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# DCA NEWS

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**The  
Annual  
Convention  
Issue**

# The Annual Convention Issue



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# DCA President Kevin Parker Puts His Passion into Processes



2022 - 2023 DCA  
President Kevin Parker

*Underground Infrastructure Magazine* recently spoke with Mears Holdings executive and current DCA President Kevin Parker about the progress the organization made on its safety management system template and operator qualification integrity process during 2023 and the group's priorities for 2022.

Here are excerpts from the conversation.

"Trust the process."

That phrase has become commonplace in recent years among sports teams rebuilding under new coaching systems, but it's a sentiment that Kevin Parker has embraced throughout his career in infrastructure construction.

"I firmly believe in management systems," said Parker, senior vice president of Health, Safety and Environment for Mears Holdings. "It's definitely a passion of mine."

While management systems and operator qualification programs might seem like dull fare from a distance, these processes have proven essential to improving the safety, quality and consistency of construction projects. Parker's passion and decades of experience at Mears made perfect timing for his term as president of the Distribution Contractors Association, whose safety management system template and operator qualification integrity process ranked among DCA's top priorities in 2022.

Spending the later years of his youth in Mt. Pleasant, Mich., Parker lived just a short drive south of Mears' birthplace of Rosebush, Mich., and started working for the company as a construction laborer during his pre-engineering studies at Central Michigan University in 1984. After earning a bachelor's degree in geological petroleum engineering from the New Mexico Institute of Mining and Technology in 1988, he returned to Mears as a project engineer and manager and eventually became director of its construction division.

He later moved to the group level of Mears – now part of Houston-based Quanta Services – first as a director and then as vice president of Health, Safety and Environment (HSE) and finally to his current position, in which he oversees new program development and implementation, as well as strategic initiatives.

Parker started attending DCA functions in 2008 and was awarded Safety Director of the Year in 2012. He's

played a key role in DCA's spring Safety Congress and has been both a roundtable panelist and moderator at DCA's annual April utility workshop with the American Gas Association (AGA). A member of the DCA board since 2017, he's also past chair of the Safety/Risk Management Committee and a member of the Government Relations Committee and the Operator Qualification Integrity Process Task Force.

*Underground Infrastructure* spoke with Parker in mid-December about DCA's 2022 progress and its priorities for 2023 as the association prepared for its February annual convention in Miami.

**You started out in the field doing pipeline construction. What kind of projects were you working on in those early days?**

I worked on a lot of smaller projects, but I'd say the first big one that people might know was the (1,700-mile) Kern River project for Line A, the first line that went in from Wyoming in the early '90s.

**So, you learned early on what it's like to spend a lot of time on the road.**

I certainly did. I was on the road almost full-time. But that hasn't changed a lot. I still travel about 40 to 45 weeks a year right now.

**You rose to director of the Construction Division but eventually veered toward a primary focus on safety. Was that always an area of strong interest for you?**

I was always very interested in safety, as well as training. As part of the safety role, I was able to do a lot of training and I oversaw the OQ Program at the time. In the '80s and early '90s in the pipeline industry, there wasn't as big a focus on safety as there is now, but our industry has improved dramatically over the last 20 years with safety and quality being a core value of our industry.

**You've been very focused on safety and quality management systems. Before we get into details, could you provide a little context to explain what these are and why they matter?**

One management system I think most people have heard of would be ISO 9001, which is an internationally recognized quality management system used by the auto industry for many decades to improve quality and streamline processes. About seven years ago, American Petroleum Institute (API) came out with API 1173, which is a safety management system for pipelines. It incorporates

everything from worker and public safety to the integrity safety of the pipeline asset, from the planning stages of the project through construction and commissioning and maintaining the asset.

I saw years ago that this was a path that the pipeline industry really should go. That's the same time the DCA formed a committee and we put together the pipeline safety management systems (PSMS) template with the goal that DCA contractors who did not have management systems could use this template and build their own. It's been very widely and positively received.

This has been a five or six-year effort, and the DCA is leading the way on this from a pipeline contractors' perspective. I'm really proud of the decision DCA made stepping forward years ago and our success with the PSMS template initiative.

### **Has this been a major focus for you as DCA president?**

Yes, really this year I focused a lot on PSMS. We've been working with other associations, and that's really something that I started before I became the president. The DCA put together the PSMS template that we published two years ago, and that template has gained a lot of momentum. This year, as I mentioned, we've been working with API and the PSMS Industry Team on the API PSMS contractor guideline and are now starting to work on different tools that contractors can use to integrate PSMS systems into their companies. We're essentially working toward the same goals with other associations to have a common focus on PSMS.

We've been holding PSMS panel discussions jointly with AGA at the spring DCA/AGA Workshop for several years, which shows we're all on the same journey. Earlier this year, API – which developed 1173 – drafted a contractor's guideline for PSMS using the DCA template. They then approached the DCA and over the next couple of months we worked together to help finalize it. In November, API published the PSMS contractor guideline, which is available on their website.

That was DCA's first effort with API, and now we've started working together to develop a set of tools that contractors can use to help integrate and assess where they are on their PSMS journey.

### **What kind of tools?**

There are approximately 230 "shall" statements in the API 1173 which was written for the pipeline operating companies. But looking at the "shall" statements from a contractor's perspective, the industry has determined there's only about 56 that apply to contractors.

The tools that we're talking about developing are examples, guidance documents and templates that a contractor can use to help with their management systems based on those 56 shall statements, and then suggestions on how they can integrate them into their oper-

ations and ways that they can evaluate their progress on that journey. You're continually evaluating and improving because you never get to the end.

### **What's the timeline for this new effort with API?**

We officially started Dec. 12 with the first call. But we've set a very aggressive goal, and we're hoping to present this in draft form at the DCA meeting in Miami. Then, we're hoping to present it again at the DCA & AGA workshop in Chicago in March. There's a lot to do.

The DCA template was a much lengthier process. It took us three or four years, maybe longer, to develop that template. In the two years since we finished that, I've been spending time meeting with members of other associations and attending workshops to promote the DCA template and make sure that the other association members are considering contractors when they're putting their pipeline safety management programs together.

We want to make sure that all contractors working on pipelines in the United States and elsewhere have solid pipeline safety management systems in place.

### **It sounds like DCA is making a lot of progress on that front. Where are you facing the greatest challenges?**

I'd say the biggest challenge we may face is that some of us, as contractors, may work for say 50 different clients, which could mean 50 different PSMS plans with different PSMS requirements. Our goal by developing this DCA template and working with AGA, API and others is to have a PSMS program that aligns with the vast majority of our clients, if not all, so we don't have 50 different programs. We can have just one program.

