

1. Does your state damage prevention law, act, etc. contain practices or requirements specifically directed toward prevention of damage to transmission pipelines? Following answered yes:

NEW JERSEY

§ 48:2-85. Map of pipeline; filing

- a. An operator of an interstate natural gas pipeline or an interstate hazardous liquid underground pipeline shall file a map depicting the route of the pipeline in this State with the clerk of each municipality in the State through which the interstate pipeline passes, with the board, and with the Department of Environmental Protection.
- b. Nothing in this act shall be construed to modify or interfere with the enforcement jurisdiction of the United States Department of Transportation with regard to the operators of interstate pipelines.

WASHINGTON

RCW 19.122.033 Notice of excavation to pipeline companies.

- (1) Before commencing any excavation, excluding agricultural tilling less than twelve inches in depth, an excavator shall notify pipeline companies of the scheduled commencement of excavation through a one-number locator service in the same manner as is required for notifying owners of underground facilities of excavation work under RCW 19.122.030. Pipeline companies shall have the same rights and responsibilities as owners of underground facilities under RCW 19.122.030 regarding excavation work. Excavators have the same rights and responsibilities under this section as they have under RCW 19.122.030.
- (2) Project owners, excavators, and pipeline companies have the same rights and responsibilities relating to excavation near pipelines that they have for excavation near underground facilities as provided in RCW 19.122.040. [2000 c 191 § 18.]

RCW 19.122.035

Pipeline company duties after notice of excavation — Examination — Information of damage — Notification of local first responders.

- (1) After a pipeline company has been notified by an excavator pursuant to RCW 19.122.033 that excavation work will uncover any portion of the pipeline, the pipeline company shall ensure that the pipeline section in the vicinity of the excavation is examined for damage prior to being reburied.
- (2) Immediately upon receiving information of third-party damage to a hazardous liquid pipeline, the company that operates the pipeline shall terminate the flow of hazardous liquid in that pipeline until it has visually inspected the pipeline. After visual inspection, the operator of the hazardous liquid pipeline shall determine whether the damaged pipeline section should be replaced or repaired, or whether it is safe to resume pipeline operation. Immediately upon receiving information of third-party damage to a gas pipeline, the

company that operates the pipeline shall conduct a visual inspection of the pipeline to determine whether the flow of gas through that pipeline should be terminated, and whether the damaged pipeline should be replaced or repaired. A record of the pipeline company's inspection report and test results shall be provided to the utilities and transportation commission consistent with reporting requirements under 49 C.F.R. 195 Subpart B.

- (3) Pipeline companies shall immediately notify local first responders and the department of any reportable release of a hazardous liquid from a pipeline. Pipeline companies shall immediately notify local first responders and the commission of any blowing gas leak from a gas pipeline that has ignited or represents a probable hazard to persons or property. Pipeline companies shall take all appropriate steps to ensure the public safety in the event of a release of hazardous liquid or gas under this subsection.
- (4) No damaged pipeline may be buried until it is repaired or relocated. The pipeline company shall arrange for repairs or relocation of a damaged pipeline as soon as is practical or may permit the excavator to do necessary repairs or relocation at a mutually acceptable price. [2000 c 191 § 19.]

RCW 19.122.055

Failure to notify one-number locator service — Civil penalty, if damages.

1)(a) Any excavator who fails to notify the one-number locator service and causes damage to a hazardous liquid or gas pipeline is subject to a civil penalty of not more than ten thousand dollars for each violation.

(b) The civil penalty in this subsection may also be imposed on any excavator who violates RCW 19.122.090.

(2) All civil penalties recovered under this section shall be deposited into the pipeline safety account created in RCW 81.88.050.

[2005 c 448 § 3; 2001 c 238 § 5; 2000 c 191 § 24.]

RCW 19.122.090

Excavation without a valid excavation confirmation code — Penalty.

