THE BI-MONTHLY PUBLICATION OF THE DISTRIBUTION CONTRACTORS ASSOCIATION

DCA NEWS

Fall Meeting Convention

Leadership Development Program



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2023 DCA Fall Meeting Wrap-Up

As October 2023 drew near to Halloween, much of the country was ready to put a parched and absolutely scorching summer in its rear-view mirror. Fortunately, DCA had the perfect location for members to forget the summertime blues at the annual Fall Meeting — Seattle! Mount Rainier rose up to greet approaching planes before they descended into the clouds, and the city's famously gloomy weather lived up to the advertising with temperatures in the 50s and a steady drizzle throughout most of the week. Despite the gothic atmosphere that inspired Nirvana and Pearl Jam, the beauty of the city and the elegant Fairmont Olympic Hotel just blocks from Elliott Bay provided a bright spot for many a weary traveler.

Members arriving on Monday, Oct. 23, were welcomed in the classically decorated Spanish Ballroom with a casual evening reception featuring an open bar and buffet dinner. Several new faces made an appearance and the veteran attendees quickly flocked to the red badges to welcome them. After a similarly relaxed breakfast the next morning, DCA Executive Vice President Rob Darden started off the busy day ahead with the Town Hall and Business Session.

Darden recapped the year's continuing business of membership recruiting and retention, noting a pending revamp of the First Timer Orientation lunch at the annual convention and soliciting a few words from Sarah Mahlik of TT Technologies about the new Future Leaders' Committee. He also revealed that new updates would be coming to the main DCA website in addition to the various microsites that DCA maintains. Next, Monique Roberts, from the Pipeline Open Data Standard (PODS) organization, took the podium to give a presentation on "Data Management for Pipeline Safety and Asset Knowledge Management." Roberts encouraged companies to think of the data they collect as an asset just like a bulldozer or PPE —something of value that contributes to public safety and their bottom



line. Pending Pipeline and Hazardous Materials Safety Administration (PHMSA) rules will eventually require all pipelines to have data that is traceable, verifiable, and complete. PODS is working to standardize data gathering across the industry and various state jurisdictions and to help contractors get ahead of the regulations by incorporating data gathering more formally into their business models and practices. For example, contractors can help operators gather data on existing pipelines while in the field. Roberts' knowledge of the industry as a fourth generation pipeliner herself shined through as her examples of how data (or lack thereof) can aid or harm members' day-to-day operations hit home.

The Membership committee convened next with Scott Cooper of Caterpillar sitting in as guest co-chair next to co-worker Brad Everett. Current membership as of the meeting stood at 84 contractors and 104 associates, but in a sign that contractors were catching up, 11 contractors and four associates presented themselves during new member introductions. Turning to member retention efforts, the committee discussed efforts to get volunteers to ask the same questions for consistency when contacting inactive members. To that end, Jeri Lamerton of Lamerton Strategic developed a survey/ questionnaire and a flyer on the benefits of DCA membership. The committee also re-emphasized the necessity for attendees to spread knowledge of the DCA within their companies so the company doesn't leave DCA if they do.

The Workforce Development committee was eager to report on the recent inaugural session of the Leadership Development Program, completed Oct. 2-4. Two program participants were present at the meeting, along with several members whose employees attended. Mahlik said the session was very professionally run and provided great value, and Dave Wisniewski of Vermeer Corp. observed that the attendees included a good mix of first-timers, new managers, veterans of previous training, and members of different departments. Vince King of McElroy spoke about how attendees learned more about who they are, and how they appreciated their company's investment in them. When asked how many in the room would send people for training in the future, there was a strong show of hands. The second

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session was scheduled for Nov. 6-8 with a follow-up session in January 2024. The meeting concluded with updates on DCA participation in recent and upcoming events including the AGA Fall Meeting in Pittsburgh, the DCA & AGA Workshop in Kansas City, and a Center for Energy Workforce Development (CEWD) presentation on diversity, equity, and inclusion (DEI).

