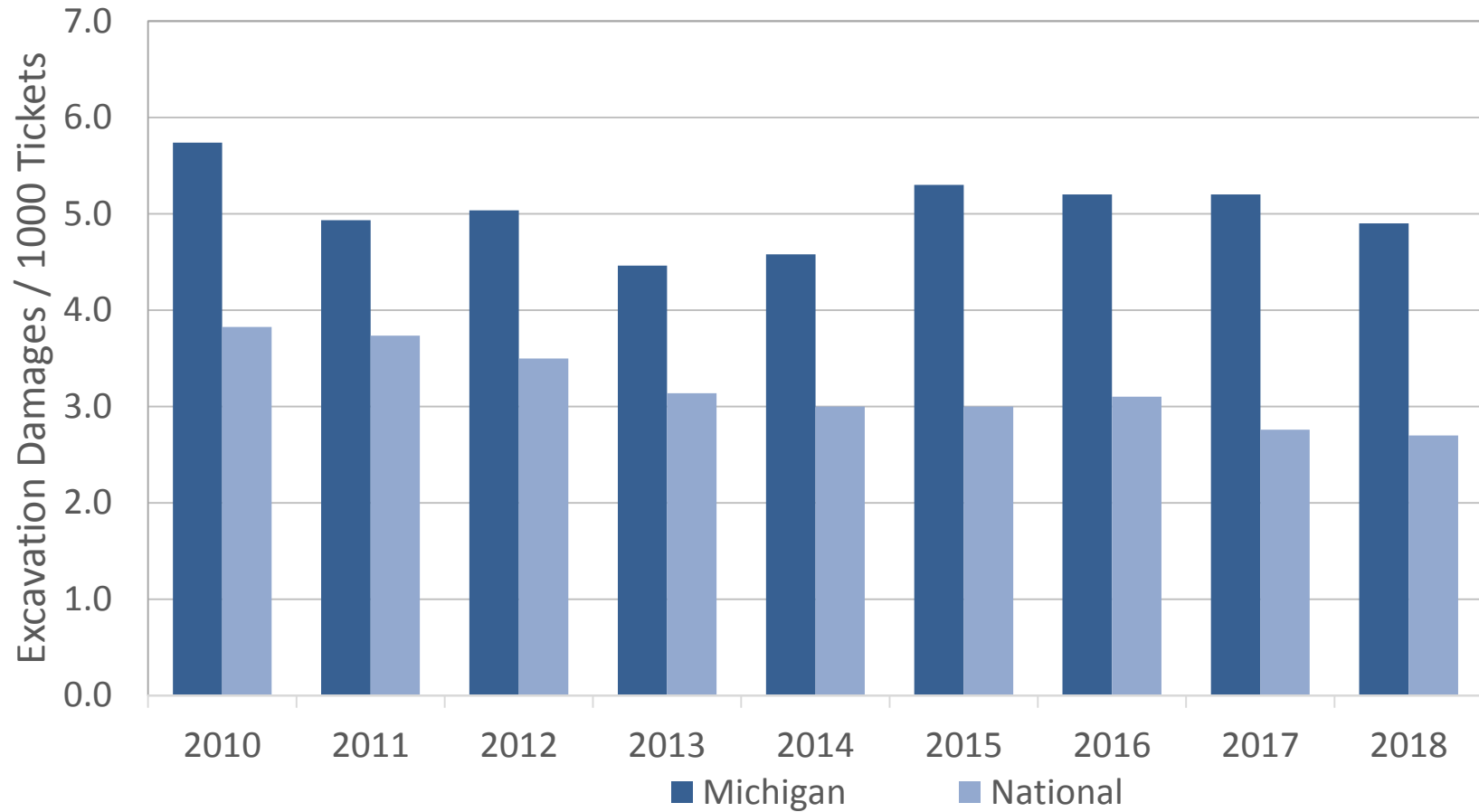
## Distribution Leaks Caused by Excavation



