



# Fourteenth Annual Report

MSRA# 8340

*2025*

MARYLAND UNDERGROUND FACILITIES  
DAMAGE PREVENTION AUTHORITY

2024 State Damage  
Prevention Program  
Review

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**Maryland Underground Facilities  
Damage Prevention Authority**

7223 Parkway Drive, Suite 100  
Hanover, MD 21076  
(410) 782-2102

February 19, 2024

**Jimmy Jennings**  
*Locator Representative  
Chairman*

**David Wilkins**  
*Vice - Chairman  
Utility Owner Representative*

**Jennifer Arroyo**  
*Treasurer  
One-Call Center Representative*

**Marc Haines**  
*Secretary  
Utility Owner Representative*

**James Dudley**  
*Public Member*

**Bahareh Inanloo**  
*MACo Representative*

**Hal Metzler**  
*MML Representative*

**Keith Dill**  
*Contractor Representative – PWCA*

**Timothy Kaptein**  
*Contractor Representative – AUC*

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**James A. Barron**  
*Executive Director  
jim.barron@mddpa.org*

**Susan A. M. Stroud**  
*Deputy Director  
susan.stroud@mddpa.org*

info@mddpa.org  
[www.mddpa.org](http://www.mddpa.org)

The Honorable Wes Moore  
Governor of Maryland  
The State House  
100 State Circle  
Annapolis, Maryland 21401

The Honorable William Ferguson President  
Senate of Maryland State House, S-107  
Annapolis, Maryland 21401

The Honorable Adrienne A. Jones Speaker  
Maryland House of Delegates State House, H-101  
Annapolis, Maryland 21401

Re: Report Required by Public Utilities Article - §12-144 (MSAR# 8340)

Lady and Gentlemen:

As the 2024-25 Chair of the Maryland Underground Facilities Damage Prevention Authority, I submit this Fourteenth Annual Report to you. This document serves as an outline of the Authority's activities and accomplishments for the 2024 Calendar year.

Sincerely,  
*James E. Jennings*

Jimmy Jennings  
Chairman

cc: Sarah Albert, Department of Legislative Services

## MARYLAND AUTHORITY MISSION STATEMENT



*“The Authority seeks to protect underground facilities of owners in the State of Maryland from destruction, damage, or dislocation to prevent - death or injury to individuals; property damage to private and public property; and the loss of services provided to the general public.*

*To accomplish this, the Authority seeks to promote, enhance, and assist the State of Maryland in enforcing the Maryland underground utility damage enforcement, effective public education, and the constant knowledge that public safety through reduced Damages is our prime concern.”\**

\*Pursuant to the legislative intent enacted by the Maryland General Assembly, as part of the State Underground Facilities law, Article Public Utilities, Title 12, Section 12-102, the mission statement adopted by the Authority in 2010.

## The Miss Utility Statute – Brief History<sup>1</sup>

In 1990, the General Assembly enacted the Miss Utility Statute, Md. Code (1957, 1991 Repl. Vol.), Section 28A(a) of Article 78. Its aim was to protect the public from death or injury caused by damage to underground public utility structures, including sewer, gas, oil, and water lines, and to prevent damage to those underground facilities during construction projects. It “required that all owners of underground facilities in the state—i.e., public utilities, telecommunications corporations, cable television corporations, political subdivisions, municipal corporations, steam heating companies, and authorities—become ‘owner-members’ of a ‘one-call’ system.” *Reliable Contracting Co., Inc. v. Md. Underground Facilities Damage Prevention Auth.*, 222 Md. App. 683, 686, cert. granted, 444 Md. 638 (2015).<sup>1</sup> If a contractor planned to perform any excavation or demolition work in the State, the contractor was required to notify the one-call system and could not begin excavation or demolition until it received notification that all underground facilities in the vicinity had been marked or that no underground facilities were in the vicinity of the site. *Id.*

In 2006, Congress enacted the Pipeline Inspection, Protection, Enforcement, and Safety Act, 49 U.S.C. § 60134 (“the PIPES Act”). That act authorized the federal Department of Transportation to allocate grants to a “State authority” to improve underground facilities damage prevention programs. 49 U.S.C. § 60134(a). Only State authorities having the power to assess civil penalties for violations of State law governing underground facilities were qualified for federal grants. See 49 U.S.C. § 60134(b)(6), (7).

In 2010, the General Assembly revised the Miss Utility Statute, consistent with the PIPES Act, to create the Authority. As relevant here, the Authority is empowered to adopt bylaws; maintain facilities for the purposes of holding hearings; employ a staff; and “do all things necessary or convenient to carry out the powers expressly granted by this subtitle.” PU § 12-110(a). It is comprised of nine members, all of whom are appointed by the Governor to staggered two-year terms. PU § 12-107.

With the exception of one <sup>1</sup> In *Reliable Contracting*, this Court rejected a challenge to the constitutionality of the provisions of the Miss Utility Statute empowering the Authority to adjudicate complaints and assess civil penalties.