### **Along those lines, you've also been very involved in developing DCA's Operator Qualification Integrity Process, or OQIP.**

Yes, that's another committee that I've been involved in from the day it was started. Our goal is to have a kind of 80-20 rule for operator qualifications and improve the integrity of OQ along the way. We've spent the past six years or so working with other associations, as well as regulators, to develop our OQIP program, and that has reached a very exciting stage right now. We actually have three pilot programs going on in Michigan, in the state of Washington and with New Mexico. We've had the state regulators sitting at the table with us developing this, and we're very close to that being wrapped up as well.

### **What do you mean by an 80/20 rule for operator qualifications?**

Similar to what we discussed on safety management systems, there are half a dozen or more OQ evaluation

*(continued on pg. 6)*

programs out there, and each pipeline company utilizes a different OQ program to evaluate its employees and its contractors. And so again, in a similar scenario, if I've got 50 clients and I want to work for them, I might need to use all six or eight of those OQ programs. When I switch from one client to the next, I've got to switch to another OQ program. Our employees get tested on the same tasks over and over. Some of our employees end up getting tested three or four times a year on how to fuse pipe, for example.

The OQIP program was developed with the goal of having a common 80 percent set of tasks that most of the operators would accept, and then the 20 percent would be specific to that client company. OQIP is intended to make operator qualification better with more integrity while also reducing the amount of redundant testing our people have to do.

**You've been involved from the beginning, and now the pilot programs have followed the same schedule as your presidential term.**

That's purely coincidence, but, yes, it's exciting to be a part of the pilots after we've been working toward them for so long.

**Speaking of long waits, it seems DCA is finally out from under the pandemic shadow. You must be excited to start your first full year of normal, in-person activities since 2019.**

Absolutely. The pandemic created a lot of challenges for contractors, but as essential workers we had to continue to work. We've had so many reminders of the importance of bringing energy to the communities we live in and maintain the energy infrastructures, back to the days when we were designated as essential workers during COVID. Obviously, we're not the doctors and nurses who were on the front lines taking care of very sick patients, but our employees have been out there working and providing a high-quality product safely, under sometimes difficult conditions. I think this is an industry that brings a lot to this country, providing the energy we need to keep our country going. And I think our DCA contractors and their employees should be proud of what they do every day. We look forward to continuing to partner with our clients, our labor partners, our workforce and the communities we work in to distribute energy to this great country. ▲

# 2023 Annual Convention

For the most up-to-date Convention information including schedules, speakers, auction bidding information, attire suggestions and more, please download the DCA Events App.

Please see pages 8-13 for Board of Director candidate profiles, and for a list of convention sponsors, please see pages 14-19.



# 2023 Board of Directors & Officers

The election of a new Board of Directors is one of the most important things that occurs at DCA's Annual Convention. The board helps direct the association through regularly scheduled board meetings and informal gatherings.

The board consists of four officers, a past president representative, two associate member representatives, six directors, a director at large, and the association's executive vice president. To help DCA's voting members become more familiar with the slate of candidates available for election to the 2023-24 Board of Directors, we have compiled some basic biographical information on each nominee.

## 2023 Officer Nominees



**President:**  
**Ray Swerdfeger**  
**K.R. Swerdfeger Construction LLC**

Ray Swerdfeger is the Vice President of K.R. Swerdfeger Construction LLC, in Pueblo, Colorado. Miller Pipeline acquired K.R.

Swerdfeger Construction in 2021.

**Brief Work History:** Swerdfeger grew up in the family business, watching it expand from a few employees to more than 500 at its peak. After installing pipe in the field during high school and earning a bachelor's degree in construction management from Colorado State University, he started full time with the company as a crew foreman in New Mexico in January 1995. In 1997, Swerdfeger became superintendent of the directional drilling crews in Denver. He expanded the directional drilling group into a full-service trenchless division with manhole coatings, pipe lining, auger boring, and pipe ramming.

Swerdfeger was named president of the company in 2006. In 2018, he was appointed by Colorado Gov. John Hickenlooper to the Underground Damage Prevention Safety Commission for a three-year term and reappointed in 2021 for another term.

**Family Life:** Swerdfeger and his wife, Jill, have two children, Shae and Avri. Swerdfeger enjoys skiing the powder in Colorado, taking on home improvement projects, and spending time with his family.



**Vice President:**  
**Mark Albert**  
**AGI Construction**

Mark Albert is the founder and chief executive officer of AGI Construction (AGI), headquartered in Smithfield, Rhode Island.

**Brief Work History:** Albert studied business at Rhode Island College and engineering at the University of Rhode Island prior to founding AGI Construction. Under Albert's leadership, AGI has grown from a small family-owned company into a regional natural gas contractor with nearly 300 employees servicing New England and upstate New York. He helped to create a proprietary cloud-based work management system specifically customized for the industry. Albert and his team created a training program that also serves as AGI's apprenticeship program for its field personnel, ensuring AGI's employees are the best and the most highly trained in the industry. He also developed a very detailed damage prevention process that is now referenced as an industry best practice.

Albert has served on the board of directors for the Northeast Gas Association for the past two years. He has served on the DCA Board of Directors since 2019 and was co-chair of the Government Relations Committee.

In addition to his business pursuits, Albert is committed to giving back to the community by supporting multiple organizations, such as the Gloria Gemma Breast Cancer Foundation, A Wish Come True, and the Metropolitan Regional Career and Technical Center, as well as many local youth sports teams. Albert is also a major supporter of the Boys and Girls Club of Providence and sits on their board of directors.



**Family Life:** Albert's happiest times are spent on his family compound, which houses four generations: h his long-term partner, Kathleen, his two daughters, his two grandchildren, and his father. In his free time, he enjoys traveling, boating, and watching the New England Patriots.



**Treasurer:**  
**Dan Carson**  
**Carson Corporation**

Dan Carson is the president of Carson Corporation, headquartered in Lafayette, New Jersey. Carson has more than 30 years of experience in the construction industry

as a specialty contractor performing both HDD and civil construction. Carson joined the DCA in 2013, served as vice-chairman of the Trenchless (HDD) Committee and was elected to the Board of Directors in 2018.

**Brief Work History:** Carson attended the College of Wooster, where he graduated with a bachelor's degree in business economics. He formed Carson Corporation in 1987 to serve the growing construction industry in northern New Jersey, and his company has evolved into servicing both private and public sectors nationally.

Carson Corporation is composed of civil and HDD divisions. The company's HDD division has successfully drilled and installed miles of trenchless piping throughout the country, earning national recognition. The civil division, which primarily services clients in the Northeast, focuses on site development projects, with a more recent expansion into the renewable energy sector.

**Family Life:** Carson and his wife, Whitney, reside in New Jersey with their daughter, Montana. Carson enjoys cultivating his farm, outdoor activities, golfing, and spending time with family and friends.



**Immediate Past President:**  
**Kevin Parker**  
**Mears Holdings LLC**

Kevin Parker joined Mears Group in 1984 and is presently the senior vice president of Health, Safety, and Environment.