Source: 2010-2017 Annual Distribution Reports. Form PHMSA F7100.1-1

# Damage Prevention Statistics

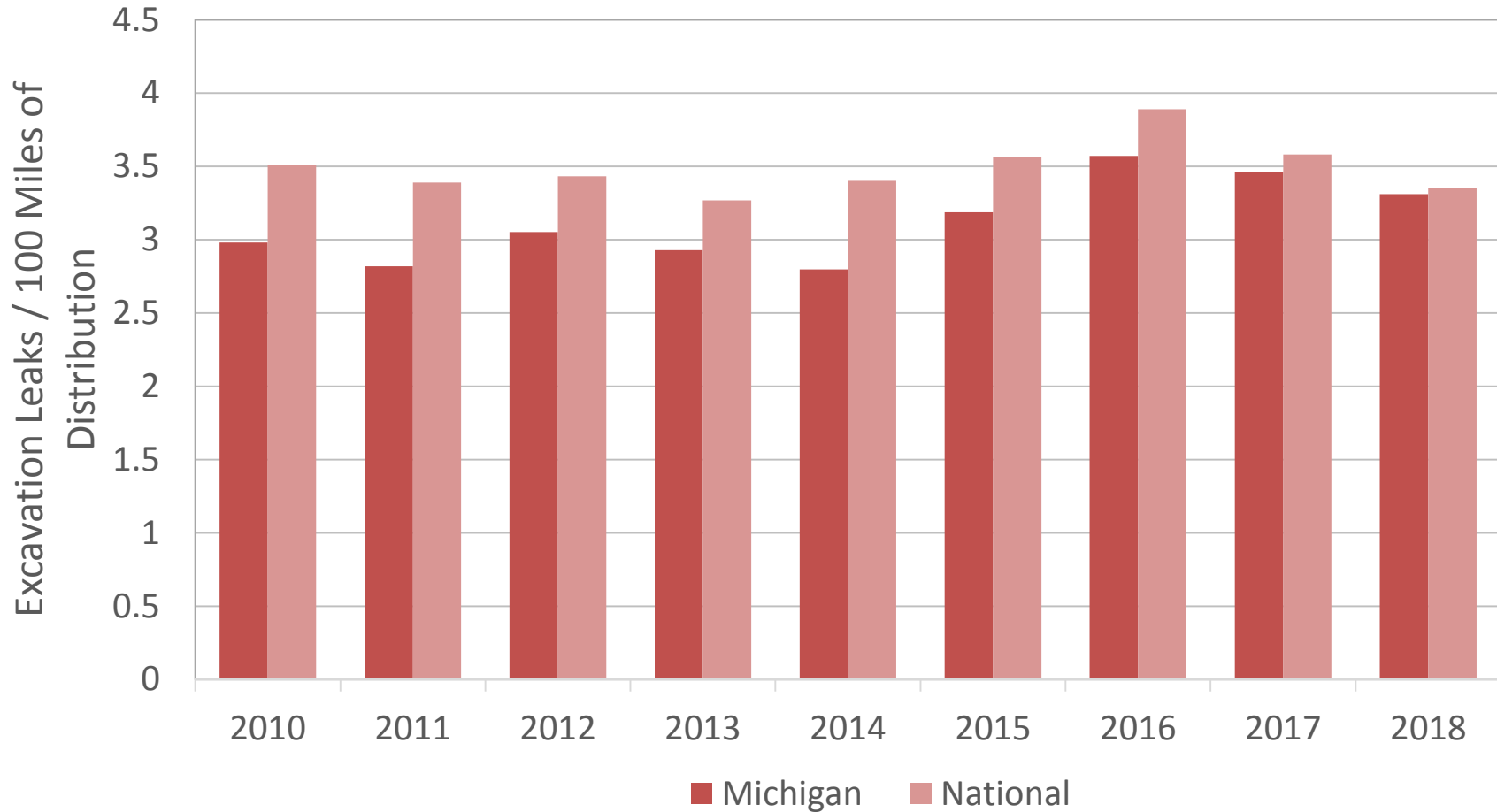
## Distribution Damages Caused by Excavation



Source: 2010-2017 Annual Distribution Reports. Form PHMSA F7100.1-1

# Damage Prevention Statistics

## Distribution Leaks Caused by Excavation



Source: 2010-2017 Annual Distribution Reports. Form PHMSA F7100.1-1



# Damage Prevention Statistics

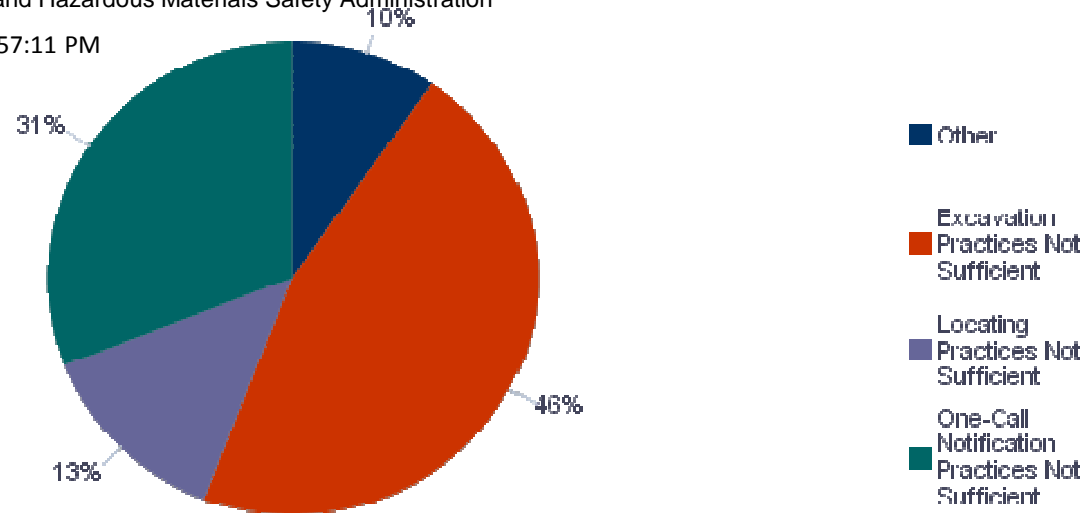
## Gas Distribution Pipeline Excavation Damages by Root Cause 2015 - Present