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<sup>1</sup> UNREPORTED -IN THE COURT OF SPECIAL APPEALS  
OF MARYLAND -No. 2079  
SEPTEMBER TERM, 2014  
WASHINGTON SUBURBAN SANITARY COMMISSION ET AL.

v.  
MARYLAND UNDERGROUND FACILITIES DAMAGE PREVENTION AUTHORITY  
Eyler, Deborah, S., Nazarian, Sharer, Frederick J. (Retired, Specially Assigned), JJ.  
Opinion by Eyler, Deborah, S., J.  
Filed: October 22, 2015

*\*This is an unreported opinion and therefore may not be cited either as precedent or as persuasive authority in any paper, brief, motion, or other document filed in this Court or any other Maryland court. Md. Rule 1-104.*



# *2024 Accomplishments*

**Statutory Requirements** - The Authority met eight (8) times during the 2024 calendar year. Four meetings were conducted via Zoom and four (4) were in-person meetings. Of the C/Y 2024 meetings, four (4) were the Quarterly business meetings, which are required by statute and are open to the public.

**Breakdown of 2024 Offenses** – In 2024, the Authority received eighty-seven (87) NPV's of which fourteen (14) were voided due to incomplete application forms or duplications. The Authority reviewed thirty-one (31) NPV's, some of which were carried over from 2023. In addition, of the eighty-seven (87) NPV's received in 2024, seventy-three (73) are currently under investigation and slated for review in 2025. The rate of cases increased substantially in 2024. Sixteen (16) were received by mid-June and seventy-one (71) were received in the second half of the year. This is compared to forty (40) NPV's files in 2023. There were another sixteen (16) NPV received in the first two (2) months of 2025. Tracking these types of offenses is an important tool that the Authority uses to address deficiencies in our training program, and damage trends in the field so that we may put more emphasis on these issues. Of the NPVs reviewed there were:

- **Locating Violations** – In 2024 there were sixteen (16) marking violations, which in each case was due to the failure of the contract locator to mark the underground facilities within the required two (2) business days.

- **No Miss Utility Ticket** - In addition, there were thirty-seven (37) instances reported, where the violator had not obtained a valid ticket for the work they intended to do. These NPV's were all first time offenses, which will require Damage Prevention training .
  
- **Failure to Test Pit** – There were sixteen (16) instances of excavation near an underground facility without “Test Pitting”; “clear evidence” that facilities existed on the site or not “respecting” the marks (tolerance zones with mechanical equipment. e. Test pitting (pot holing) is required in order to verify that the location marks are correct by exposing the utility before commencing exaction.
  
- **Using Mechanical Equipment within 18” of an Exposed Facility** - There were four (4) NPVs filed against companies that utilized mechanical equipment within the tolerance zone which is 18” from the outermost edge of the markings of an exposed facility.



**Civil Penalties** – The Authority imposed \$20,652.00 in 2024 in fines and collected \$19,730.00. The Authority also recommended Title XII Damage Prevention Safety training to all companies in violation of the statute or required written policy statements in order to mitigate internal shortfalls to those company’s damage prevention programs (the Authority provides Damage Prevention Training via the MD/DC DPC at no charge to the violator).

**Filing Fees** - The Authority collected \$5,400.00 on non-subscriber filing fees in 2024 and \$7,800.00 in subscribers fees. Filing fees are set at \$200. This fee doesn’t begin to cover the true cost of conducting a full investigation and review. To take an NPV through the entire process including an appeal is estimated to cost approximately \$10,000, provided the Authority is not challenged at the Circuit Court level. Subscribers (facility owners) pay into a sinking fund on an annual basis via micro grants. These funds are reserved for the owners’ filing fees and cannot be used for any other purpose.

**MD Continues to be a Low Damage State** - Despite an uptick nationwide in underground facility damages, and a dynamic increase in ticket volumes, Maryland remains a state with the lowest “hit rates” in the nation. The Authority attributes this statistic to a very successful Education and Outreach program. C/Y 2024 damages per 1000 Miss Utility tickets were 0.82 %.

**Education & Outreach** - The Authority's main focus continues to be Education and Outreach. The Authority once again contributed \$20,000 to the "Miss Utility" regional radio campaigns during Maryland's Safe Digging Month (April). These radio PSA's highlight the importance of calling 811 before digging or disturbing the earth and the demolishing of old buildings. These spots are also produced in Spanish and aired on traditional Latino radio stations. The Authority also provides materials for Damage Prevention training and other awareness activities. During C/Y 2024, **one thousand seven hundred forty one (1,741)** industry workers were trained in underground safety and damage prevention practices in both languages. Many of the participants were required to attend due to their company's recent violations. These training activities are conducted in coordination with the MD/DC Damage Prevention Committee. At these trainings, paid and volunteer industry experts address the many facets of damage prevention, best practices and safety. The Authority was also a Gold Sponsor of the Upper Chesapeake Damage Prevention Training Conference, which is the largest regional damage prevention conference east of the Mississippi.

**Home Owner Awareness Campaign** – Beginning in June of 2023 and carrying into 2024 the Maryland Authority mounted a Homeowner Awareness Campaign, utilizing funds from its 2022 PHMSA State Damage Prevention Program Grant award and funds from the Authority's Education & Outreach fund. Homeowner kits were put together to stress the importance of calling "811" before beginning home garden projects. The Authority invested approximately \$10,000.00 in materials etc. to publicize the changes to the Title XII Statute regarding homeowner requirements. In particular the six (6) inch restriction. The Authority continues to push this program which has received considerable traction.

