



CPUC Public Agenda 3279

Thursday, August 18, 2011, 9:00 a.m.
505 Van Ness Ave, San Francisco



Commissioners:
Michael R. Peevey
Timothy Alan Simon
Michel Peter Florio
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CPSD Utilities Safety and Reliability Branch



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California Public Utilities Commission

August 18, 2011





Presentation Overview

- What is One-Call?
- One-Call Structure in California
- Basics of the One-Call Process Relating to Excavators, Facility Owners, and Regulators
- What Can Result When Process is Not Properly Followed?
- Enforcement of One-Call in Neighboring States
- The Need for the Enforcement of the One-Call Law in California





What is One Call?

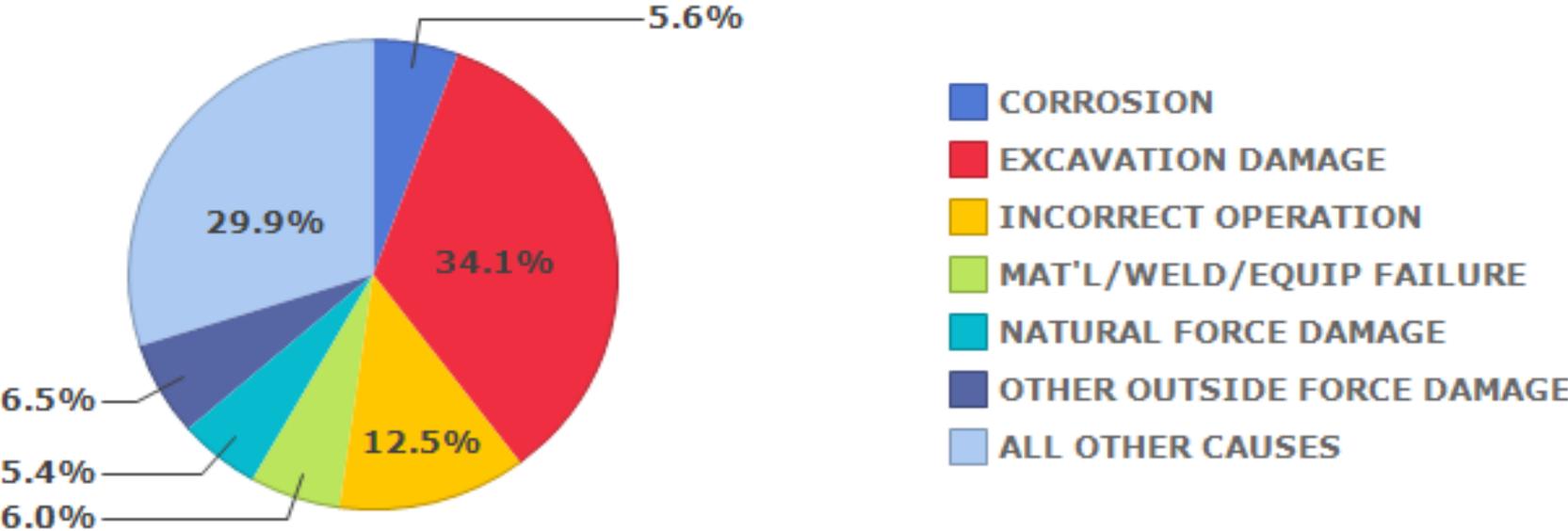
- One Call refers to the requirement for all excavators, with few exceptions, to contact One-Call Centers and provide them with information related to the intended excavation (work area, date when work will start, scope of work, contact information, etc.).
- The overall intent is to prevent damage to subsurface facilities, loss of service, and injuries or deaths which can result if facilities are struck.





What is One Call?

Serious Incident Cause Breakdown
National, All Pipeline Systems, 1991-2010



Source: PHMSA Significant Incidents Files July 29, 2011





One-Call Structure in California

- There are two One-Call Centers in California:
- **Underground Service Alert (USA North)** covers northern California (Oregon Border down to Kern and San Luis Obispo counties)
- **Dig Alert** covers Los Angeles, Santa Barbara, Inyo and San Bernardino counties south to the Mexican Border.
- Each center has its own 800 phone number; however, both centers also receive calls through the 811 number system, which automatically routes calls.
- Each center is funded by its membership.