The Safety/Risk Management committee featured speakers John Jaeger and Cedric Johnson of Haugland Group on the life-saving topic of "Mental Health and Suicide Prevention in Construction." Jaeger, a welder and Coast Guard veteran, spoke from personal experience: His grandfather had been disabled in a work accident and committed suicide at 55, and Jaeger nearly met the same fate himself after a severe work injury led to bouts of depression. He told the audience that there are nearly 5,000 suicides in the construction industry annually, compared with 1,000 work fatalities from falls, accidents, and other causes. Contributing factors include injuries, long stints away from home, and a macho culture that discourages men from asking for help. Warning signs range from agitation and uncharacteristic behavior to listlessness and "checking out." When a Haugland employee took his own life 18 months ago, the company responded by partnering with mental health professionals to develop a response team. A program developed

for Suicide Prevention Month got immediate feedback, prompting the team to develop a playbook for an employee assistance program. Other efforts include training for influential leaders in the workplace, takeaway materials, and a buy-in video to get employees to participate in the program. The message they asked DCA members to take away with them was to treat suicide prevention as a safety problem, just as they do the other hazards of the job.

The Trenchless committee had been scheduled to feature a speaker from Puget Sound Energy who was unfortunately unable to attend, but there was still plenty of business to attend to. After a reminder to apply for scholarships to the NASTT No-Dig conference, Eli Pagel of B&H Construction LLC, gave an update on his company's ongoing testing of Sharpe Equipment's prototype allelectric hydro-vac, reporting that it's still performing very well; they just need to remember to unplug it before they pull away from the shop. The committee then relayed some notes that the Puget Sound speaker had sent in his absence on distribution activity in Washington state, observing that replacement and maintenance work are steady, but crew counts are down, and gas bans have been ruled out in the state for now. The audience agreed that regional updates from the sites of future meetings were a good idea to continue. Discussion



then turned to the difficulties in remaining profitable in competition with non-DCA companies before segueing into potential topics for future presentations, such as hydrogen or carbon capture, and content for the microsites and social media campaigns.

The Government Relations committee got off to its usual racing start with the latest update on the PIPES Act, which still must be reconciled by three committees by next year before it can be implemented. The discussion ranged widely from the elements of a good damage prevention program according to PHMSA to potential elimination of municipal exemptions, support or opposition to mandatory white-lining, and the importance of specific language on third-party excavation. Eben Wyman of Wyman Associates queried the audience on the controversy over restrictions on 811 tickets, asking if the DCA should support this or not. Following comments from Ray Swerdfeger of K.R. Swerdfeger Construction, Mark Albert of AGI Construction, and others in the room arrived at the consensus that there were no red flags on the issue. There was also no opposition to a resurrected rule disallowing inspection of pipelines by the companies that built them - the committee noted that while the issue was not a big deal, the language in it was somewhat galling. Talk then turned to forming regional teams for targeted D.C. fly-ins, and even the future possibility of state-level fly-ins. Monique Roberts also offered her experience using www.democracy.io to do grassroots advocacy for PODS. Updates on the Operator Qualification Integrity

Process (OQIP) and Safety Management Systems (SMS) pilot programs rounded out the meeting, with Wyman commenting on the SMS pilot that "we need to show up for this" by having more contractors participate in the pilots and implement SMS on their own before it becomes a mandate.

With the day's business concluded, it was time for a taste of Seattle before the all-too-brief trip was over. Members boarded buses for a 20-minute ride through the cold rain to the Museum of Flight on the sprawling campus of Boeing's world headquarters. Guests were given free rein to explore two of the main exhibit halls featuring fighter planes from World War II downstairs and World War I upstairs. Dozens of spectacularly preserved aircraft, including some extremely rare examples of enemy aircraft all but wiped out during the wars, graced the floors and hung from the ceiling surrounded by artifacts, models, and stories of the famous and daring pilots who flew them. The delicious dinner was served downstairs beneath the wings of a P-38 Lightning, with a P-51 Mustang parked nearby. A great deal of conversation revolved around history and family military legacies at the dinner table. No one left without wishing they had more time to spend in this amazing museum.