**Brief Work History:** Parker started as a Mears construction laborer in 1984, earning his way to a foreman's position while working on pipelines across the Midwest and East Coast. After receiving his bachelor's degree in geological/petroleum engineering, he returned to Mears as a project engineer and manager, and eventually

progressed to director of the company's Construction Division. Parker moved to the group level of Mears as director, then vice president for HSE.

Parker is active in pipeline and gas distribution industry associations, both nationally and internationally. He started attending DCA functions in 2008 and was awarded Safety Director of the Year in 2012. He regularly attends the spring DCA Safety Congress and has been both a roundtable panelist and moderator at the April DCA & AGA Utility Workshop. He is the past chair of the DCA Safety/Risk Management Committee and is a member of the DCA Government Relations Committee and the DCA OQ Integrity Process (OQIP) Task Force. He has been a member of the DCA Board since 2017.

**Family Life:** Parker and his wife, Tari, have three children, Heather, Alex, and Ashley. They enjoy spending time with family, friends, and their dogs at the lake, and doing outdoor activities including hunting, boating, and barbecuing.



**Past President Director:**  
**Kevin Michels**  
**Michels Corp.**

Kevin Michels currently serves as vice president for Michels Corporation, headquartered in Brownsville, Wisconsin.

Michels is a past president of the DCA, serving in that role in 2012. Prior to that, he was an active participant on the DCA Board of Directors. Kevin Michels is the son of DCA Past President and Honorary Member Dale Michels and Honorary Member Ruth Michels.

**Brief Work History:** After graduating from St. Norbert College in 1989, Michels began working full time for Michels Corporation, then Michels Pipeline Construction, in the pipeline and gas distribution division. In 1990, he became the materials and supply manager for Michels. Today he serves the company in several roles in addition to his responsibilities as vice president.

**Family Life:** Michels and his wife, Connie, have four children, Matthew (Lilia), Elizabeth, Abigail, and Dale, and two grandchildren, Clement and Eliza. In his spare time, he enjoys flying and spending time at the lake. Michels also contributes his time to several community and civic organizations.

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# Candidates for Contractor Member Director

Three to be elected for a two-year term



**Director:**  
**Bill Colson**  
**Pretec Directional Drilling LLC**

Bill Colson is the general manager of Pretec Directional Drilling LLC, Eau Claire, Wisconsin. Colson is a current co-chairman of the DCA Safety/Risk Management

Committee.

**Brief Work History:** Colson started in the industry in 1997 as an operator in the operating engineers. He worked his way through the ranks of operator, foreman, safety assistant, safety manager, project manager, and general manager. Colson has worked with many union pipeline contractors and HDD contractors across the nation. When Pretec formed in 2016, Colson was asked to fill the role of general manager. Colson has been attending and actively participating in the DCA since 2017, including becoming a co-chair of the Safety/Risk Management Committee in 2018.

**Family Life:** Colson and his wife, Kelly, have four children between them, Matthew, Alex, Camrynn, and Morgan, and one granddaughter, Luna Marie. Colson enjoys traveling, fishing, and hunting.



**Director:**  
**Chad Davis**  
**Miller Pipeline**

Chad Davis joined Miller Pipeline in 1997. He is the vice president of construction for the south region.

**Brief Work History:** Davis began his career with Miller Pipeline in 1997 as a laborer. He quickly progressed to operator and then became a foreman in 2000. In 2005 he was promoted to superintendent, and in 2011 he stepped into his current role overseeing construction operations in Alabama, Arkansas, Florida, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. He has spent the last decade managing large projects, spearheading start-ups, and integrating acquired operations in the eastern and southern areas of the United States.

Davis is active with the DCA as well as other industry organizations and state gas associations. In 2014, he was selected for the Daniel Watters Individual Achievement Award at Miller Pipeline. The award recognized Davis for his loyalty, leadership, performance, and integrity, and helped set the standard for those to follow. Davis is also active with the Children's Bureau of Indianapolis and Habitat for Humanity.

**Family Life:** Davis and his wife, Shara, have one son, Coy. In his spare time, Davis enjoys hunting, outdoor projects, coaching, and spending time with friends and family.



**Director:**  
**Rob Hotz**  
**Laney Directional Drilling Co.**

Rob Hotz joined Laney in 2014. He is vice president of the commercial group, Waller, Texas.

**Brief Work History:** Hotz currently leads Laney's commercial group, which includes business development, engineering, and estimating teams and assists with the company's growth initiatives, strategy development, and implementation. Hotz has a Master of Science degree in Civil/Geotechnical Engineering from Missouri University of Science & Technology and is a licensed Professional Engineer in 10 states. He previously served as manager of engineering, division manager, and vice president of operations at Laney. Prior to joining Laney, Hotz worked with GeoEngineers, Inc. and Mears Group.

Hotz is active in several industry associations, including DCA, PLCA, and NASTT. He and his wife started attending DCA functions in 2016 and have enjoyed the many friendships and connections made since. Hotz is currently the co-chair of the Trenchless Committee and serves on the Strategic Vision Committee.

**Family Life:** Hotz and his wife, Stephanie, have four children, Eleanor, Robert, Clara, and Hazel. They enjoy spending time on the lake in the summer and participating in various activities with the kids.



**Director:**  
**Jim Lagios**  
**Atlas Trenchless LLC**

Jim Lagios is the president of Atlas Trenchless, a successful, growing national HDD contractor based in Rockville, Minnesota. Atlas performs HDD and auger boring services in the gas and public works sectors throughout the U.S. Lagios currently serves on the Trenchless (HDD) Committee and has served on the Board of Directors since 2013.

**Brief Work History:** Lagios started as a laborer in the HDD division of Michels Pipeline in 1989. Over the last 30-plus

years, he moved through the ranks of several reputable HDD providers, becoming president of Atlas Trenchless. Because of his extensive hands-on experience in the HDD industry, Lagios is often called upon by his peers to provide advice and solutions in tough drilling situations. He leads the Atlas team in their ongoing commitment as one of the safest, most highly qualified, and reputable HDD contractors in the nation.

**Family Life:** Lagios, his wife, Sherry, and their four children, Gage, Larissa, Tiana, and Kyra, always cherish and enjoy their time together. Lagios also enjoys hiking, hunting, and fishing.

## Four Directors with One Year Remaining on a Two-year Term



**Senior Associate Member Director:**  
**Randy Rupp**  
**Ditch Witch**

Randy Rupp is currently the director of customer care for Ditch Witch in Perry, Oklahoma. The company is the worldwide manufacturer of the Ditch

Witch, Subsite, American Augers, and Trencor brands of equipment used for the installation, maintenance, and inspection of underground pipe and cable. Rupp is an active proponent of workforce development initiatives and has served as the co-chair for the DCA Workforce Development Committee.