Time run: 4/12/2019 9:28:01 AM

Data Source: US DOT Pipeline and Hazardous Materials Safety Administration

Portal Data as of 4/11/2019 10:57:11 PM

State: MICHIGAN

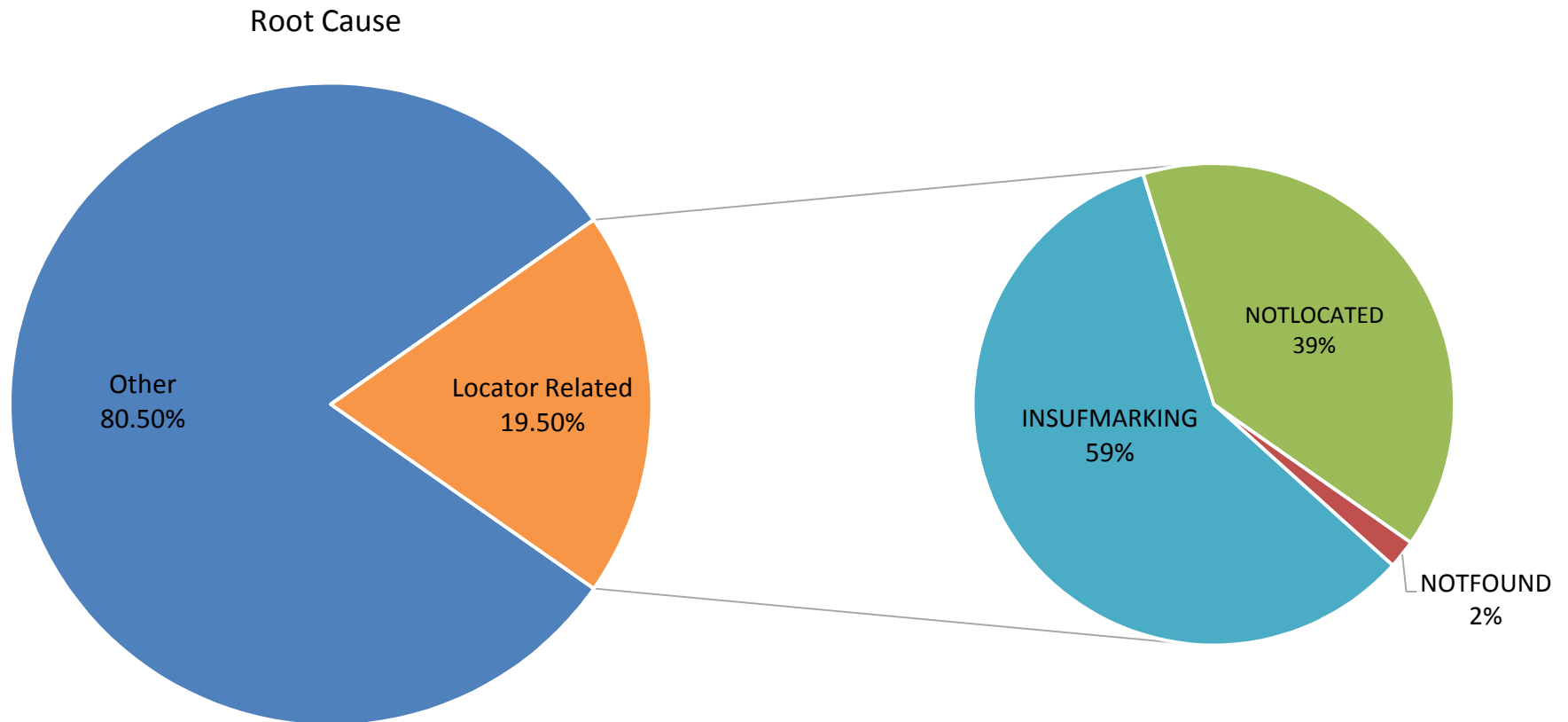


16,864

Calendar Year	Number of Excavation Tickets	Number of Excavation Damages	One-Call Notification Practices Not Sufficient	Locating Practices Not Sufficient	Excavation Practices Not Sufficient	Other	One-Call Notification Practices Not Sufficient	Locating Practices Not Sufficient	Excavation Practices Not Sufficient	Other
2018	819,538	4,054	1,177	633	1,954	290	29%	16%	48%	7%
2017	822,578	4,271	1,238	636	2,108	289	29%	15%	49%	7%
2016	827,516	4,272	1,361	466	1,999	446	32%	11%	47%	10%
2015	796,641	4,267	1,451	481	1,727	608	34%	11%	40%	14%