New section of the Title 12 statute enacted in 2022 that covers the homeowner’s responsibilities when planning a project on their property.

*§12–103. - This subtitle does not apply to an excavation not more than 6 inches in depth or demolition performed or to be performed by an owner or lessee of a private residence when the excavation or demolition is performed or to be performed:*

- (1) entirely on the land on which the private residence of the owner or lessee is located; and*
- (2) without the use of machinery.*

The Authority feels it is prudent for any homeowner in Maryland to be aware of what lies below their property, this applies to renters as well. Calling 811 for a utility locate is a simple, free service provided by the owners of public facilities.

### National Homeowner Data Provided by the Common Ground Alliance...

...“Four in 10 U.S. homeowners who are planning to dig on their property this year will not contact 811 at least a few days in advance. That’s more than 49 million Americans who are putting themselves at serious risk of personal injury and utility service interruptions. It is important that anyone who plans to dig, regardless of how shallow the project is, contacts 811 beforehand to have their buried utilities marked so they can safely dig away from buried lines.”

The most popular planned projects cited among surveyed homeowners who plan to dig this year include:

- **Planting a tree or shrub: 74%**
- Building a fence: 28%
- Building a deck or patio: 24%
- Installing a mailbox: 20%
- Something else: 8%

In addition to working on projects themselves, 79.1% of homeowners said they would consider hiring a contractor to complete digging projects on their property. Of those, **82% said it was important to them that the contractor contacts 811 before digging** to have underground utilities marked with paint or flags.”  
(Source: Common Ground Alliance, 2023 Safe Digging April Campaign)

**Charitable Work** -The Authority is a regular contributor and volunteer to “Construction Angels”; which is a national organization whose sole purpose to give financial aid to the families in Maryland and around the country who have lost loved ones to construction related accidents. In 2024 the Authority supported the Maryland/DC Chapter of Construction Angels by being a \$583.00 sponsor of its Annual Golf Outing fundraiser. In addition, the Authority authorized a \$6,000.00 contribution to the fund for the families of the six (6) workers who lost their loved ones in the tragic March 2024 Francis Scott Key Bridge collapse.

[www.constructionangels.us](http://www.constructionangels.us)



**How the Authority is Funded** - The Authority is an independent, quasi-governmental, quasi-judicial agency of the Executive Branch of Maryland. The Authority does not receive any taxpayer dollars or grants from the State of Maryland. Funding for the Authority comes from four (4) sources, which are not consistent from year to year. A \$0.05 cent per outgoing ticket constitutes the largest portion of the Authority's funding. These funds are paid by the subscribers of the One-Call system who in turn provide locating services to anyone who files a for "ticket" through the One- Call system (811). The Facility Owner micro grants pay into a dedicated account to defray the cost of filing fees for its members. PHMSA State Damage Prevention Program grants can range from \$1.00 to \$100,000.00 and are granted based on a PHMSA appointed review panel's determination that the proposed projects meet the principles of the nine (9) elements (from their perspective) in the federal rules. In the early years of the awarding process, PHMSA allowed grants for office expenses and salaries. The criteria for the grants have narrowed over time and competition has become fierce as more states become "Adequate". In addition, PHMSA changed part of its awarding criteria to focus on non-compliant states in order to assist them with their failing programs.

**C/Y 2024 Income:**

- **\$0.05 cent/outgoing ticket revenue.** -In 2024, the Authority has received \$196,732.30 in ticket surcharge revenues.
- **PHMSA State Damage Prevention Program Grant-** Did not apply.
- **NPV filing fees.** - \$13,200.00



# *The NPV Process*

**Operating Practices of the  
Maryland Underground Facilities Damage Prevention Authority**

**NPV Procedures 4.0 (Adopted 2022)**

1. Upon receipt of a Notice of Probable Violation (NPV) from the plaintiff, the Authority verifies the contact and incident information contained in the on-line submittal for sufficiency and accuracy and then notifies the probable violator via Notice of Investigation (NOI) and the plaintiff via Notice of Receipt (NOR) by regular USPS mail. The probable violator is encouraged to contact the Authority upon receiving the NOI letter, in order to provide additional information.
2. The Executive Director shall complete a thorough and comprehensive investigation of the facts surrounding the NPV. The Executive Director shall determine whether they believe a violation of Subtitle 1 of Title 12 of the Maryland Public Utilities Article has occurred and a penalty is due based on such investigation. In its March 28, 2016, decision in *Reliable Contracting v. Maryland Underground Facilities Damage Prevention Authority* upholding the constitutionality of the Authority.