**Brief Work History:** Rupp began his career in the underground construction industry as a district representative for the Ditch Witch factory in Perry, Oklahoma, in 1995, initially servicing the North Carolina and South Carolina territory. He progressed through the sales department and in 2008 became national sales manager. In 2010, he moved to the product development side of the business, taking on the role of product manager for HDD products. In 2012, Rupp became the director of product definition for Ditch Witch, and in 2013 he was promoted to vice president of product strategy. In 2019, the Toro Company purchased the Charles Machine Works and Rupp moved to the Subsite division to implement new product development processes and strategies. In 2020 the Ditch Witch, Subsite, American Augers, and Trencor brands were all combined into the Ditch Witch division, and at that time Rupp moved to the Ditch Witch leadership team as director of customer care.

**Family Life:** Rupp and his wife, Cindy, have three sons and a daughter-in-law, Jacob, Zachary, Joseph, and Karly. Rupp has served on several community and church boards. He enjoys family, history, traveling, museums, and his cows.



**Director:**  
**Doug Anderson**  
**Hydrovac Excavators II LLC**

Doug Anderson is the executive vice president of Hydrovac Excavators II, based in Big Bend, Wisconsin.

**Brief Work History:** Anderson began his career as a laborer in 1993 for Mueller Pipeline (MRM) in St. Paul, Minnesota. During his time with the MRM network of companies, Anderson worked in New Jersey, Buffalo, New York, and various areas in the Midwest. He was a fuser, operator, and foreman before being promoted to manager of distribution for Iowa, Wisconsin, and Illinois, where he worked on several fiber optic, pipeline, and distribution projects.

Anderson joined the Miller Pipeline team in December 2019. As construction manager, he supported contracts in Miller's eastern region while helping to expand their Midwest footprint. He became executive vice president of Hydrovac Excavators II in 2020.

Anderson has been a DCA member since 2011. He has participated on various committees and works with the Labor Committee during negotiations. He was elected to the board of directors in 2019.

**Family Life:** Anderson and his wife, Linda, have three daughters, Raechel, Karlee, and Jenna, and a son-in-law, Andrew. Anderson also has two other children, Alicia and Alex. Anderson enjoys spending time with his family, golfing, hunting, and doing projects around their home.

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**Director:**  
**Pete Fojtik**  
**Michels Utility Services**

Pete Fojtik is the president of Michels Utility Services in Brownsville, Wisconsin. He is co-chair of the DCA Workforce

Development Committee, serves as a trustee on the DCA-LMCT trust, and is a member of the Strategic Vision Committee.

**Brief Work History:** Fojtik has more than 35 years of gas distribution experience and leads Michels' founding construction service. Fojtik oversees all aspects of Michels' gas distribution construction operations across the U.S., including crews working on main and service replacement programs, expansion and conversion projects, and joint trench installations. Before the inception of Michels Utility Services Inc., Fojtik served as the vice president of Michels Pipeline Construction – gas distribution division. Prior to joining Michels, Fojtik worked with InfraSource/Quanta Services for more than 20 years, starting with the company in the Mueller Pipeliner days.

Fojtik earned a bachelor's degree in construction administration from the University of Wisconsin-Madison, but literally began his career in the trenches, working his way up from a laborer/fuser through varying management roles. He currently serves on the Center for Energy Workforce Development (CEWD) board of directors as well as the American Gas Association (AGA) construction operations committee and workforce development task group.

**Family Life:** Fojtik and his wife, Wendy, have four daughters, Brianne, Kyra, Shaye, and Jaime. In his spare time, Fojtik enjoys golfing, traveling, and spending time at the beach with his family.



**Director:**  
**Doug Reeves**  
**Primoris Services Corporation**

Doug Reeves is the regional president of Primoris Services Corporation (PSC), Little Canada, Minnesota.

**Brief Work History:** Reeves began working in the utility industry in 1989, performing power pole and power line inspections in Indiana. A career change in 1990 initiated a shift to the natural gas industry, where Reeves performed and later managed code compliance services such

as leak surveys and line locating throughout the upper Midwest. Reeves moved to Minnesota in 1997 and joined Q3 Contracting (Q3C) in 1998. During his time with Q3C, Reeves held multiple positions in field operations management and estimating. He was named president of Q3C in September 2017 and moved into the regional president role with PSC in January 2022.

**Family Life:** Reeves and his wife, Carol, have two children, Katie and Nathan. The Reeves family enjoys traveling and the outdoors including golf, hiking, and upland hunting.



**Director at large:**  
**Andy Miller**  
**Alex E. Paris Contracting Co.**

Andy Miller is the equipment fleet manager and director of special projects for Alex E. Paris Contracting Co., based in Atlasburg, Pennsylvania. The Alex Paris Company

is a fourth-generation full service heavy/civil/utility and pipeline contractor that has been in business for over 95 years servicing the Mid-Atlantic areas.

**Brief Work History:** Miller graduated from Washington & Jefferson College with a B.A. in business and received his MBA from the University of Pittsburgh in 1987. He has been involved in the construction and heavy equipment industry since childhood. He joined the Alex Paris Company in 1993 and has been active in all aspects of the organization since. Miller attended his first DCA convention in 2012 and is currently co-chair of the Government Relations Committee.

**Family Life:** Miller and his wife, Becky, have three sons, Andrew, Owen, and Clark. Miller enjoys spending his free time with family and friends, traveling, and taking winter ski trips.

# Candidates for Junior Associate Member Director

*One to be elected for a two-year term*



**Junior Associate Member Director**  
**Dustin Kraft**  
**Vermeer Corporation**

Dustin Kraft joined Vermeer Corporation in 2011 and is currently a regional manager, responsible for the Vermeer Iowa, Vermeer Midwest, Vermeer North Atlantic, and

Vermeer All Roads industrial dealership groups.

**Brief Work History:** After graduating from Central College in 2000, Kraft entered the residential construction industry as a sales rep with Pella Windows & Doors in Kansas City before eventually returning to his hometown of Pella, Iowa, to run his own State Farm Insurance agency. Kraft went to work for Vermeer Corporation as a global account representative. Just over one year later, he accepted a promotion to corporate account manager, where he was responsible for growing sales and maintaining relationships with some of Vermeer's largest accounts.

Since attending his first event (the 2016 Mid Year Meeting in Alaska), Kraft has been a regular at the annual, mid-year, and fall meetings, as well as the occasional safety meeting. His six years of membership have seen him actively volunteer to assist where needed, including time on scholarship committees, participation in first time attendee events, and his current post as co-chair of the Trenchless Committee.

**Family Life:** Kraft and his wife, Tara, have three children, Hayden, Jackson, and Kristian, who keep them active in church, school, and sporting events. When not chasing kids around, Kraft enjoys hanging out with family and friends, hunting, and staying active outdoors.