The DCA will meet next at the 63rd Annual Convention at the Fairmont Orchid Hotel on the Big Island of Hawaii, Feb. 12-17, 2024. Super Bowl Sunday is Feb. 11, with a late morning kick-off, so if you want to catch the game it is recommended that you fly in early. We hope to see you all there. ▲

Committee News

October 24 - 25, 2023 Meetings



The DCA Board of Directors (BOD) and six working committees met at the DCA Fall Meeting, Oct. 23-25, 2023, at the Fairmont Olympic Hotel in Seattle, Washington.

Board of Directors

At the Oct. 26 BOD meeting, board members approved the 2024 BOD ballot:

- President Mark Albert, AGI Construction Inc.
- Vice President Dan Carson, Carson Corp.
- Treasurer Doug Reeves, Primoris Services Corp.
- Immediate Past President Ray Swerdfeger, K.R. Swerdfeger Construction LLC
- Past President Director Mike Hickey, The Hallen Construction Co. Inc.
- Director nominees (three to be elected to a two-year term): Doug Anderson, HydroExcavators II LLC; Randy Bunch, Eastern Utilities Services; Stephanie Krabbe, InfraSource LLC; Andy Miller, Alex E. Paris Contracting Inc.; and Josh Purrenhage, Otis Eastern Services LLC.

- Directors (one year remaining on a two-year term): Bill Colson, Pretec Directional Drilling LLC; Chad Davis, Miller Pipeline; and Rob Hotz, ECI Contracting.
- Director at Large Nate Eastway, Gabe's Construction Co. Inc.
- Senior Associate Member Director Sarah Mahlik, TT Technologies Inc.
- Junior Associate Member Director nominees (one to be elected for a two-year term): Mike James, ISCO Industries, and Dustin Kraft, Vermeer Corp.

A full write-up about the 2024 BOD nominees will appear in the January/February 2024 DCA News. Elections will take place Feb. 14, 2024, in conjunction with the 63rd DCA Annual Convention in Kohala Coast, Hawaii.

The BOD announced that the 2024-25 scholarship amounts for the DCA-Dale R. Michels Scholarship and DCA-Curtis Allen Scholarship will total \$137,000 based on the current allocation formula. The BOD also approved \$3,000 for the Upton Scholarship. Updates on the Pipeline Safety Management System (PSMS), 2024 DCA Convention, and the current membership drive were given to board members.

Future Leaders Committee

The Future Leaders Committee met on Monday, Oct. 23, to organize the informational panel discussion for first-, second-, and third-time attendees of DCA events and meetings. The panel will be presented at the Tuesday, Feb. 13, Engagement Luncheon (formerly the First Timer Attendees' Lunch) during the 2024 convention. The panel had its debut at the Mid Year and will reach out to a larger member audience in Hawaii to show the unique ways to become involved with DCA.

The mission of the Future Leaders Committee is to cultivate and engage a community of emerging leaders within the gas distribution industry. Through networking, outreach, and professional development opportunities, the committee aims to equip members with the skills and knowledge necessary to succeed in their current roles, advance their careers, and to advance the culture of the DCA. Committee vice-chairs are Elizabeth Michels of Michels Corp. and Sarah Mahlik of TT Technologies.

Membership Committee

The Membership Committee met Tuesday, Oct. 24, and reviewed several items:

- Membership Summary Attendees reviewed the membership report presented to the BOD. Since the July meeting, two new contractor members and two new associate members joined DCA. Two contractors and two associate members dropped, resigned, or merged with other members. As of the meeting, current membership was 84 contractor members and 109 associate members.
- Impact Purchasing Study A draft of the 2023 Impact Purchasing Study was presented. The chairmen emphasized the importance of contractors completing the study. Associate members use the results as a tool for upcoming purchasing and to justify their support of the DCA. The link for the 2023 study will be emailed to contractors Nov. 15.
- Membership Initiative Committee attendees reviewed the actions of the membership subcommittee to retain, regain, and actively solicit new members. The team has been focusing on DCA contractors who have become inactive or dropped their membership in the past year. Anyone interested in serving on the committee should contact the DCA office or the membership chair.

The charge of the Membership Committee is to actively solicit and evaluate potential DCA members as well as make recommendations on member programs and awards to help recruit and retain members in the association. The committee has two co-chairmen. Currently, one co-chair is Brad Everett of Caterpillar, and the other co-chair position is open. The open co-chair position will be filled at the 2024 convention membership committee meeting.