*The Maryland Court of Appeals directed the Authority to use the following three factors to determine the amount of any penalty assessed by the Authority:*

- a) seriousness of the violation:*
- b) intent (“good faith”) of the violator,*
- c) past history of violations.*

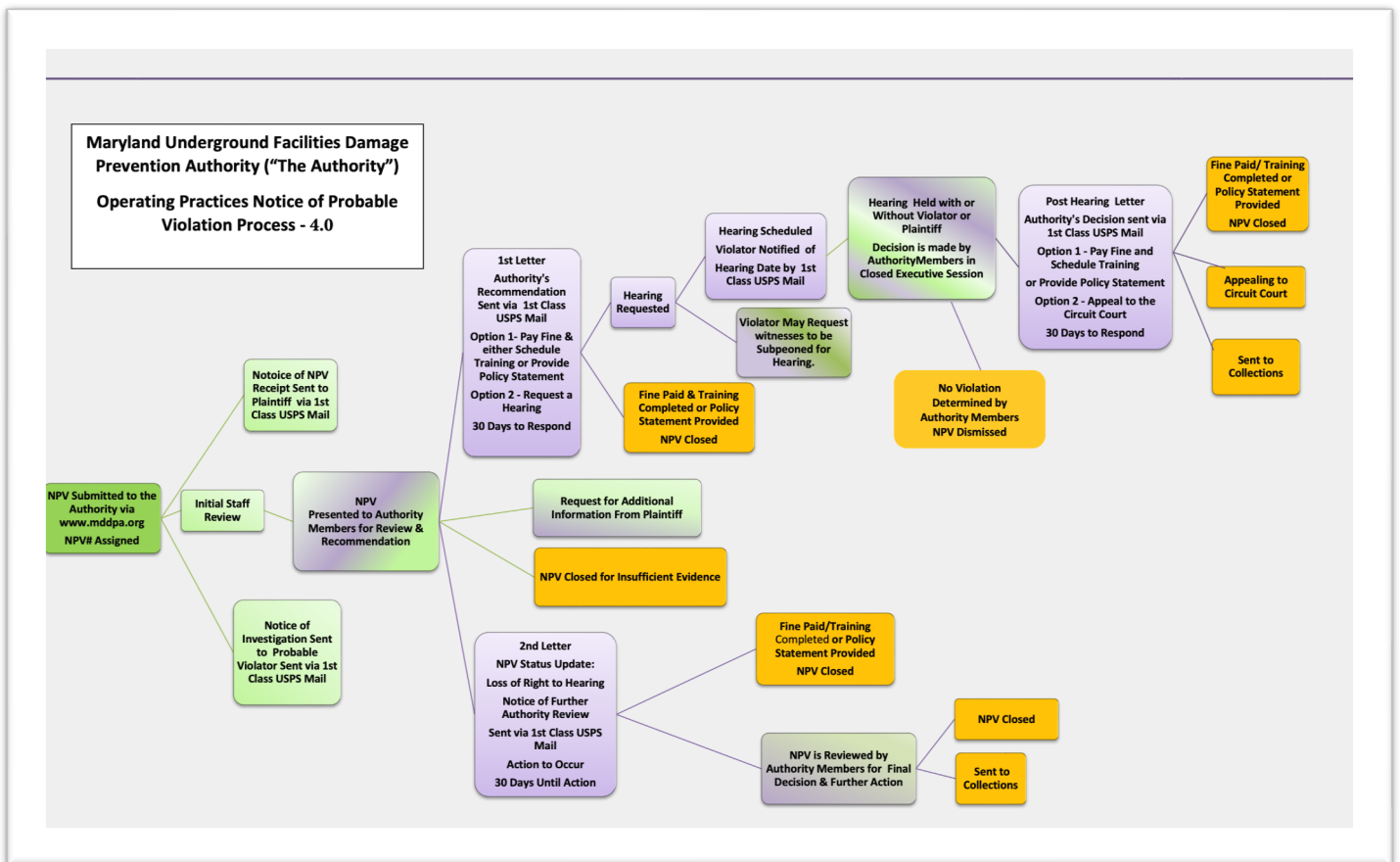
*The Authority used these factors to create a Standardized Fining Matrix (“SFM”). The Executive Director shall use the SFM to determine the amount of the penalty to recommend to the Authority.*

3. The Executive Director shall then present the entire review of the NPV together with all supporting documentation and the SFM calculations to the Authority at its next regularly scheduled closed Executive Session. At that meeting, the Authority will decide whether a civil penalty and/or training should be imposed, or any other type of requirement that is indicated. Or the Authority may: (a) request additional investigation to acquire more information and documentation for further review of the NPV before making a decision, or (b) dismiss the NPV for (i) lack of documented violation, (ii) lack of documented probable violator, (iii) lack of sufficient evidence and documentation to proceed with any further investigation or (c) any reason the Authority may deem reasonable for not proceeding with any further investigation or review of the NPV.