**Junior Associate Member Director**  
**Candidate:**  
**Sarah Mahlik**  
**TT Technologies Inc.**

Sarah Mahlik joined TT Technologies in 2013 and is currently the national accounts manager. She covers the Midwest states

as well as larger national accounts, helping to promote, educate, and train customers and engineers on trenchless technology.

**Brief Work History:** Mahlik has a Bachelor of Business Administration with majors in both finance and marketing. She has worked in various financial institutions, including Accenture and Price Waterhouse Coopers, as well as in sales and management for the Kohler Company.

Mahlik started attending DCA functions as a child in the 1990s and has been an active member for the past eight years. She regularly attends the Annual Convention, the April DCA & AGA Utility Workshop, and the Mid Year and Fall meetings. Mahlik serves as a member on the DCA Strategic Vision Committee. She is also active in the North American Society for Trenchless Technology (NASTT) and serves on the board for the Midwest Society for Trenchless Technology (MSTT). Mahlik also belongs to the Underground Contractors Association of Illinois.

**Family Life:** Mahlik and her husband, Justin, have two children, Emma and Vivienne. Mahlik enjoys spending time with her family, being active in sports such as tennis and running, traveling, and reading.

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your generosity is appreciated.**

# Calendar

## DCA & Industry Events

### 2023

#### **FEBRUARY 20-25**

DCA 2023 Convention  
Fontainebleau Hotel  
Miami Beach, Florida  
[www.dcaweb.org](http://www.dcaweb.org)

#### **FEBRUARY 28 - MARCH 3**

AGA Trenchless Technology Workshop  
Loews Atlanta Hotel  
Atlanta, Georgia  
[www.aga.org](http://www.aga.org)

#### **MARCH 3-8**

PCCA Annual Convention  
Eden Roc/Nobu Hotel  
Miami, Florida  
[info@pccaweb.org](mailto:info@pccaweb.org)

#### **MARCH 14-18**

CONEXPO-CON/AGG 2023  
Las Vegas Convention Center  
Las Vegas, Nevada  
[www.conexpoconagg.com](http://www.conexpoconagg.com)

#### **MARCH 27-29**

DCA & AGA Workshop  
Trump International Hotel & Tower  
Chicago, Illinois  
[www.dcaweb.org](http://www.dcaweb.org)

### 2023 (cont.)

#### **APRIL 17-19**

DCA 2023 Safety Congress  
Royal Sonesta New Orleans  
New Orleans, Louisiana  
[www.dcaweb.org](http://www.dcaweb.org)

#### **APRIL 30 - MAY 4**

NASTT 2023 No-Dig Show  
Oregon Convention Center  
Portland, Oregon  
[www.nodigshow.com](http://www.nodigshow.com)

#### **MAY 1-4**

AGA 2023 Operations Conference & Biennial  
Exhibition  
Gaylord Texan Resort  
Grapevine, Texas  
[www.aga.org](http://www.aga.org)

#### **MAY 14-18**

Pipe Line Contractors Association of Canada  
(PLCAC) Convention  
The Fairmont Empress  
Victoria, British Columbia  
Canada  
[www.pipeline.ca](http://www.pipeline.ca)

### ATTENTION ALL DCA MEMBERS!

*So you do not miss out on future meeting and event notices, please have your company's IT representative whitelist all emails from [dcaweb.org](http://dcaweb.org). If you have any questions, please contact Teri Korson at [tkorson@dcaweb.org](mailto:tkorson@dcaweb.org).*



## Gary Lawson, Honorary Member

The Distribution Contractors Association Board of Directors, in recognition of distinguished and noteworthy service to the distribution construction industry and to this association, confer the highest honor to Gary Lawson of Ditch Witch.

Elected Honorary Member February 23, 2023

### Opening Relationships

"You don't close a sale, you open a relationship if you want to build a long-term, successful relationship."

Ditch Witch's Gary Lawson has taken that advice to heart over his 40-decade-plus sales career, having opened up solid, long-lasting relationships throughout the underground construction and excavation industry. He belongs to several industry organizations, including the National Utility Contractors Association (NUCA) and Electric Utility Fleet Managers Conference.

But one of the most enduring and heartfelt relationships he has created has been the one with the Distribution Contractors Association, where this year, he will be awarded with one of its highest awards, being named a DCA Honorary Member.

The DCA is really a big, extended family, says Lawson, who first crossed paths with the association during its 1990 Fall Board meeting. It was there that he met many of the founding fathers and past presidents of the organization and was brought into the fold.

He soon found himself attending the annual conventions as an associate member for Ditch Witch and becoming immersed in the association's mission of bettering the industry.

Lawson says he was immediately impressed with DCA's focus on safety and education. "DCA does safety extremely well. For the pipeline industry, it's one of the best organizations to belong to," he says.

### Closing Deals

As an associate member, he found that DCA in those early days offered fun and unique opportunities for vendors to showcase their products.

A highlight of every convention, he says, was the "90 Seconds in the Spotlight" presentation in which he could share new innovations from Ditch Witch, a Charles Machine Works Company.

"It wasn't a sales pitch," he says. "It was good fun. It

was something everyone looked forward to." Lawson remembers the nights he and fellow Ditch Witcher Ellison Beasley spent writing scripts and shooting videos.

Soon, says Lawson, all the associates were outdoing each other on the videos and presentations. One of Lawson's most memorable skits was as the "Grumpy Contractor," who hilariously complains throughout the short video about changes to the industry.

**"Gary, congratulations on being elected a DCA Honorary Member. It's been an honor working with you for the past 17 years. Your dedication and leadership over the past 43 years to this industry and Ditch Witch is something we are all thankful for. The sincerity you have in everything you say and do is unmatched! Congratulations on this award and your upcoming retirement!"**

**Tucker Dotson**

*Director, Sales  
Ditch Witch*

### Like Father, Like Son

Humor, says Lawson, is a critical ingredient in being a good salesman, a trait he got from his father, who was a salesman in the steel industry. His father, he says, also shared a keen interest in heavy equipment, a passion Gary holds to this day. Lawson knew early on that he would follow in his father's footsteps.

"I always knew what I wanted to do. I enjoyed meeting people and talking to people, and I just knew that I wanted to be in sales."

In addition to his salesmanship, DCA members also call Lawson one of the best story and joke tellers. Just ask him about the one about the Cajun!