Safety/Risk Management Committee

John Jaeger and Cedric Johnson of Haugland Group gave a presentation entitled *Mental Health & Suicide Prevention in Construction*. Haugland Group partnered with professional Dr. Sally Spencer to learn and teach about the contributing factors and warning signs of suicide. The company recognized Suicide Prevention in Construction Week (Sept. 4-9) and World Suicide Prevention Day (Sept. 10) with toolbox talks, stand downs with lunch, and posted resources throughout the company.

Committee meeting attendees also received updates on:

- 2024 DCA Safety Congress The 2024 Safety Congress will be held April 22-24 at the InterContinental Kansas City at The Plaza, Kansas City, Missouri. Planning for the event has begun, and registration should open in late February.
- 2023 Arthur T. Everham Safety Awards Questionnaires will be sent in mid-November with a mid-January due date. The awards will be presented during the Tuesday, Feb. 13, Business Session at the DCA Convention in February 2024.
- Safety Microsite The DCA website has a safety microsite at <u>www.dcabesafe.com</u>. Members were encouraged to send any safety-related content to DCA's Teri Korson or Jeri Lamerton of Lamerton Strategic Communications.

The charge of the Safety/Risk Management Committee is to review all information concerning safety in the industry and safe jobsite practices. The committee also has oversight for the Arthur T. Everham Safety Award and the annual Safety Congress. Randy Bunch of Eastern Utilities Services and Caleb Scheve of Price Gregory International Inc. are the vice-chairs.

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Workforce Development Committee

The Tuesday morning Workforce Development Committee meeting updated attendees on efforts since the July meeting.

- 2023 AGA Fall Meeting, Sept. 18-21, in Pittsburgh, Pennsylvania – The DCA and Workforce Development representatives participated in a panel of contractors focused on how DCA can work better with utility customers to make progress on retaining, developing, and recruiting talent.
- 2023 DCA Leadership Development Program (LDP) The committee chairs gave an update on the October session of the 2023 LDP held at the Embassy Suites, in Grapevine, Texas. The first session was held Oct. 3-5 for 25 attendees, and there was great engagement and participation from the group with the content well-received. Vendor ATW Training used two metrics to report the results of each session. The overall response was that it held the participants' interest and was applicable to their jobs. The second session of the two-part event was held the first week in November. Attendees will receive a certificate for 24 class hours.
- 2024 DCA LDP A 2024 LDP is being planned for early 2024. The program will again be limited to 25 attendees and in the Dallas area. Registration will open in January 2024.
- CEWD Workforce Development Summit, Nov. 14-16, 2023, National Harbor, Maryland – The summit has topics on Attracting and Retaining More Women in the Skilled Trades, Creating an Energy Skill Bridge Program/ Internship for Veterans, and more. There will be DCA representation on a panel discussion titled Managing Workforce Development Priorities.
- DCA & AGA Workshop The 2024 DCA & AGA
 Workshop will be March 18-20 at InterContinental
 Kansas City at The Plaza, Kansas City, Missouri. Send
 panel discussion topic ideas to Eben Wyman at
 Wyman Associates. At the 2023 event, DCA members,
 utilities, and outside support presented a panel on
 navigating and applying innovative solutions associated with the challenges of recruiting, developing,
 retaining, and rewarding a new age workforce.
- 2024 SkillsUSA TechSPO The 2024 SkillsUSA TechSPO will be held June 24-28 in Atlanta. Anyone interested in hosting a booth should contact Julie Dufour of SkillsUSA at jdufour@skillsusa.org. DCA will not be reserving a block of booths as has been done in the past. The best way to get involved with SkillsUSA and meet the students is through involvement at the state level.

The charge of the Workforce Development Committee is to develop, coordinate, and implement strategies to support the growth of the expanding workforce within the industry. The committee accomplishes this through the promotion of the industry as a career by using the vast knowledge and leadership of the DCA membership and promoting coordination with other industry professionals and national organizations. Stephanie Krabbe of InfraSource and Matt Dvorak of Groebner are the vice chairs of the committee.

