

DIG LAW WORK GROUP UPDATE

July, Aug, Sept Mtgs.

July Meeting

- ▣ Personally wasn't able to attend, so I'll report the issues reported at the meeting.
- ▣ Alan, Carl and others will have to help me with the wrinkles

Main Issues

- ▣ There was a survey sent out to identify issues relating to RCW 19.122
 1. Enforcement
 2. Issues with marking laterals- sewer/water/who owns/who pays
 3. Issues about the clarity of the wording, the locating, education, marks, etc

Mainly the rest is all about the details in the law and the confusing situation.

- ▣ Overall, concerns appear to be:
 - Who owns the law;
 - Who makes the rules

Comparisons to Other States

- ▣ We're Number 47!!!!
 - In incidents/ 1000 dig tickets

- ▣ Virginia, Connecticut, Oregon, Nevada
 - They're all doing something right
 - Don't reinvent the wheel

August Meeting

- ▣ Alan went around the room asking the board which issues were the most urgent and whether the RCW needed updating, reworking, or rewritten.

August

- ▣ Most saw enforcement being the most urgent topic to work on
- ▣ Changing the RCW was thought to be the best option to get what was wanted.
- ▣ Debate then became who, how, when, etc.
- ▣ There was an issue about the use of the word “Enforcement”

“Ownership”

- ▣ This was the term thought to be better suited to a good discussion
- ▣ What is ownership? Who is involved, and at what levels, etc.
- ▣ The group supported the idea of a reworking of the law to a new standard.
 - Compatible with the PIPES Act
 - Copied from someone with ‘best practices already’

Who's #1

- ▣ The board wanted to hear from sources both within and without government about best practice states.
 - Are these adaptable? Transferable?
 - Do these practices work for all stakeholders or just the HazMat Pipelines?
 - Will this satisfy the feds? PHMSA? DIMP?

September Meeting

- ▣ Folks brought aboard from UCAW & BIAW
- ▣ First part of the meeting was about Concensus
 - Process vs product
 - You may not like every word, but...
- ▣ Noting the Short Leg Session
 - This would be a difficult bill to do on a normal session
 - There needs to be no opposition, per se, to get this bill passed in 2010

Discussions

- ▣ Again “vertical standards” brought up
- ▣ Feds are mostly concerned with HazMat Pipelines
- ▣ Should the RCW be split into diff. clauses with regulations given to different agencies?
 - IE- Pipelines, Water, Sewer, Gas Distribution?

Guest Speakers to “best practice”

- ▣ Roger Cox
- ▣ Ron Peterson
- ▣ Dan Galvin
- ▣ State Reps from VA, MN, OR, NV
- ▣ Anita Floyd

PIPES Act

- ▣ Bruce Paskett from NW Nat'l Gas spoke to the board
 - re: the PIPES Act
 - ▣ Most stakeholders for this board weren't familiar with the new pipeline regulations

Oregon's OUNC

- ▣ Jody Morehouse from Avista, spoke to the progress made in OR through their Utilities Board.
 - There is a board made up of all the stakeholders
 - They make the dig rules
 - They set the dig fines
 - They see to it that the fines are paid into Dig Law education and not the state fund
 - Once a quarter, a review board meets to hear Requests for Administrative Action

Follow Up

- ▣ Meetings have been added for next year thru March
- ▣ Jan 11 the Legislative Session Begins
 - Short session (60 days)

CCOPS Plan

- ▣ Engage stakeholders in discussing improvement to the RCW 19.122
- ▣ Develop White Paper to support positive changes
- ▣ Improve strategies and partnerships to improve the dig law