4. If the Authority determines that a civil penalty and/or training or other requirement should be imposed after the official review, the Executive Director shall notify the probable violator of the Authority's determination by 1st class USPS mail using the best possible address information. The "Post Review Recommendation" letter shall include the possible effects of §12-135 of the Maryland Public Utilities Article, which include the probable violator's rights, remedies and options, and the Maryland's Administrative Procedure Act (APA) and how it impacts the Authority's hearing process. The notice shall request that the probable violator contact the Authority within thirty (30) days of the date of the notice and offer the violator the opportunity to pay their fine and undertake damage prevention training; and/or pay their fine and provide a company policy statement which contains remedies to mitigate any future violations. The probable violator may choose to request a formal hearing before the Authority members, in order to defend their case.
5. If the probable violator does not respond to the Authority's Post Review Recommendation letter, the Executive Director will send a "Final Action" letter via 1<sup>st</sup> class USPS mail, indicating that the probable violator has lost the right to request a formal hearing before the Authority members. In addition, the NPV will then be put before within the next thirty (30) days for further evaluation and a final decision. This action can result in a collection action by a third party. Once placed into collections, the probable violator will no longer have the opportunity to negotiate with the Authority.
6. If a hearing is requested within the allotted time period, the Executive Director shall notify the plaintiff and probable violator of the date and time of the hearing via 1<sup>st</sup> class USPS mail. At the hearing, the Executive Director will present the official evidence regarding the probable violation. The probable violator shall have the opportunity to submit evidence and present a defense. The Executive Director, the probable violator, plaintiff and any witnesses shall be sworn in by the Chairman of the Authority, prior to the proceedings. All testimony shall be given under oath and the proceedings shall be recorded. If the plaintiff or probable violator fail to appear, that fact shall be noted, and the hearing shall proceed. The Authority may assess a fine of \$200 for failure to appear.
7. Once the hearing is concluded, the Authority shall meet in closed Executive Session in order to determine whether: A) a penalty should be assessed against the probable violator and, B) if the penalty should be assessed, the amount of such penalty, using the SFM. The Authority may determine that instead of or in addition to a penalty, it will require the probable violator to participate in Damage Prevention training. The Authority shall issue a decision in writing, stating the reason for its decision.
8. The Executive Director will send a copy of the written decision of the Authority to the probable violator by 1<sup>st</sup> class USPS mail and shall notify the probable violator of the right of any person aggrieved by a decision of the Authority to request a judicial review by the Circuit Court for Anne Arundel County, Maryland within thirty (30) days after receiving the decision. (Note: If at any time during these time frames, the Authority receives payment for the civil fine and notification of participation in Title XII training and/or receipt of a signed policy statement, the case will be closed).



9. Any probable violator who does not fulfill each of the requirements set down by the Authority, will be placed in a Closed/Incomplete Status. The Authority has the ability to use the information contained in that Closed/Incomplete NPV as evidence when applying SFM standards in any future probable violations committed by this person up to three (3) years after the original violation. In addition, any company placed in the Closed/Incomplete status will have the name of their company, county of their business and the reason for being placed in the Closed/Incomplete status. This information will be posted as a company “Not in Good Standing” with the Authority on the Authority website for a period of three (3) years.





# *2024 Damage Data*

# Top 6 Damage Root Causes:

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1. Failure to notify 811
2. Excavator failed to maintain clearance
3. Facility not marked due to locator error
4. Improper excavation practice not listed elsewhere
5. Marked inaccurately due to locator error
6. Excavator dug prior to verifying marks by potholing

# 2024 MD/DC Subscribers Voluntary Damage Report

Month	Member Reported	Servic ce	REPORTED PROBLEM							County Ratio Damages per 1000 Locates
			TYPE OF LINE		REPORTED CAUSE					
			Main			Hit Marked Line	Line Marked Wrong	Other		
JANUARY	94,395	37,426	13	50	21	20	16	6	0.67	
FEBRUARY	121,207	361,192	20	85	24	36	23	22	0.87	
MARCH	153,275	458,390	29	79	27	36	36	9	0.70	
APRIL	135,214	401,444	22	72	27	37	27	3	0.70	
MAY	142,987	450,939	34	77	30	37	43	1	0.78	
JUNE	142,879	415,715	33	101	31	55	36	12	0.94	
JULY	38,193	402,650	8	11	7	3	7	2	0.50	
AUGUST	150,191	453,529	29	96	29	36	47	13	0.83	
SEPTEMBER	132,494	395,073	29	107	32	44	48	12	1.03	
OCTOBER	141,227	427,296	30	108	27	45	51	15	0.98	
NOVEMBER	124,417	375,714	20	76	21	25	38	12	0.77	
DECEMBER	123,656	345,447	21	62	16	26	29	12	0.67	
<b>Yearly County Ratio</b>									<b>0.81</b>	
Member Reported	1,500,135	4,864,815	288	924	292	400	401	119	1212	
CC Transmitted	4,864,815		Total Damages		Percentage by Cause					
Reporting %	30.84%		1212		24.09	33.00%	33.09%	9.82%		

	# Tickets	Damages per 10,000 Tickets Received				
Member Reported Tickets	1,500,135	1.95	2.67	2.67	0.79	8.08
CC Transmitted Tickets	4,864,815	0.60	0.82	0.82	0.24	2.49

	# Tickets	Damages per 1,000 Tickets Received				
Member Reported Tickets	1,500,135	0.19	0.27	0.27	0.08	0.81
CC Transmitted Tickets	4,864,815	0.06	0.08	0.08	0.02	0.25