### Going, Going, Gone!

Lawson's sense of humor and camaraderie with the DCA members is another vital ingredient to the success of the annual DCA auction, in which Lawson worked as a spotter



**“Congratulations on a well-deserved honorary DCA Membership. Gary embodies all the things that make this organization great. He’s worked hard for DCA for many years in many different capacities and made a long-lasting impact. And one of the finest joke tellers of all time. Most importantly to me, he helped me. He gave guidance and made introductions to this organization, which made it easier to get to know people and get involved. He took pride in bringing in new people and making them feel comfortable and part of the group. For that I’ll always be grateful!”**

**John Lamerton**  
*Vice President of Marketing  
 Wyo-Ben Inc.*



**"Gary is very deserving of the DCA Honorary Member Award. He was a great mentor when we worked together as Associate Member directors. He is always a joy to talk with at DCA events and is a great supporter of the association."**

**John Weaver**  
*Retired DCA Member*

**"Gary, thank you for all of the time, effort and energy you've invested in our industry over the years. Hanging out with you, Michelle and Megan at DCA has been a blast and a blessing. Congratulations on being named a DCA Honorary Member. It is a distinction that is well deserved!"**

**Matt Dilorio**  
*President*  
*Ditch Witch Mid-States*

**"Congratulations Gary! The DCA couldn't have picked a better person who has worked hard and dedicated decades to our industry. We will always cherish your friendship! Appreciate the opportunity whether you use it or not! Thanks again."**

**Kevin T. Parker**  
*Senior V.P. - Health, Safety & Environment*  
*Mears Holding LLC*

**Congratulations, Gary, on being elected a DCA Honorary Member. You were one of the first to welcome me to DCA when I started in 2009, sharing a flight from Jackson Hole to Dallas. Our friendship started then, carried over to your role as convention chair in Cancun, and continues to this day. You, Michelle and Megan are an integral part of the DCA family and a true representation of the spirit of DCA. Well deserved, my friend.**

**Rob Darden**  
*Executive Vice President*  
*Distribution Contractors Association*

**"Gary, congratulations and welcome to a great group of Honorary Members. I want to personally thank you for all your help on the DCA Auction Night all those wonderful years. You were always there to work hard for the goals we set. Again, on behalf of Bonnie and I, congratulations on your induction."**

**ER "Butch" Graham**  
*Honorary Member*



for legendary auctioneer and fellow Honorary Member Butch Graham.

Lawson's job was to keep an eye on who was bidding on what and drive the sales up. "My job," says Lawson, "was to keep bidders in the game and coax them along." And part of the game, he says, was seeing how high they could drive the bid up for Bob Lyon's infamous multi-colored sports coat!

Graham and Lawson also coordinated efforts to double items, giving each bidder the chance to go home with a similar coveted item.

The auction rose from humble beginnings during those days, says Gary, to more than a \$1 million fundraiser today, which supports so many of DCA's important programs in government relations, education, safety and scholarships.

### **Friends and Family**

Lawson credits Michelle, his wife of 36 years, as being his team member both on and off the road. They both say that DCA events became more than work events; they became social gatherings for everyone's

families. Megan, Gary and Michelle's daughter, grew up going to DCA events and the Lawsons became good friends with other families.

Both Gary and Michelle tick off a long list of special bonds with DCA members and their families, listing memorable times from all the mid-year and annual retreats that became family vacations for all of them.

Right from the beginning, both Lawsons say they felt especially welcomed into the organization. Over the past 30 years, Gary has served on numerous committees, including the education and associate member nominating committees and has served on the DCA Board of Directors from 2008 through 2011 in the role as Associate Member Director.

Gary is especially proud of his work with workforce development and government relations, he says, because the industry needs to be focused on the next generation of workers and finding pathways forward.

Gary and Michelle also served as convention chairs when the annual conference was held in Cancun, Mexico.





**“Beth and I met Gary and Michelle more than 16 years ago, and we have been great friends ever since. Gary has always represented the DCA with the utmost professionalism. He has always taken whatever role in the organization and gave it his all as he has done throughout his career with the Ditch Witch organization. One of the things I remember most about Gary was a few years ago when a lot of companies were going through a downturn, Gary was in the shop pulling parts and doing whatever it took for the company and his family. Proud to say we are still great friends with Gary and Michelle. I am so proud to see him selected as an Honorary Member for his years of dedication to the DCA organization.”**



**Randy Hayes**  
*Vice President of Business Development & Strategic Accounts  
Vacuworx*

**“Congratulations, Gary, for this well-deserved honor. Thank you for your many years supporting the DCA. Best wishes to you and your family.”**



**Dennis and Regan Kennedy**  
*Executive Vice President  
Distribution Contractors Association  
1989-2010*

**“The only way to describe Gary properly is as ‘A Professional.’ ‘Shoes,’ as Gary is called lovingly around the office, has plenty of jokester in him, and sometimes you can’t get him to shut up with his jokes, but when it comes to his customer, Gary is inside the office just like he is outside the office: professional, caring, gentle, pushy, hard-working, engaged and ethical. Whether it’s an early meeting or late-night event, wherever you need him to be, he’s there. And lastly or, perhaps the best, description is as ‘A Role Model.’ Thank you, Gary, for teaching me the industry!”**



**Dennis Wierzbicki**  
*Past President, Ditch Witch (2015-2020)*

**“Congratulations on being elected a DCA Honorary Member. It’s been a pleasure to get to know you and your family over the years and hope this continues for many more. Thanks for your leadership and support to the DCA!”**

**Jay Osborn**  
*Vice President*  
*Q3 Contracting*

**“Gary, congratulations on being named an Honorary Member of the DCA. Always a class act, your many years of commitment to the DCA exemplify what it takes to become an Honorary Member. Thank you for all that you have done for the DCA.”**

**Dave Douglas**  
*Ritchie Bros Auctioneers*

**“Gary is one of those people that 30 seconds after you meet him you think you have found your new best friend. He is a tireless ambassador for the industry and DCA, promoting our organization throughout his career.”**

**Oliver Klinger**  
*Oildom Publishing*  
*(retired)*

“We took the job seriously,” Michelle says. She says that there’s no end to all the good times they can remember, from golf outings to dinners to costume-filled events.

### **Teamwork**

Teamwork comes naturally to the Lawsons, who met on stage—literally. They were both cast in their local Stagecoach Theater’s production of “The Nearlyweds.” Michelle found herself on stage with Gary, who was cast as her “nerdy boyfriend.” Throughout the play, the character playing “the mother” of Michelle’s character would explain to the audience what was happening and what she was hoping would happen. During her monologue with the audience, the action on stage would freeze at the point where the characters of Gary and Michelle were kissing. “The



mother” had difficulty remembering her lines and invariably the frozen kiss lasted longer. That kiss, laughs Michelle, “would go on forever.” A few rehearsals later, and, well, we know the rest.

Michelle also worked for Ditch Witch early in their marriage while Gary was out on the road, sometimes two weeks or longer at a time, and two weeks in Perry, representing Ditch Witch as an international sales representative covering the Middle East and South Africa. Gary came back to the United States full-time in the late 1980s and served in various sales roles before becoming Senior Account Manager (formerly Global Account Manager) in 2001. At Ditch Witch, Gary has served as a District and Marketing rep, has worked in Special Accounts and Sales Training, and was a S.E. Regional Sales Manager and Market Development Manager. Over the years, Gary has also emceed many functions and conferences for Ditch Witch, as well as in the community. Gary points to

the relationships with customers he has developed over the years. “There are a lot of people that I have known for many, many years and have become very good friends with,” he says. “I really enjoy going out and seeing them.”

