

**STATEMENT OF KELLEY S. COYNER
ACTING ADMINISTRATOR FOR
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION**

**BEFORE THE
SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE
COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION
UNITED STATES SENATE**

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Good morning, Madam Chairman and Members of the Subcommittee. I am Kelley S. Coyner, Acting Administrator of the Research and Special Programs Administration (RSPA). Thank you for the opportunity to discuss the need for federal legislation to enhance protection of America's underground utilities.

**TRANSPORTATION CONSEQUENCES
OF DAMAGES TO UNDERGROUND UTILITIES**

As Secretary Slater has said on numerous occasions, safety is the Department's highest priority -- the North Star by which we are guided. In our pipeline program, there is no brighter star in the safety sky than the need to enhance protection against damage caused to pipelines from excavation and other outside forces. In fact, third party damage is a leading cause of pipeline failure. That is why we offered one-call legislation as part of our proposal to reauthorize the Intermodal Surface Transportation Efficiency Act (ISTEA). Today, however, I want to emphasize that underground damage prevention impacts much more than pipelines. Underground damage prevention truly is a multi-modal issue

requiring national attention.

For example, damage to underground telephone and electric cables has been an ongoing concern for the Federal Aviation Administration. Cable cuts can result in shutdowns of navigation aids, air traffic control, and other important services.

Between 1989 and 1991, 590 cable cuts resulted in 1,444 equipment outages or disruptions. In May 1991, four of the FAA's 20 major air traffic control centers were shut down for five hours and 22 minutes when a fiber-optic cable was cut by a farmer burying a dead cow near Memphis, Tennessee. In January of that same year, phone crews removing old cable in Newark, New Jersey accidentally severed a fiber-optic cable carrying 100,000 calls, including air traffic control communication in New York, Washington and Boston. Similarly, on November 19, 1990, a contractor planting trees severed a high-capacity telephone cable in suburban Chicago, causing the air traffic control tower at O'Hare International Airport to lose contact with the Chicago air traffic control center.

There also have been many pipeline-related incidents. In March 1994, a gas transmission line that had been damaged years before failed in Edison, New Jersey, causing a terrible explosion and destroying an apartment complex. In Fairfax County, Virginia, a

petroleum products pipeline failed as a result of excavator damage, spilling thousands of gallons of diesel fuel into the Potomac River.

Although there are many more examples, these events demonstrate clearly that damage to underground utilities can have a profound impact on transportation safety and the communities served by our transportation systems. Our challenge is to enhance safety by developing a comprehensive system to prevent damage to underground utilities.

THE NEED FOR FEDERAL LEGISLATION

The Department is working actively to enhance safety by preventing underground utility damage. For example, we have established a quality action team composed of various industries -- including pipeline, telecommunications, and general contractors -- to develop a public education program on preventing underground utility damage. We also are co-funding critical research, emphasizing "best practices" for damage prevention through our State pipeline safety grant program, and supporting effective enforcement strategies to deter violators.

Many States also are working with us on this issue. In the past three years, fourteen states have passed or improved significant

one call legislation. Currently, forty-nine States and the District of Columbia have one-call programs. However, sixteen states do not require membership by all underground facility operators, and about half of all one-call centers do not have 24-hour coverage.

Although much has been done, we recognize that more work is ahead of us, and that we must continue to work with States, industry, and Congress to develop comprehensive and uniform one-call requirements. We must ensure that, with very limited exceptions, all underground excavators are required to call before they dig. Moreover, we must ensure that all underground utility operators are required to participate, and that underground utilities are identified quickly and accurately whenever excavation is needed.

The Department commends Senator Lott and the members of this Committee for addressing this issue and developing legislation that will help meet these broad requirements. Although there are differences between S. 1115 and the Administration proposal, there is significant common ground and a strong foundation for moving forward to enhance underground damage prevention. As with our proposal, the S. 1115 embraces the idea that Federal leadership, not more Federal mandates, is what is needed to improve underground damage prevention. It provides States with

assistance, guidance and incentives to improve their one-call programs while, at the same time, providing flexibility, through an innovative risk-based screening process, to address particular circumstances. We look forward to working with the Committee to enact comprehensive one-call legislation.

NATIONAL DAMAGE PREVENTION EFFORTS

Before I conclude, Madam Chairman, I would like to take this opportunity to provide the Subcommittee with more detail on our efforts to reduce damage to underground facilities. Perhaps the most significant effort currently underway is our Damage Prevention Quality Action Team (DAMQAT). This is a unique alliance that includes representatives from the Office of Pipeline Safety (OPS), pipeline and telecommunications companies, States, one-call centers, professional excavators, and the insurance industry. In its brief eleven month existence, DAMQAT has collected and evaluated current damage prevention materials, reviewed previous studies of third party damage, and commissioned the first comprehensive national damage prevention survey. Moreover, we have selected a contractor to prepare a marketing plan for a pilot damage prevention campaign, and selected five states in which to test the campaign: Alabama, Georgia, Mississippi, Tennessee and Virginia.

We have identified several initiatives worthy of support through our one-call grant program, including: training for excavators in safe digging techniques; training for those who locate underground facilities; development of software so States can easily compile performance data for OPS use; and funding start-up costs of enforcement programs for one-call laws. We have initiated a partnership with One Call Systems International to achieve a number of other goals, including improving the accuracy of pipeline mapping systems and mapping state pipelines in a geographic information system format. We also compile information on model State programs and best practices and support State efforts to develop or strengthen their one-call laws.

To improve existing technology, OPS awarded a multi-year contract to a consortium of Battelle, Southwest Research Institute, and Iowa State University to determine the feasibility of modifying existing instrumented internal inspection devices or "smart pigs" to detect gouges and dents caused by third party damage. The project is being directed under a memorandum of understanding with the Gas Research Institute and may help detect potential pipeline damage before an incident occurs.

CONCLUSION

Madam Chairman, damage to underground facilities is a serious transportation safety issue. I am pleased to have this opportunity to renew our commitment to working with you and our other partners to reduce the risk of underground utility damage. Again, I want to thank Senator Lott and the distinguished members of this Subcommittee for addressing this issue and moving forward to enact legislation.