



U.S. Department
of Transportation

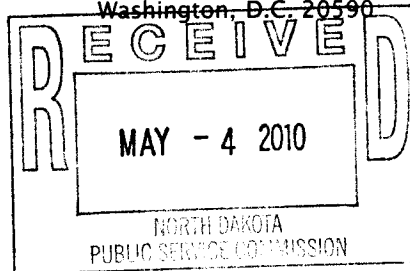
Pipeline and
Hazardous Materials
Safety Administration

To: State Program Manager

APR 28 2010

1200 New Jersey Avenue

Washington, D.C. 20590



The requests for the One Call Damage Prevention Grants for CY2010 totaled \$1,165,866.68 and the appropriation and the carryover from past uncompleted projects total for these grants was \$1,084,900. This resulted in PHMSA, Pipeline and Hazardous Materials Safety Administration, not being able to provide full funding for all the projects requested under the One Call Damage Prevention Grant.

For distributing the available funding across the proposed projects, PHMSA consulted with and considered recommendations and across-the-board percent reductions provided by the Grant Allocation Committee (GAC). The final allocation provides funding at 100% of the GAC approved amounts. As you may recall from my previous letter, at the August NAPSAR Grant Allocation and Strategic Planning Committee meeting, the grant's priorities were discussed as well as making the states' requests more realistic in comparison to actual awards given in previous years. We agreed to change the maximum grant requests for each priority to bring states' requests more into line with what they could realistically hope to receive. I am happy to report this change proved to be successful based on the January 2010 review of projects and funding.

Below are standard comments applied to grant requests during the PHMSA/GAC scoring process. Based on the comments specific to your grant application, in some cases, you will need to provide further information to PHMSA in carrying out your approved One Call Grant projects. Also provided is an attachment summarizing the funds requested, PHMSA/GAC recommendations, and the PHMSA allocation for the One Call Damage Prevention Grant. You can view comments on your state's grant application and action taken in FedSTAR by clicking on the link in the to-do box on the main menu page.

Standard comments applied to the grant requests:

- **This activity has been checked and deemed OK.** The project requested fits the One Call program.
- **The One Call Progress Report should include specific data to show effectiveness.** This comment indicates the need for you to report specific data which indicates the effectiveness of this project when you fill out the progress report.
- **Pipeline personnel and other costs used for this project cannot be included in program costs for Base Grant reimbursement.** This comment indicates the need for you to ensure One Call costs are kept separate from the Base Grant program costs and no double dipping of funds



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are claimed on both grants

- **It is required that the state applying for money under this activity provide a contract for this activity to USDOT/Office of Pipeline Safety, State Programs.** This comment indicates you must provide PHMSA with a copy of the final contract you are utilizing to complete this project. Electronic copies are to be forwarded to Carrie Brown (Carrie.Brown@dot.gov), or paper copies can be sent to Carrie Brown, USDOT/Volpe Center RVT-31, 55 Broadway, Cambridge MA 02142. The contract will then be reviewed by PHMSA to determine compliance.
- **If a contractor is used to perform any of these functions, the terms and condition of the contractual arrangement, and the qualification of the contractor, are subject to review by PHMSA.** If you utilize a contract for performance of the requested project, you must provide PHMSA with a copy of the final contract. Electronic copies are to be forwarded to Carrie Brown (Carrie.Brown@dot.gov), or paper copies can be sent to Carrie Brown, USDOT/Volpe Center RVT-31, 55 Broadway, Cambridge MA 02142. The contract will then be reviewed by PHMSA to determine compliance.
- **% penalty** – projects not conforming to requirements as outlined in the instructions may have been reduced by a percentage.
- **Ensure funding sources are not mixed to cause a “double dipping” situation.** This comment applies to those States who applied for funding under the State Damage Prevention (SDP) Grant and indicates the need for you to ensure One Call costs are kept separate from the SDP program costs and no double dipping of funds are claimed on both grants.