### **Back to the Future**

These days, though, he hopes to stay closer to his home in Perry, Oklahoma, and spending more time with his family (which include wife Michelle and daughters Becky and Megan). He is even thinking about retirement. Having been a car junkie all his life (he can point out every make and model of car on the road, according to Michelle), he’s itching to get back to work on restoring an old convertible Volkswagen.

Time on their hands won’t be a problem when retirement does roll around. Both

Gary and Michelle are active volunteers in their community, and Gary, a music lover who knows all the lyrics to popular songs, is part of the Methodist Singing Men at their church.

He’s also a past Exalted Ruler of the Elks Lodge and past president of the YMCA Board of Directors. And recently, the couple traveled to Georgia where their daughter Megan tied the knot and is making her home.

When he first heard he was receiving the DCA Honorary Membership, Gary was taken aback. “I had to take a minute to let it sink in. Receiving this is a great honor.” But, what makes it even more special, he says, is knowing those who came before him, those many DCA mentors who encouraged him over the years, and especially that Ed Malzhan, the founder of Ditch Witch, was also named an honorary member.

“I’m very proud to receive this honor—the same award as Ed Malzhan—is very exciting. You just can’t put a price on that!”



**“Gary, it is with a great deal of pride and appreciation to congratulate you on being named as an Honorary DCA Member. What a wonderful and well deserved honor coming from what I have considered throughout my career as the number one construction trade organization. This is certainly well-deserved as I have watched you contribute to the success of DCA for many years. Way to Go!”**

**Paul Rogers**  
*Retired DCA Member*

**“Gary, congratulations, my friend, on this well-deserved honor. Your dedication to the DCA has been a huge part of the success of the organization. You have always been a great ambassador for new members and old friends at DCA or other industry functions. Your energy and enthusiasm is truly contagious. Alice and I are thrilled to be able to celebrate this recognition with you, Michelle, Megan and rest of the Lawson and Ditch Witch families. Thank you for all you have done for all of us.”**

**Michael and Alice Hickey**  
*Executive Vice President, Utility Construction  
The Hallen Construction Co. Inc.*



**“Congratulations Gary on receiving the Honorary Membership. You deserve it after many years of your contributions to the DCA. It was always a pleasure to work with you on committees with your spirited energy and personality. We’ve had many good laughs together as we worked on these different projects for DCA.”**

**Jack and Denise Gabrielse**  
*DCA Honorary Member & 1991 President*



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# Insights

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## **DCA Sets Legislative Agenda for 118th Congress**

The 118th Congress began with no shortage of drama, where spectacle over the next Speaker of the U.S. House of Representatives held up the implementation of the highly anticipated Republican agenda for several days.

However, that didn't stop DCA from hitting the ground running in terms of informing key congressional committees about the association's own agenda. Items include promoting natural gas as an acceptable fuel source in the future and the need for significant construction of pipeline systems to transport both captured carbon dioxide from emission sources and increased volumes of hydrogen. This year's debate will also include reauthorization of the nation's pipeline safety program along with fighting the seemingly unending but harmful proposals coming out of Biden regulatory agencies.

To set the stage, DCA sent letters to several committees in the House and Senate that have jurisdiction over issues of interest to the gas distribution and transmission pipeline construction industry, including

the House Transportation and Infrastructure Committee, the Energy and Commerce Committee, the Senate Energy and Natural Resources Committee, and the Commerce, Science, and Transportation Committee. DCA is following up with visits to committee staff early in the new Congress now that Capitol Hill offices are becoming more accessible to the public post-pandemic and following the aftermath of the Jan. 6, 2021, events at the U.S. Capitol.

## **Move Toward Renewables Needs Natural Gas and Expanded Pipeline Infrastructure**

It has become clear to most in the energy industry that the nation will not achieve its lofty clean energy ambitions without the help of natural gas. DCA believes that the increasing hostility toward natural gas as a sustainable source of American energy is largely misplaced.

In addition, significant expansion of our natural gas pipeline network will be needed if the nation is serious about moving toward alternatives to conventional fossil

fuels for power generation. DCA uses hydrogen as a prime example. Hydrogen is increasingly considered a promising fuel source, but transporting it to facilities such as power plants, industrial sites, and fuel distribution hubs will require an extensive hydrogen pipeline system. Building new hydrogen pipelines will certainly be necessary, and converting existing pipelines to move higher volumes of hydrogen may be possible in the future, but the need for a safe and reliable pipeline system will remain.

Carbon capture, use, and storage (CCUS) efforts are also considered critical to America's energy future. Pipelines are already the primary mode of moving carbon dioxide, but with only 5,000 miles of CO<sub>2</sub> pipelines existing in only a few regions, infrastructure must be built to transport captured CO<sub>2</sub>. Pipelines bring a track record of success and continue to be the safest method of transporting American energy, including CO<sub>2</sub> and hydrogen.

Recognizing the nearly \$20 billion provided for CCUS and hydrogen energy projects in the Infrastructure Investment and Jobs Act of 2021 as well as tax incentives for CCUS and hydrogen efforts included in the Inflation Reduction Act last year, DCA believes that demonstration projects and other efforts to promote and advance the role of pipeline transportation of hydrogen and CO<sub>2</sub> should be a priority as implementation of these laws continues. DCA supported provisions in these bills that would open the door and provide resources for CCUS and hydrogen demonstration projects and expand tax incentives intended to spur similar initiatives. A main focus this year will be in ensuring effective implementation of these landmark bills.

### Renewable Natural Gas

Renewable natural gas (RNG), also known as biogas, is collected from waste from agricultural facilities, food waste, wastewater treatment plants, and other sources that emit surface-level methane during the decomposition process. Because there are processes and technologies to capture methane from waste streams and prevent it from being released into the atmosphere, DCA believes federal energy policy should encourage opportunities for RNG, which can be very helpful to maintain a diverse range of energy sources that would bolster efforts to address climate change. RNG is a complement to other renewable energy sources because it is storable, dispatchable, and can be combined with other fuel, heat, and power generation resources providing reliable energy.

"RNG enables us to capture harmful greenhouse gas emissions from waste products and convert them to clean energy that efficiently supplies energy to homes, businesses, and vehicles while delivering benefits to the environment at the same time," DCA's letter to the House

Energy and Commerce Committee stated. "In short, RNG has the potential to drastically reduce greenhouse gas emissions while leveraging the nation's resilient, efficient natural gas distribution network."

The American Gas Association estimates that RNG has the potential to reduce emissions from natural gas by a remarkable 95% in the residential sector and replacing a measurable amount of America's traditional gas supply with RNG will allow us to achieve emission reductions equal to that which would result from policy proposals mandating electrification. Therefore, DCA will support legislative proposals to capture RNG and move it to where it can help contribute to America's energy future.