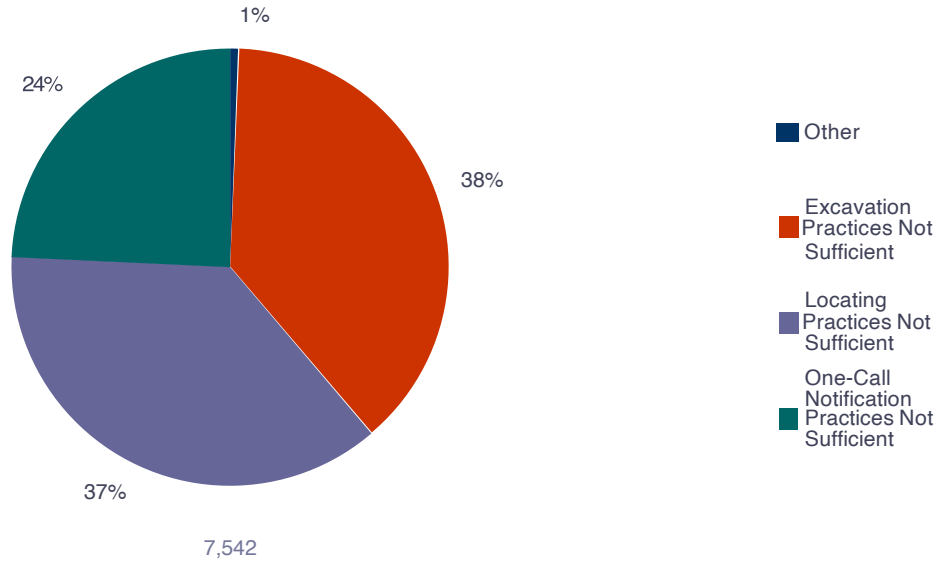
**Gas Distribution Pipeline Excavation Damages by Root Cause 2015 - Present**

Time run: 4/25/2024 3:56:08 PM

Data Source: US DOT Pipeline and Hazardous Materials Safety Administration

Portal Data as of 4/24/2024 9:43:45 PM

State: **MARYLAND**



Calendar Year	Number of Excavation Tickets	Number of Excavation Damages	Damages per Thousand Tickets	One-Call Notification Practices Not Sufficient	Locating Practices Not Sufficient	Excavation Practices Not Sufficient	Other	One-Call Notification Practices Not Sufficient	Locating Practices Not Sufficient	Excavation Practices Not Sufficient	Other
2023	799,917	800	1.0	197	293	310	0	25%	37%	39%	0%
2022	840,599	779	0.9	209	282	285	3	27%	36%	37%	0%
2021	925,850	763	0.8	171	277	314	1	22%	36%	41%	0%
2020	819,336	766	0.9	192	273	293	8	25%	36%	38%	1%
2019	885,763	857	1.0	206	296	355	0	24%	35%	41%	0%
2018	819,792	777	0.9	174	307	295	1	22%	40%	38%	0%
2017	796,442	884	1.1	230	311	316	27	26%	35%	36%	3%
2016	831,219	927	1.1	229	362	332	4	25%	39%	36%	0%
2015	808,183	989	1.2	222	387	373	7	22%	39%	38%	1%



# *Federal Oversight*

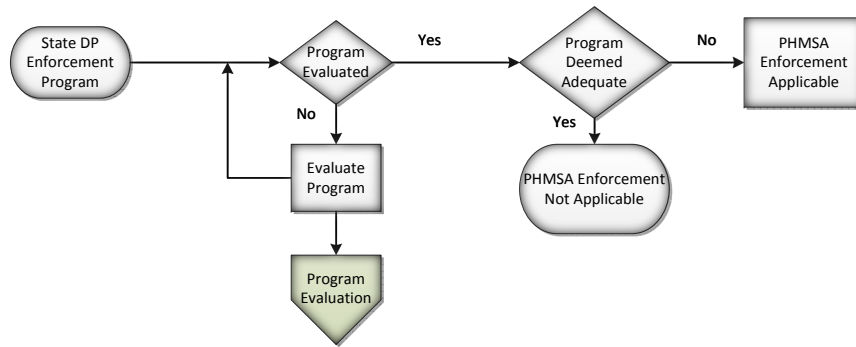
**Federal Oversight** - The Authority is overseen by the U.S. Department of Transportation's office of Pipeline and Hazardous Materials Safety Administration (PHMSA) and the federal rules governing the state-based compliance programs (Rule 9), known as State Damage Prevention Programs, of which the Maryland Underground Facilities Damage Prevention Authority is such a program.

**Annual PHMSA Audit** - PHMSA conducts an annual review or audit in all 50 states and the territories to see if enforcement of the federal rules are being applied properly, equitably and effectively. The Authority was evaluated in 2024 for the seventh (7) time since the audits began. This year's audit was for C/Y 2023 (the federal government's evaluations run one-year behind real time). The goal of the review was to determine whether the Maryland Damage Prevention Program is "Adequate" or "Inadequate" (federal government terminology). **Once again, the Authority was deemed "Adequate", receiving a score of 258 out of 258 points.** The Authority has strived to receive a full score since the inception of the program review. **(see Appendix 1)**