Trenchless Committee

The Trenchless Committee received updates on several discussion items at its Tuesday, Oct. 24, meeting.

- NASTT No-Dig Providence, Rhode Island, April 14-18, 2024 – The NASTT 2024 No-Dig Show is the largest trenchless technology conference in North America, where thousands of professionals learn new methods and techniques that will save money and improve infrastructure. This trade show and conference provides technical sessions, along with opportunities to network and talk to vendors during exhibit hall hours. Registration opens Dec. 1.
- NASTT HDD Good Practices Course Committee chairs said that the course dates for the Portland, Oregon, location will be announced in November 2023 and will be on the DCA website calendar at www.dcaweb.org.
- "The World's First Electric Hydro Vac" update At the July Trenchless committee meeting, Dan Sharpe of Sharp Equipment gave a presentation on an all-electric hydro vac and said that DCA contractor member B&H Construction was testing the prototype. Eli Pagel, Director of Business Development for B&H Construction, reported that the trial was going well.
- Trenchless Microsite The DCA website has a trenchless microsite at <u>www.dcatrenchless.com</u>. Members were encouraged to send any trenchless-related content to DCA's Teri Korson or Jeri Lamerton of Lamerton Strategic Communications.

The charge of the Trenchless Committee is to support safety, training, technical developments, and voluntary operational guides that sustain professional practices and contractors in the trenchless industry. The vice-chairs are Nate Eastway of Gabe's Construction Co. and Alan Goodman of HammerHead Trenchless.

Government Relations Committee

The Government Relations Committee received updates on several pertinent topics at its Tuesday, Oct. 24, meeting. For more details about the following topics, please see the DCA Insights section of the DCA News.

- Pipeline Safety Reauthorization Discussions regarding damage-prevention provisions in this year's "PIPES Act" are now under consideration. Several provisions included in this proposed language have been supported by DCA over the years and would improve the damage-prevention process, including exemptions to one-call programs, white lining language or electronic white lining, trenchless excavation, locator training, increased use of locating technologies, and increased use of locating technologies/geographic information systems (GIS).
- Operator Qualification Integrity Process (OQIP) Update

 The OQIP team continues its work towards increased standardization in the OQ process. Three pilot projects are ongoing in New Mexico, Michigan, and Washington state.
- DCA Government Relations Regional Teams DCA is trying a new approach to enhance the association's grassroots lobbying efforts by establishing Regional Advocacy Teams to expand DCA influence as well as increase opportunities for member involvement. Teams will consist of both DCA contractors and associate members and will represent five regions around the country. This will allow DCA to conduct several targeted Washington, D.C., fly-in events over the course of a given year.

 PHMSA – PHMSA recently issued a Notice of Proposed Rulemaking (NPRM) on the safety of gas distribution pipelines. The NPRM addresses several congressional mandates from the last PIPES Act, most of which were issued in the wake of the Merrimack Valley incident in 2018. The proposed rule would reinstate a rule that was previously suspended prohibiting pipeline personnel from inspecting their own work.

The charge of the Government Relations Committee is to target specific regulatory and legislative items and report their findings through the following publications: DCA Insights, DCA News, DCA ENews and the DCA website. The vice chairs are Andy Miller of Alex E. Paris Contracting and Brad Burris of National Equipment Dealers.

The next BOD, leadership council, and committee meetings will be in conjunction with the 2024 DCA Convention, Feb. 12-17, at the Fairmont Orchid, Kohala Coast, Hawaii. ▲



DCA Inaugural Leadership Development Program Concluded in November



Twenty-five leaders from 18 different companies, spanning the United States, completed the inaugural DCA Leadership Development Program in Dallas in early November.

Topics in the program focused on how to develop and apply leadership skills and styles to deal with daily leadership situations. Participants in the program included influential leaders, new leaders, and experienced leaders from contractor and associate DCA members.

The program development was spearheaded by the DCA Workforce Development Committee that is led by Stephanie Krabbe of InfraSource Construction, LLC and Matt Dvorak of Groebner. These individuals worked with ATW Training Solutions from Urbandale, IA to customize the session content and materials.