### Permitting Challenges Remain

The goal of reforming the permitting process related to approving pipeline projects remains a top DCA priority. Although the Federal Energy Regulatory Commission (FERC) has traditionally been the lead organization in overseeing the permitting process for transmission pipelines, many of the seemingly countless federal and state agencies with a role in the permitting process sometimes delay consideration of permit applications for illicit reasons.

Section 401 of the Clean Water Act (CWA 401) remains particularly challenging. CWA 401 provides states with the authority to determine whether any discharges from infrastructure projects are in compliance with water quality standards in that state. In its policy statement, DCA stated that while "the intent is to ensure that states can more effectively regulate local land and infrastructure, in several states this has become a method to delay or create cost-prohibitive roadblocks to the development of interstate natural gas and oil pipelines."

Although project permit reform legislation failed to pass before the end of last year and the 117th Congress, lawmakers will have the opportunity to advance project permit reform legislation early this year, and DCA will continue to encourage enactment of meaningful reforms to the permit process.

### Pipeline Safety Back in Play

This year's energy debate will include reauthorization of the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the nation's pipeline safety program in general. Passed in 2020, the last reauthorization bill focused on gas distribution systems, and DCA addressed several policy proposals for consideration. As this year's pipeline safety measure is developed, DCA offered perspectives on several issues for consideration.

*(continued on pg. 30)*

### **Damage Prevention and GIS Mapping**

Preventing damage to underground pipelines will likely be a part of the next pipeline safety debate. Ensuring a safe worksite has always been fundamental to pipeline contractors, and damage prevention continues to be front and center to achieving that goal. DCA was pleased to see that the last reauthorization bill (PIPES Act of 2020) included language that would require operators of gas distribution pipelines to identify and manage traceable, reliable, and complete records, including maps and other drawings. Accurate mapping of underground facilities is essential to accurate and timely locating, and DCA believes the use of geographic information systems (GIS) is the most effective way to identify and document a range of data about a given area's underground infrastructure.

Last year, DCA released a position paper on GIS, which can create, manage, visualize, analyze, and map different layers of data by creating maps and scenes related to underground facilities. GIS connects data to a map, integrating location data with information regarding nearby buildings, foliage and vegetation, as well as subsurface facilities in that area. DCA believes ensuring the use of readily available GIS mapping technologies would be the most efficient way to identify and document the exact location of underground pipelines (as well as other subsurface infrastructure). As such, DCA will lead advocacy to address the need for increased use of this critical tool in the next pipeline safety bill.

### **Pipeline Safety Management Systems**

The pipeline industry continues to instill a culture of safety through implementation of pipeline safety management systems (SMS), the top-to-bottom, cyclical approach to safety that requires buy-in from senior management and a commitment to pursuing continuous improvement. DCA and most others in the pipeline construction business have embraced the concept of voluntary SMS approaches in the pipeline industry but believe mandating the use of SMS in federal pipeline safety regulations would be shortsighted.

The PIPES Act of 2020 required PHMSA to report to Congress on the effectiveness of SMS that were implemented within the pipeline industry. In 2021, DCA released a template for pipeline contractors to refer to when developing SMS programs or improving existing SMS approaches in their construction operations. DCA was thrilled to be invited to participate in the Pipeline SMS Industry Team, led by the American Petroleum Institute and consisting of representatives from several associations representing pipeline operators, contractors, service providers, and government entities. Last fall, the Industry Team released its SMS contractor guidance,

which DCA reviewed and worked to refine as part of the Industry Team. The guidance, as well as a wide range of tools and resources, is available at [www.pipelinesms.org](http://www.pipelinesms.org).

DCA continues to educate lawmakers on the importance of a voluntary approach to pipeline SMS. The primary point is that ensuring a safety culture within a pipeline company must be the responsibility of the operator, just as contractors will be responsible for implementing and maintaining SMS in pipeline construction operations. DCA's letters reiterate past support for the goals and concepts of SMS but we are clear in our continued opposition to language that would mandate SMS in the pipeline safety regulations. Mandating a safety culture would prove to be unenforceable and in fact counterproductive to reaching the same goals SMS strives to achieve.

### **Criminal Penalties for Critical Energy Infrastructure**

DCA continues to support First Amendment rights for peaceful activism, including peaceful protests of existing and pending pipeline construction projects. The association has supported language in past legislation that would hold those who engage in criminal activities during protests more accountable.

Past proposals on this issue would have revised existing criminal penalties for damaging or destroying a pipeline facility by specifying that vandalism, tampering with, or disrupting the operation of a pipeline facility would be punishable by criminal fines and imprisonment. Importantly, some past proposals included pipeline facilities under construction within their scope. DCA continues to stress the point that while interfering or tampering with the operation of a pipeline would clearly compromise pipeline safety, vandalism and destruction of nearby equipment used to construct a pipeline can be just as dangerous. Our point continues to be clear: setting construction equipment on fire near a natural gas pipeline should be considered as dangerous as turning a valve.

### **Cost-Benefit Analysis**

There are rumors that the need for cost-benefit analyses (CBAs), currently required for proposed pipeline safety regulations, is being questioned, likely by pipeline watchdog and/or environmental groups. CBAs are used by regulatory agencies to identify the costs and benefits resulting from a given regulation, and they continue to serve as an important part of the regulatory process. CBAs offer an agnostic and evidence-based evaluation of regulatory options which help agencies become more data-driven and help result in more logical regulatory approaches. Therefore, DCA is encouraging Congress to reject proposals to remove cost-benefit requirements from pipeline safety regulations.

## State-Level Advocacy on the Agenda

State-level battles between policies that would phase out or restrict access to natural gas and those that work to restrict such harmful policies from being enacted will continue this year and likely into the future. Supporters of "fuel choice" policy may be winning the battle within the states, with only a handful having enacted restrictive measures into law, while well over 20 states have enacted fuel choice provisions into their state and/or local statutes.

It is important to recognize that many state proposals, both good and bad, did not make it through the legislative/regulatory process and will likely return this year. Continued advocacy at the state level will be a key part of DCA lobbying activities. Last summer, DCA sent letters to 10 to 12 state governors and related state enforcement authorities, praising those who have

signed fuel choice bills into law and criticizing states and localities that have enacted policy that would restrict access to natural gas. This state-level debate will continue for the foreseeable future, and DCA will continue to be a big part of the discussion.

DCA advocacy will be critical this year, and strong lobbying will be needed in your nation's capital as well as in several states where the fuel-choice versus mandatory electrification debate rages on. The association's legislative and regulatory agenda will almost certainly be adjusted once the 118th Congress begins its work in earnest, after the debacle surrounding the incoming Republican Speaker of the House is resolved. Capitol Hill is finally opening up, and DCA is not waiting on the sidelines to begin pushing the issues most important to the association at this very critical time for our industry. ▲



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