Any excavator who excavates, without a valid excavation confirmation code when required under this chapter, within thirty-five feet of a transmission pipeline is guilty of a misdemeanor. [2005 c 448 § 5.]

Link to Washington requirements: <http://apps.leg.wa.gov/RCW/default.aspx?cite=19.122>

CALIFORNIA - COMBINED CALIFORNIA FIRE MARSHALL & CALIFORNIA PUC

State law defines high-priority pipelines – and places additional requirements – such as mandatory meet and pre construction design review. Government Code Section 4216(e) states: "High priority subsurface installation" means high-pressure natural gas pipelines with normal operating pressures greater than 415kPA gauge (60psig), petroleum pipelines, pressurized sewage pipelines, high-voltage electric supply lines, conductors, or cables that have a potential to ground of greater than or equal to 60kv, or hazardous materials pipelines that are potentially hazardous to workers or the public if damaged.

GOVERNMENT CODE

SECTION 4216.2 - (2) When the excavation is proposed within 10 feet of a high priority subsurface installation, the operator of the high priority subsurface installation shall notify the excavator of the existence of the high priority subsurface installation prior to the legal excavation start date and time, as such date and time are authorized pursuant to paragraph (1) of subdivision (a) of Section 4216.2. The excavator and operator or its representative shall conduct an onsite meeting at a mutually-agreed-on time to determine actions or activities required to verify the location of the high priority subsurface installations prior to start time.

SECTION 4216.3 (4) Operators of high priority subsurface installations shall maintain and preserve all plans and records for its subsurface installations. SECTION 4216.4 (c) If high priority subsurface installations are damaged and the operator cannot be contacted, the excavator shall call 911 emergency services.

CALIFORNIA PUC - SEE ABOVE

All lines over 60 psig, not just transmission lines as defined in 49 CFR Part 192.

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With the exception of emergency excavations, Government Code 4216.2(a) (2) requires: When the excavation is proposed within 10 feet of a high priority subsurface installation, the operator of the high priority subsurface installation shall notify the excavator of the existence of the high priority subsurface installation prior to the legal excavation start date and time, as such date and time are authorized pursuant to paragraph (1) of subdivision (a) of Section 4216.2. The excavator and operator or its representative shall conduct an onsite meeting at a mutually-agreed-on time to determine actions or activities required to verify the location of the high priority subsurface installations prior to start time.

NEVADA

Pending - There is currently no language in the Nevada enabling statute (NRS 455) or the implementing regulation (NAC 455) that defines special requirements for any specific type of

utility. However, we are soon to start analyzing a proposal to specify special requirements in regulation for facilities defined as being "High Priority". As proposed, "High Priority" facilities would include all natural gas pipelines operating above 100 psig, fuels pipelines, electric lines operating above a given voltage (above X kv), high-capacity fiber optic telecommunications lines, force sewer mains, and water transmission mains (above X diameter in size.)

The regulation would specify the need to conduct a field meet prior to the start of excavation and for the operator to perform stand-by during any period that the excavation is being conducted in close proximity to the high-priority facility.

ARKANSAS

Section 14-271-111. Color code for marking facility and excavation or demolition locations.

State	Natural Gas Intrastate	Hazardous Liquid Intrastate	Natural Gas Interstate	Hazardous Liquid Interstate
Arizona	Certification	Certification	Interstate Agent	Interstate Agent
Minnesota	Certification	Certification	Interstate Agent	Interstate Agent
New York	Certification	Certification	Interstate Agent	Interstate Agent
Washington	Certification	Certification	Interstate Agent	Interstate Agent
California	Certification	Certification		Interstate Agent
Virginia	Certification	Certification		Interstate Agent
Connecticut	Certification		Interstate Agent	
Iowa	Certification		Interstate Agent	
Michigan	Certification		Interstate Agent	
Ohio	Certification		Interstate Agent	
West Virginia	Certification	Certification	Interstate Agent	