A participant commented, "This class opened my eyes to many ways I can lead my team more effectively". The vision for the program was initiated several years ago and was pushed forward by Dave Wisnewski of Vermeer Corporation and other key association members who saw the importance of developing the future leaders of the industry.

"We want to proactively develop the future leaders in our industry. Sometimes as organizations we are too reactive when it comes to developing our leaders, waiting until problems arise. We want to help develop the skills of leaders today so they have them when situations arise in the future" commented Wisnewski.

The goal is to offer the program several times in 2024, so watch for further information and make sure to take advantage of this great DCA offering. ▲





February 12 - 17, 2024 **DCA Annual Convention**

Fairmont Orchid Hotel, Kohala Coast, HI

Registration is Open: www.dcaweb.org

DCA Participates in the SMS Assessment Pilots; Mears Group's Soto Named Vice Chair of SMS Group

PSMS PipelineSMS.org

DCA has become increasingly active in the Pipeline Safety Management Systems (SMS) Industry Team. The group is a coalition of national associations representing pipeline operators and contractors/service providers, with participation and input by the Pipeline Hazardous Materials Safety Administration (PHMSA) and state enforcement authorities. The Industry Team is led by the American Petroleum Institute (API) and has been opening the door for more contractor involvement in the SMS implementation process.

DCA Member Named Vice Chair of SMS Industry Team

DCA has three representatives serving on the Industry Team, including Jesus Soto, Chief Operating Officer of Mears Group (Quanta Services), who API named the group's vice chair for 2024. Giorgina Franklin of Duke Energy will be chair next year.

According to API, "Jesus has a wealth of experience working both for an operator and contractors and has been part of the PSMS Team for a number of years, including helping to guide recent activities to support contractor implementation of SMS and RP 1173 through the contractor implementation guide and contractor assessment tool

Soto's appointment is incredibly positive news for DCA and the pipeline construction industry in general, and we can't thank him enough for his leadership and commitment to helping implement SMS throughout the pipeline industry.

We also thank API and other members of the Industry Team for their commitment to partnering with the construction industry in order to advance SMS initiatives to the furthest extent possible.

The SMS Contractor Assessment Pilot Program Seeks Participants

A few weeks ago, DCA emailed members about the SMS contractor assessment pilot program, which is based on the Industry Team's operator assessment program established a few years ago. The assessment model uses third-party subject matter experts and focuses on assessing SMS maturity and effectiveness while sharing good practices/lessons learned with participants. The model was built to be scalable for all sizes of operators at all levels of SMS maturity.

The contractor assessments will focus on what is now known as the 56 "shall statements" included in the *Pipeline SMS*: A Contractor's Guide, which was. was derived from API RP 1173 and then the DCA contractor template rolled out in 2021. It's important to note that this is not a "check-the-box" audit. Assessors will conduct assessments as a collaborative effort, focused on the goal of improving SMS programs across the pipeline industry.

Four DCA contractors have agreed to participate in the SMS contractor assessment program, but we definitely need a few more to provide the necessary range of data. As reported previously, API expects a contractor assessment to cost approximately \$10,000.At least 50% of the cost of assessment pilots will be subsidized by API. If we can't solicit enough participation, API will have to go elsewhere to find contractor participation. We hope you will consider participating in an SMS assessment pilot.

If you're interested in participating or would like more information, contact Eben Wyman at eben@ wymanassociates.net. ▲

Save the Date for These DCA Events!

DCA & AGA Workshop March 18 – 20, 2024 DCA Safety Congress April 22 – 24, 2024

InterContinental Kansas City at The Plaza Kansas City, Missouri





DCA 2024-25 Scholarship Applications

The application process for the 2024-25 DCA-Dale R. Michels Scholarship and Curtis Allen Scholarship is now open on the DCA website at: <u>https://dcaweb.org/page/Scholarship</u>.

All applications will be completed online.

Students should click on the link above, scroll down the page to find the scholarship they are interested in, click the button, and follow the instructions, including how to upload a transcript in PDF format.

