

Resolution on Excavation Damage Prevention

WHEREAS, The Pipeline Inspection, Protection, Enforcement and Safety Act of 2006 (PIPES Act), which was signed into law in December 2006, established a new pipeline safety program focused on improving existing State “excavation damage prevention” programs; *and*

WHEREAS, Excavation damage is the number one cause of serious accidents to pipelines and other underground utilities; *and*

WHEREAS, This new pipeline safety program encourages States to enhance their damage prevention programs by incorporating nine "Elements" into their pipeline safety regulations and/or laws; *and*

WHEREAS, A group of excavation damage prevention stakeholders (composed of excavators, underground facility owners, operators, safety advocates, State regulators, and the public) participated in a three-year collaborative effort, drawing on their expertise and experiences in underground facility safety, operations, and excavation, to craft the nine “Elements”; *and*

WHEREAS, A stakeholder group formed the Excavation Damage Prevention Initiative (EDPI) in the summer of 2007 and produced a document titled “Guide to the Nine Elements” to provide guidance to stakeholders, State legislatures, and State commissions, working to incorporate the nine “Elements” into their States’ existing State damage prevention programs; *and*

WHEREAS, State legislatures and State commissions are being asked to use the EDPI’s “Guide to the Nine Elements” as a baseline for improving their current programs; *and*

WHEREAS, The PIPES Act requires that the Department of Transportation make grants available to States that undertake to incorporate the nine “Elements” into their damage prevention programs; *and*

WHEREAS, The Elements themselves contain processes and goals that when incorporated into State damage prevention programs, will enhance their effectiveness; *now, therefore, be it*

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners, convened in its 2008 Winter Meetings in Washington, D.C., urges State commissions to review their current excavation damage prevention programs and to consider the EDPI’s “Guide to the Nine Elements” document in making revisions and improvements, where necessary, in order to incorporate fully the nine “Elements” of the PIPES Act of 2006.

Sponsored by the Committee on Gas

Adopted by the Board of Directors February 20, 2008