# Damage Prevention Statistics

## 2018 Excavation Damages by Root Cause



# MPSC DP Summit

- a. Soft Excavation & The Exemption
- b. Public Education
- c. Dispatch Information
- d. MPSC Staffing
- e. “999” Tickets
- f. 2<sup>nd</sup> Party Damages
- g. MPSC Damage Prevention Website
- h. Damages
- i. Metrics
- j. Locator Performance
- k. Ride-a-longs
- l. Abandoned Facilities

# MPSC DP on-going case

## Case U-20520 Press release

### **COMPANY ORDERED TO APPEAR AFTER MISS DIG VIOLATION PROBE**

The MPSC today ordered McLean Transport LLC to explain why it has ignored Commission Staff requests for information about damage to a 3/4-inch natural gas line in April 2018 in Grand Ledge (Case No. U-20520). Staff contacted McLean by mail and phone numerous times as part of its incident investigation, which included whether underground utilities were properly marked and whether McLean used caution near those facilities, but the company has not responded to a request for information. McLean is ordered to explain why it should not be found in violation of the Miss Dig Underground Facility Damage and Prevention Safety Act of 2003. A prehearing conference is scheduled for June 4.

# MPSC Gas Safety Database



On Monday, April 15, 2019, the Gas Operations section will begin using a new database application for management of pipeline safety and damage prevention activities. This new database application utilizes this email account ([LARA-MPSC-Operations@michigan.gov](mailto:LARA-MPSC-Operations@michigan.gov)) as part of an Email-to-Case and case threading function that will be used for creating and updating database cases related to program activity.

All formal correspondence and post-inspection exit summary emails will be delivered from the Pipeline Safety database. Replies to these system generated emails will deliver the response to [LARA-MPSC-Operations@michigan.gov](mailto:LARA-MPSC-Operations@michigan.gov) and will redirect the response to the appropriate database case for review by MPSC Staff. All emails providing responses to formal letters and post-inspection follow up requests to the MPSC should be sent using an email containing the case threading reference information (e.g., “ref:\_00Dr08vPn.\_500r04lQ1o:ref”) and sent to [LARA-MPSC-Operations@michigan.gov](mailto:LARA-MPSC-Operations@michigan.gov), such as via direct reply to the original system generated email.

Any new emails sent without case threading reference information to the [LARA-MPSC-Operations@michigan.gov](mailto:LARA-MPSC-Operations@michigan.gov) account will automatically create a new case and you will receive a system response indicating that a case has been generated, which should include the new case number. **All new DP Complaint cases and Quarterly Damage data submittals are also generated through the new database.**

# DP Complaint Form

On April 18, 2019 the MPSC adopted an updated Damage Prevention Complaint Form.

The revised form streamlines the reporting process and enhances the quality and relevance of the information needed for investigative purposes (Case No. U-17497).

The Commission on Feb. 21 ordered the MPSC staff to propose updates and it set a March 5 deadline to receive public comments. The updated form simplifies damage reporting by reducing the number of information fields while still collecting the most relevant information.

Updated Damage prevention complaint form is available at [MPSC website](#)

# Damage Complaints

- 142 complaints filed since PA 174 became effective on April 1, 2014.
  - 30 complaints filed in 2018.
- In 2018, 23 complaints warranted investigation under PA 174.
  - 2 were issued warning letters.
  - 7 were issued with civil fines.
  - 8 where the complainant could not provide more information/evidence or resolved by both parties
  - 6 are still pending for more information.
- In 2019, 9 complaints filed.

# Excavation Damage Incidents

- In 2018, there were 42 damages reported under Rule 460.20503 that were subject to investigation for violations of PA 174.
  - 13 were issued warning letters.
  - 29 were issued with civil fines.



# Significant Violations

- MCL 460.725(1): Excavator not providing a dig notice at least 72 hours in advance of excavation.
- MCL 460.725(5): Excavator did not use soft excavation at intervals reasonably necessary to establish the precise location of facility.
- MCL 460.727(1): Operator not responding to a ticket by the start date and time of the excavation; not marking facilities in the area of proposed excavation or blasting in a manner that permits the excavator to employ soft excavation to establish the precise location of the facilities.

# Questions / Comments