# PHMSA Federal Enforcement Programs Audit\*

## State Damage Prevention Enforcement Program Adequacy

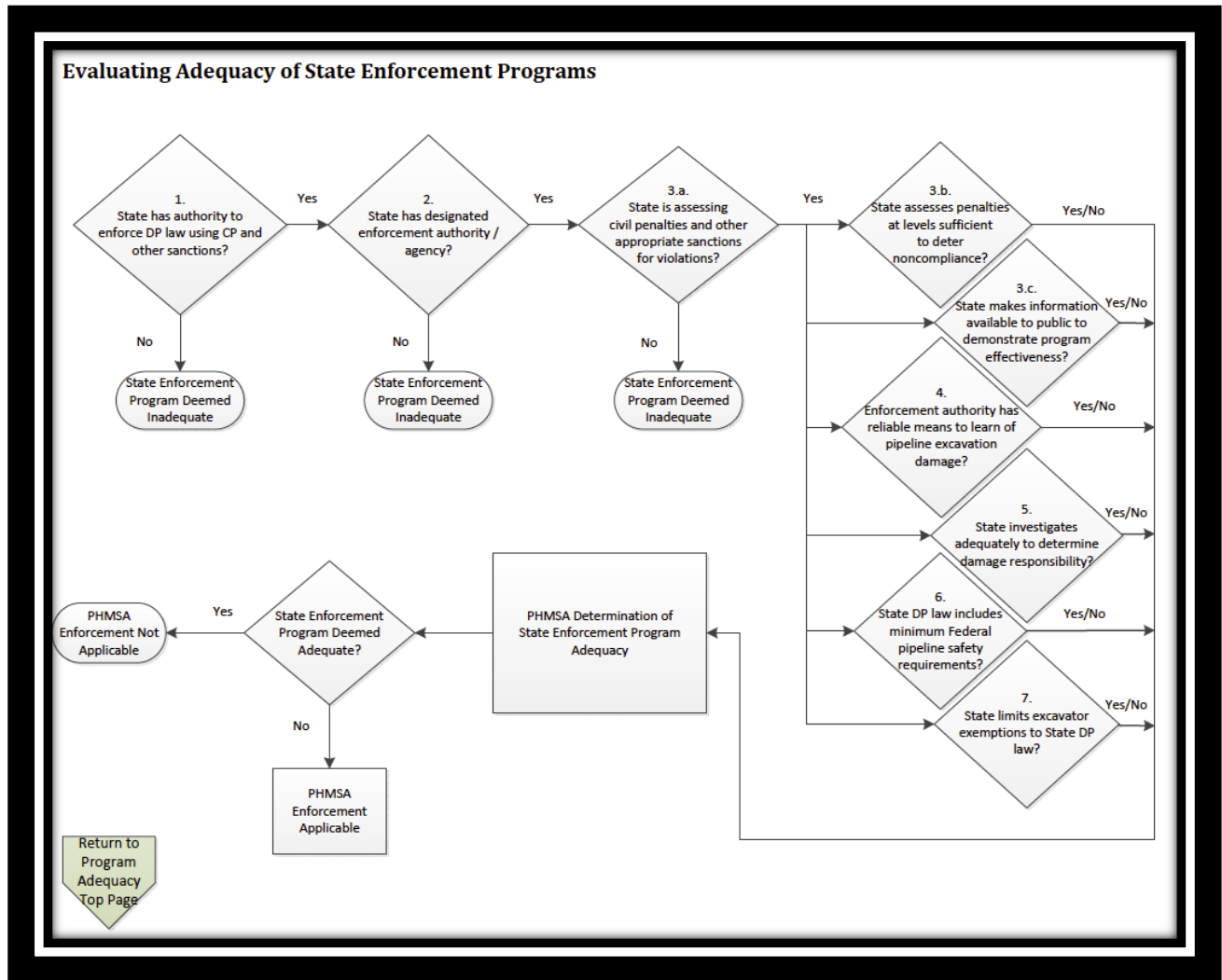
- Reference: 49 CFR 198 Subpart D
- Note: 49 USC 60114(f) limitation is not applicable to PHMSA 1<sup>st</sup> and 2<sup>nd</sup> party excavator enforcement



\* Source: USDOT – Pipeline and Hazardous Materials Safety Administration (PHMSA)



## PHMSA's Evaluation System\*



\* Source: USDOT – Pipeline and Hazardous Materials Safety Administration (PHMSA)



U.S. Department of Transportation  
**Pipeline and Hazardous  
Materials Safety Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

September 17, 2024

Via Email

Mr. James A. Barron  
Executive Director  
MD Underground Facilities Damage Prevention Authority  
7223 Parkway Drive, Suite 100  
Hanover, MD 21076

Dear Mr. Barron:

On September 16, 2024, a representative of the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of the Maryland Underground Facilities Damage Prevention Authority’s enforcement of the Maryland excavation damage prevention law. PHMSA conducted this evaluation pursuant to 49 United States Code (USC) § 60114 and 49 Code of Federal Regulations (CFR) Part 198, Subpart D—State Damage Prevention Enforcement Programs. Based on this evaluation, PHMSA has determined that the enforcement of the Maryland excavation damage prevention law is “adequate.”

This year, PHMSA is requesting that every state review its laws, definitions of “excavation”, and relevant best practices to determine if onshore submerged facilities, dredging and other related maritime/underwater excavation activities are included. This request relates to the National Transportation Safety Board’s recommendations after a 16-inch liquid propane pipeline was damaged by a dredging vessel on August 21, 2020.<sup>1</sup> Please ensure that your state has the necessary legal backing and procedures in place to preserve public safety during dredging operations and/or other related maritime/underwater excavation activities.

PHMSA appreciates your dedication to pipeline safety. As you are aware, excavation damage continues to be a leading cause of pipeline failures, some of which result in fatalities, serious injuries, and environmental damage. Nationwide statistics show that effective enforcement of state damage prevention laws reduces excavation damage and pipeline incidents, resulting in enhanced public safety.