One-Call Structure in California

- California Government Code Section 4216 requires all owners of sub-surface facilities with the exception of California's Department of Transportation, operators of non-pressurized sewers, drain lines, and storm drains, and owners of facilities located entirely on their property, to be members of all One-Call Centers whose coverage includes their subsurface facilities.
- The call to the One-Call Center, and the mark-and-locate service performed by the members, is provided at no charge to the excavator.





One-Call Structure in California

- Approximately 50% of the subsurface facilities in California are jurisdictional to the CPUC (i.e., gas lines, electric facilities, communications, water, etc).
- Gas lines are frequently struck and present the greatest risk since gas can be flammable/explosive.





Basics of the One-Call Process Relating to Excavators, Facility Owners, and Regulators

- California Government Code, Section 4216 (GC 4216) requires excavators to provide local One-Call Centers with excavation related information at least two business days before initiating excavating activities.
- The One-Call Centers provide this information to each of their members who may have facilities in the work area.
- Once notified, members must provide the excavator with an approximate location of subsurface facilities, or confirm that there are no conflicting facilities in the work area.
- Each excavator must take steps to protect subsurface facilities while excavating and report any damages.





Basics of the One-Call Process Relating to Excavators, Facility Owners, and Regulators

- Currently, only local permitting agencies, district attorneys, or California's Attorney General can take action against violators of GC 4216.
- Unfortunately, due to other workload and agency priorities, these entities take very little enforcement action against violators of GC 4216.
- The federal government, through the USDOT -- Pipeline and Hazardous Materials Safety Administration, is threatening to begin enforcement actions in states that have weak One-Call enforcement programs.





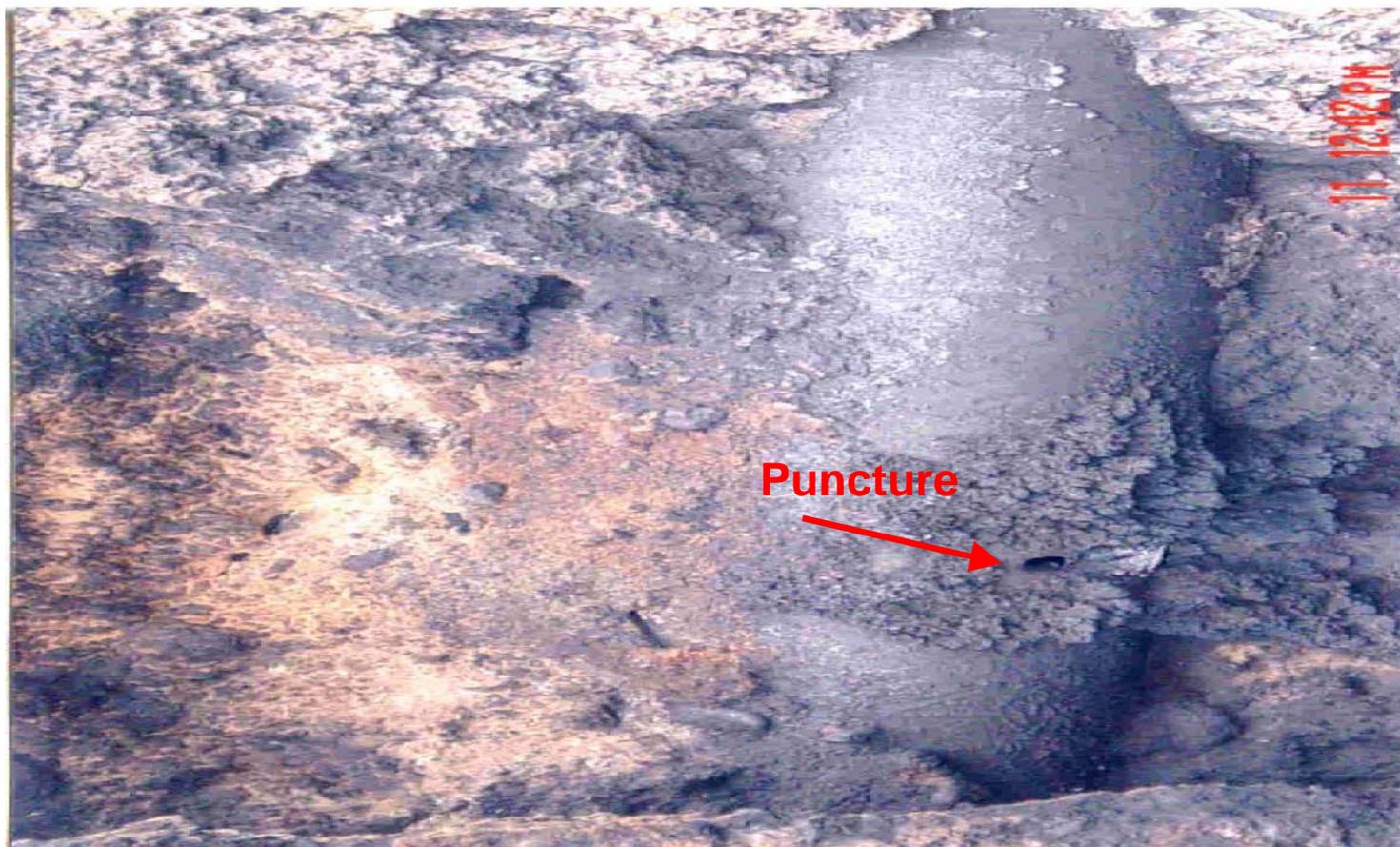
What Can Result When Process is Not Properly Followed?