Changing projects or moving funds between projects in the same priority after receiving funds: If you have requested several projects in the same priority and you do not receive full funding for them then you may distribute the dollars to all or some of the projects – for example you may have four priority one projects and not get full funding for them all; you can do some of all four projects, if that is feasible, or you can just do two projects that were part of the four. Any funds spent on a project not in the application and which has not been approved by PHMSA will be denied at the time the progress report comes out and your base program year end payment will be reduced by that amount. We request you notify us about this change in project funding by an e-mail message to: Glynn.Blanton@dot.gov.

Changing projects or moving funds between projects in a different priority after receiving funds: If due to circumstances beyond your control you are unable to do a listed project(s) and you want to do another project in the same or higher priority you must contact the PHMSA State Program office (Glynn



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Blanton, 615-730-6417, or Glynn.Blanton@dot.gov). Any funds spent on a project not in the application and which has not been approved by PHMSA will be denied at the time the progress report comes out and your base program year end payment will be reduced by that amount.

This year we will be implementing a Payment Agreement for the One Call grant. You will receive notice to file this Payment Agreement through FedSTAR – we are also moving towards an ‘electronic signature’ process to replace the requirement for hard copies to be mailed to PHMSA HQ. You will be able to print and sign, then scan in your hard copy for ‘electronic signature’. We are working on new processes to help eliminate the need for paper to be sent to PHMSA, this initial function will help us determine where we need to go next.

Additionally due to the need by some applicants to have 12 months to use the funding successfully, we are extending the period of performance on the 2010 One Call funding from 12/31/2010 to 04/30/2011. This is an additional three months from the previous grant award period. If you have unspent funds by the end of the calendar year, you will be required to submit a progress report by early January 2011 showing the progress and funds spent on the project(s) as of December 31, 2010. Another report will be due by May 10, 2011 to confirm all funds have been spent by April 30, 2011, making this the final report. If all funds are not spent, the remaining amount will be reduced from the agency’s 2010 Pipeline Safety Program year-end reimbursement request.

We are looking forward to continuing to improve pipeline safety through our One Call Damage Prevention Grants. We appreciate your interest in pipeline safety and this opportunity to partner with you to improve damage prevention safety in your state. Please note we must have a signed copy of your 2010 One Call Application in order to send you grant funds. We will be sending a hard copy of this correspondence for your files. If you have questions regarding this matter please do not hesitate to contact Glynn Blanton of my staff at (615) 730-6417.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zach Barrett', with a long, sweeping underline.

Zach Barrett
Director State Programs

	Priority 1		Priority 2		Priority 3		Request Subtotal	Actual Allocation
	\$ Requested	\$ GAC Approved \$ Allocation	\$ Requested	\$ GAC Approved \$ Allocation	\$ Requested	\$ GAC Approved \$ Allocation		
		\$0		\$19,000		\$0		
NEBRASKA	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$45,000.00	\$45,000
		\$20,000		\$20,000		\$5,000		
NEW YORK	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
NEW MEXICO	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
NORTH CAROLINA	\$0.00	\$0.00	\$0.00	\$0.00	\$5,842.68	\$2,600.00	\$5,842.68	\$2,600
		\$0		\$0		\$2,600		
NORTH DAKOTA	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000
		\$0		\$0		\$10,000		
SOUTH CAROLINA	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000
		\$0		\$0		\$10,000		
OREGON	\$31,113.00	\$31,113.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31,113.00	\$31,113
		\$31,113		\$0		\$0		
PENNSYLVANIA	\$20,000.00	\$0.00	\$5,250.00	\$5,250.00	\$2,500.00	\$1,500.00	\$27,750.00	\$6,750
		\$0		\$5,250		\$1,500		
WASHINGTON DC	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
WYOMING	\$0.00	\$0.00	\$0.00	\$0.00	\$9,068.00	\$9,068.00	\$9,068.00	\$9,068
		\$0		\$0		\$9,068		
NEVADA	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
PUERTO RICO	\$21,305.00	\$0.00	\$13,695.00	\$15,000.00	\$10,000.00	\$5,000.00	\$45,000.00	\$20,000
		\$0		\$15,000		\$5,000		
TEXAS	\$35,000.00	\$35,000.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000
		\$35,000		\$0		\$10,000		
RHODE ISLAND	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
SOUTH DAKOTA	\$35,000.00	\$35,000.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000
		\$35,000		\$0		\$10,000		
TENNESSEE	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000
		\$0		\$0		\$10,000		
VERMONT	\$45,000.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45,000.00	\$45,000
		\$45,000		\$0		\$0		
VIRGINIA	\$1,340.00	\$1,340.00	\$0.00	\$0.00	\$9,996.00	\$9,996.00	\$11,336.00	\$11,336
		\$1,340		\$0		\$9,996		
Total Requests	\$885,870.00		\$126,015.00		\$153,981.68			\$1,165,866.68
Total GAC Approved		\$824,565		\$107,320		\$133,764		\$1,065,649
Total Allocation		\$824,565		\$107,320		\$133,764		\$1,065,649