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<sup>1</sup> See NTSB Report MAR21/05 dated December 7, 2021, *Hazardous Liquid Pipeline Strike and Subsequent Explosion and Fire aboard Dredging Vessel Waymon Boyd*

Mr. Barron

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Should you or your staff have any questions regarding this letter, please contact Mr. David Appelbaum, PHMSA Senior Transportation Specialist, at (202) 617-6329 or by email at David.Appelbaum@dot.gov.

Sincerely,

A handwritten signature in blue ink, reading "Zach Barrett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Zach Barrett  
Director, State Programs

Cc: Ms. Susan Ann Mary Stroud, Deputy Director  
MD Underground Facilities Damage Prevention Authority



# *General Information*

2024-25

MARYLAND UNDERGROUND FACILITIES DAMAGE PREVENTION AUTHORITY

MEMBERS

*(Appointed by Governor Wes Moore)*

James Dudley Exp. 9/30/2025 (2 <sup>nd</sup> Term)	General Public (Carroll County)	U.S. Army Ret'd/Construction Supr.
Timothy Kaptein Exp. 9/30/2026 (1 <sup>st</sup> Term)	Assoc. Utility Contractors of Maryland	Comer Construction
Bahareh Inanloo Exp. 9/30/2025 (1 <sup>st</sup> Term)	Maryland Association of Counties	Montgomery County, MD
Hal Metzler Exp. 9/30/2026 (1 <sup>st</sup> Term)	Maryland Municipal League	Mt. Ranier, MD
David Wilkins Vice Chairman Exp. 9/30/2025 (1st Term)	Underground Facility Owner	WSSC/Water Division
Marc Haines Secretary Exp. 9/30/2025 (1 <sup>st</sup> Term)	Underground Facilities Owner	Baltimore Gas & Electric
Jimmy Jennings Chairman Exp. 9/30/2025 (2nd Term)	Underground Facilities Locator	One Call Locating Systems
Jennifer Arroyo Treasurer Exp 9/30/2026 (2nd Term)	One Call Centers	One Call Concepts, Inc.
Keith Dill Exp. 9/30/2025 (1 <sup>st</sup> Term)	Public Works Contractors Assn.	David A. Bramble, Inc.

*Public Utilities Article §12-107. Membership – All Authority members are appointed by the Governor of Maryland and must represent specific entities and organizations. The Authority strives for diversity in its membership (geographically, racially and sexual orientation) in order to best represent the State of Maryland and its people.*

## 2025 Authority Meeting Calendar

Miss Utility Conference  
Center 7223 Parkway Drive  
Hanover, Maryland

ALL OPEN SESSIONS BEGIN AT 9:00 A.M.  
(Hearings on Probable Violations are held during the open portion of the meetings)

Wednesday	January 8th	Open Session & Closed Executive Session (1 <sup>st</sup> Quarter Business Mtg & Election of Officers)
<b>General Assembly</b>	<b>January 8th - April 7<sup>th</sup></b>	<b>Annapolis, MD</b>
Wednesday	February 12th	Open Session & Closed Executive Session
Wednesday	March 12th	Closed Executive Session
Wednesday	April 9th	Open Session & Closed Executive Session (2 <sup>nd</sup> Quarter Business Mtg)
<b>CGA Conference</b>	<b>April 7<sup>th</sup> – 10th</b>	<b>Orlando, FL</b>
Wednesday	May 14th	Open Session & Closed Executive Session
Wednesday	June 11th	Closed Executive Session
<b>MML Conference</b>	<b>June 22<sup>nd</sup> – 25th</b>	<b>Ocean City, MD</b>
Wednesday	July 9 <sup>th</sup>	Open Session & Closed Executive Session (3 <sup>rd</sup> Quarter Business mtg.)
Wednesday	August 13th	No Meetings/Office Closed
<b>MACo Conference</b>	<b>August 13<sup>th</sup> – 16th</b>	<b>Ocean City, MD</b>
Wednesday	September 10th	Open Session & Closed Executive Session
<b>J. Millard Tawes Crab &amp; Clam Bake</b>	<b>September 24<sup>th</sup></b>	<b>Crisfield, MD</b>
Wednesday	October 8th	Open Session & Closed Executive Session (4 <sup>th</sup> Quarter Business Mtg.)
<b>GCDPC</b>	<b>October 21<sup>st</sup> - 24<sup>th</sup></b>	<b>Ocean City, MD</b>
Wednesday	November 12th	Open Session & Closed Executive Session
Wednesday	December 10th	Closed Executive Session

## Authority Staff

James A. Barron  
Executive Director  
Phone: 410-782-2102  
Email: [jim.barron@mddpa.org](mailto:jim.barron@mddpa.org)

Susan Ann Mary Stroud  
Deputy Director  
Phone: 410-782-2103  
Email: [susan.stroud@mddpa.org](mailto:susan.stroud@mddpa.org)

Bruce C. Bereano  
Consultant  
Phone: 410-267-0410  
Email: [lobbyannapolis@verizon.net](mailto:lobbyannapolis@verizon.net)

The Maryland Underground Facilities Damage Prevention Authority  
7223 Parkway Drive, Suite 100  
Hanover, Maryland 21076  
Phone: 410-782-2102  
web address: [www.mddpa.org](http://www.mddpa.org)  
email: [info@mddpa.org](mailto:info@mddpa.org)



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