- Underground excavation damage is the leading cause of gas and subsurface electric incidents.
- Underground excavation damage results in millions of dollars in property damage to subsurface facilities and poses a major risk to workers and public safety.
- For the period 2008-2010, 13,874 third-party hits to natural gas facilities resulted in damages approximating \$17.7 million.





What Can Result When Process is Not Properly Followed?



Kinder Morgan LS 16 pipeline with through-wall puncture.

Photo Courtesy of CalOSHA





What Can Result When Process is Not Properly Followed?

On November 9, 2004, an excavator struck a 16-inch diameter liquid products pipeline, in Walnut Creek, CA,

Upon puncture of the pipeline, gasoline under high pressure was immediately released into the surrounding area. Several seconds later, the gasoline coming out of the pipeline was ignited by welding equipment. The explosion and fire from the ignition resulted, tragically, in the deaths of five workers and significant injury to four others. A nearby two-story structure, and some other property was burned and damaged.

California State Fire Marshal's Office, which investigated the accident, stated:
“...there were several factors that significantly contributed to this accident. These include inadequate line locating, inadequate project safety oversight and communication, and failure to follow the one-call law.”





Enforcement of One-Call in Neighboring States

- Commissions in California's neighboring states (Oregon, Nevada, and Arizona) all have effective programs to enforce their one-call laws;
- States such as Virginia and Missouri have had aggressive one-call law enforcement programs for many years.





Enforcement of One-Call in Neighboring States

- Proactive enforcement of GC 4216 in California is nonexistent;
- States neighboring California have proactive One-Call enforcement programs that allow violators of one-call laws to improve their behavior;
- Experience from “near miss” incidents can help prevent more serious incidents from occurring.





Enforcement of the One-Call Law in California is Necessary to Protect Public Safety

- Currently, no regulatory agency in California is routinely penalizing excavators who violate the One-Call law, damage gas, electric and communication lines and often see the damage as cost of doing business.
- Enforcement will decrease safety risk to workers involved in excavations and the public.
- Enforcement will reduce property damages, increase system reliability, and can result in lower utility rates.





Enforcement of the One-Call Law in California is Necessary to Protect Public Safety

- California Regional Common Ground Alliance (CARCGA), which represents all stakeholders from the excavation community, has developed a model which could serve as a starting point for the enforcement process in California.
- The CARCGA model proposes an enforcement process, similar to Oregon's, that would primarily be complaint driven.
- The enforcement process would encourage One-Call training for first offences and an escalating penalty structure, thereafter.
- The model has strong support from CARCGA members.