PIPELINE SAFETY GRANT PROGRAM - CFDA 20.721

Payment Agreement Number DTPH56-10-G-PHPC24

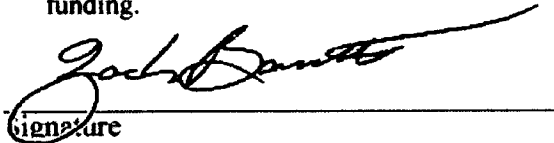
Grant Period: January 1, 2010 - December 31, 2010

The Department of Transportation's Pipeline and Hazardous Materials Administration (PHMSA) agrees to pay the State Agency, as authorized under 6106 of the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006, the total grant amount of \$10,000.00 for assisting the State with improving its One Call notification program.

The total grant amount is contingent on:

- 1) The state's actual expenses for each of the individual projects and their respective specified grant amounts provided in this document. The PHMSA will not pay expenses in excess of those amounts assigned to an individual project in this document.
- 2) The State providing timely and accurate reports, as requested, on the project status.
- 3) The State providing timely and accurate expenses for each individual project at its completion or the end of the grant term which ever occurs first.

Any grant funds not expended by the term of this grant PHMSA will deduct for the state's base grant funding.


Signature

Associate Administrator for Pipeline Safety

Title

April 28, 2010

Date

The State Agency (State) agrees to meet the following terms and conditions:

1. State has entered into and maintains a 60105 certification and/or a 60106 agreement for the grant period.
2. State assumes the responsibility for ensuring the Guidelines for States Participating in the Pipeline Safety Program manual (version effective to the grant period) is followed and program funds are accounted for under its provisions.

3. State shall permit representatives of the Department of Transportation and other authorized Federal agencies to review their One Call Grant and inspect records, invoices, and other relevant data pertaining to this payment agreement.
4. State signs and submits form "Certification Regarding Lobbying and Disclosure of Lobbying Activities" if grant award is estimated to be \$100,000 or more and form OMB SF-LLL, "Disclosure Form to Report Lobbying", if applicable.
5. State adheres to all terms and assurances within the application package.
6. Modification to this payment agreement may be made only in writing, signed by the State and PHMSA State Programs, and specifically referred to as a modification to this Payment Agreement.
7. The following expenditures require PHMSA State Programs advance written approval:
 - a. Any contracts or sub-contracts for accomplishing the task specified in the application.
 - b. Change in the scope, objective or key personnel in the State's application.
 - c. Change in the project period. PHMSA State Programs must receive this request no later than 30 calendar days prior to the end of the project period. The State must submit a revised budget indicating the planned use of all unexpended funds during the extension period.
8. At the end of the agreement period, the State must submit a final financial status report, Standard Form 270(SF-270), to report the status of all funds as part of the 2010 One Call Progress Report process. In addition the state should provide the break down of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other and Indirect Charges). This report must be submitted to PHMSA State Programs in electronic form via the Federal-State Tracking and Reporting (FedSTAR) system no later than May 10, 2011.
9. Method of payment. A payment of 100% will be made shortly after the effective date of the agreement. PHMSA will make all payments under this agreement by electronic funds transfer (EFT).

NORTH DAKOTA PUBLIC SERVICE COMMISSION

Name of the State Agency

Alan Nord

Signature

Director, Testing & Safety Division

Title

2-18-10

Date