



#### Committee Members

Carl Weimer, Chair • Leo Bowman, Vice Chair  
Duane Henderson • Grant Jensen • George Hills  
Pete Kmet • David Knoelke • Richard Kuprewicz  
Shirley Olson • Bob Archey • Bill Rickard • Jean Buckner • Bob Bandarra

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## State of Washington Citizens Committee On Pipeline Safety

### Damage Prevention Sub-committee

The damage prevention sub-committee met via teleconference on March 5<sup>th</sup> to discuss their role, objectives and 2008 work plan. The sub-committee members are all members of the Pipeline Safety Citizens Committee (PSCC) and all were present on the call: Bob Archey, Bill Rickard, Duane Henderson, Grant Jensen and David Knoelke

The damage prevention sub-committee is responsible for preparing the PSCC to make recommendations for possible legislative changes in 2009 to the state's one call law and to increase damage prevention. The sub-committee will work closely with the PSCC, WUTC and with other stakeholders in accomplishing their tasks. The UTC's Washington Damage Prevention Strategy and Plan was reviewed to determine how the PSCC could align their work with the UTC strategy and plan and work from a consistent information base.

The objective of the UTC plan is to *"ensure Washington complies with federal pipeline safety program requirements through initiatives that satisfy the nine elements in the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006 as well as contribute meaningfully to the reduction in underground facility damage caused by excavations."*

The PSCC sub-committee identified two steps in the UTC plan for completion in 2008 where the PSCC can make a significant contribution. They are as follows:

#### ***"3) Clarify the Meaning/Interpretation of the Dig Law***

The state's dig law is not a clearly written law. Responsibilities of the excavator and underground utilities are intertwined through the act, making the law difficult to read and understand. As a result, not everyone is in agreement on what exactly the law says on some key points. The UTC is preparing a rewritten version of Chapter 19.122 RCW which is intended to not change the law but rather state more clearly what the UTC perceives as the contents of that chapter. Future rewrite of the law is included in Step 7 below.

**4) Establish a Forum to Share Best Training Practices & Resources**

Organize a state team of volunteer damage prevention trainers, including contractor participation, to share damage prevention training ideas, needs and resources. A successful training initiative will identify the various target audiences, the key learnings and recommended curriculum. This initiative should be ongoing to allow for establishing a list of available trainers and to share training class schedules."

These sub-committee reviewed and concurred on the tasks outlined for them at the January 24<sup>th</sup> PSCC meeting. The tasks include:

1. Continuing discussions with different stakeholders on what needs to change  
This will require close cooperation with the WUTC to understand and use the information gathered from excavators and at the 2007 operator workshops.
2. Comparison of current Washington State law with other model states  
Arizona and Virginia are often noted as a state often referenced regarding "dig laws". A list of potential state laws to review will be developed and a reasonable number chosen for review.
3. Review recommendations from the national Excavation Damage Prevention Initiative (EDPI). The American Gas Association (AGA), the Associated General Contractors(AGC), the Association of Oil Pipe Lines (AOPL), the Interstate Natural Gas Association of America (INGAA), and the National Utility Contractors Association (NUCA) collectively established the EDPI to promote development of a comprehensive consensus among excavators, underground facility owners, operators, safety advocates, state regulators, and the public, on implementation of the 9 elements of effective underground utility safety and damage prevention programs. These recommendations are available on the Internet at  
[http://www.commongroundalliance.com/Template.cfm?Section=EDPI\\_Team&CONTENTID=4536&TEMPLATE=/ContentManagement/ContentDisplay.cfm](http://www.commongroundalliance.com/Template.cfm?Section=EDPI_Team&CONTENTID=4536&TEMPLATE=/ContentManagement/ContentDisplay.cfm) .

Note: While the Common Ground Alliance (CGA) does not endorse these recommendations, they have posted them to their website to assist the effort and keep CGA members informed.

4. Development of short white papers on the changes we see needed
5. Development of strategies and partnerships to positively inform the legislature

**The work plan for the sub-committee is as follows:**

**By April 3, 2008 PSCC meeting**

- Identify and recommend the model states that will be used in the comparison of current Washington State law
- Review and comment on the recommendations from the national Excavation Damage Prevention Initiative (EDPI)
- Identify the key stakeholders that should be included in the sub-committee's work

**By the May 22, 2008 PSCC meeting**

- Review the results of the comparison of current Washington State law with other model states
- Review the WA UTC draft clarification mark-up of 19.122 RCW
- Discuss which issues should be the subject of white papers

**By the July 24, 2008 PSCC meeting**

- As appropriate, invite stakeholders for discussion of identified issues

**By the September 25, 2008**

- Review white papers
- Discuss potential revisions to 19.122 and strategy PSCC support to these revisions.

Notes prepared by Bob Archey 3/11/08