Basic guidelines:

- The DCA-Dale R. Michels Scholarship encourages students from all academic levels to apply. The Curtis H. Allen Scholarship focuses on those planning to attend a trade, technical, or vocational school.
- Applications must include an unofficial or official copy of a transcript. See the specific scholarship for the correct transcript that should be uploaded.
- All applications and supporting documents must be completed no later than **Monday**, **January 8**, **2024**.
- If DCA receives more than three applications from a member company for either scholarship, the member company will be asked to review and select three for inclusion in the application pool.
- The winning applicants will be awarded an unspecified amount of financial aid for the 2024-25 academic year. This amount could be renewable for up to four years with proof of academic success for the Michels scholarship and two years for the Allen scholarship.
- Financial need, academic major, and community service will be considered by the scholarship committees.

The DCA-Dale R. Michels Scholarship Committee is comprised of: the DCA President, Treasurer, Past President Director, Associate Member Director, and up to five members appointed by the DCA President.

The Curtis H. Allen Scholarship Committee is comprised of: the DCA Vice President, DCA Director at Large, DCA Alternate Associate Member Director, two Halliburton Representatives, and one member appointed by the DCA President.

Contact **tkorson@dcaweb.org** if you have any questions.

Insights



DCA Provides Comments to PHMSA Proposed Rule on Gas Distribution Systems

As previously reported, the Pipeline and Hazardous Materials Safety Administration (PHMSA) recently issued a Notice of Proposed Rulemaking (NPRM) intended to improve the safety of natural gas distribution systems. The NPRM is largely in response to the Merrimack Valley overpressurization incident in three Massachusetts neighborhoods about five years ago. That incident led to several congressional mandates included in the PIPES Act of 2020, as well as recommendations issued by the National Transportation Safety Board (NTSB) and several state entities.

Congressional mandates directed PHMSA to implement regulations intended to prevent incidents resulting from overpressurization of low-pressure gas systems, including modifying requirements to ensure that pipeline integrity plans and emergency response plans enhance overpressurization protection, establishing "management of change" requirements for distribution operators, and modifying design, operations and maintenance requirements for overpressure protection.

PHMSA regulations require operators to inspect new, replaced, relocated, or otherwise changed transmission

pipelines and mains to ensure they are constructed in accordance with current pipeline construction regulations. Under PHMSA's proposal, this requirement would be adjusted to require that operator personnel who perform a construction task would be prohibited from performing the related inspection. However, the NPRM proposed rule includes an exception for small operators in situations where the operator could only comply with the regulation by hiring a third-party inspector.

Legislative/Regulatory History

The post-construction inspection requirement originated from concerns and a 2011 resolution offered by the National Association of Pipeline Safety Representatives (NAPSR). NAPSR represents state pipeline inspectors and objects to contractor personnel inspecting their own construction work for compliance purposes.

In addition, the American Public Gas Association (APGA) told PHMSA they have more than 500 municipal crews with less than five workers so the impacts of the rule would be impracticable. According to APGA, utilities with only one qualified crew who work together to construct distribution mains would not have personnel working for the utility available and qualified to perform the required inspection, which could significantly increase the costs for small utilities to contract with third-party inspectors.

In a final rule issued in 2015, PHMSA amended the regulations to specify that a pipeline operator may not use the same personnel who performed the construction task requiring inspection to perform the required inspection. APGA soon petitioned the rule based on the nature of small gas utilities, described above.

PHMSA's action sparked further opposition from NAPSR, who contended the approach would not resolve what they consider a "conflict of interest." NAPSR added that the prohibition should not apply to an operator's own construction personnel since they would have "less of an incentive to accept poor quality work when conducting an inspection than a contractor inspecting his colleagues' work." These issues led to suspension of the final rule, which is now back in play in PHMSA's NPRM on gas distribution.

Reinstatement of 2015 Requirement

Adding a new provision to § 192.305 Inspections: General, the NPRM states that an operator "must not use operator personnel to perform a required inspection if the operator personnel performed the construction task requiring inspection."

Before reissuing this proposal, PHMSA evaluated concerns raised in APGA's and other reconsideration petitions. PHMSA proposes to add a paragraph that would provide an exception to the construction inspection requirement for gas distribution mains for small distribution operators who can demonstrate that compliance would be difficult due to limited staffing. Specifically, the exception would allow operator personnel involved in the same construction task to inspect each other's work on mains in cases where the operator could otherwise comply with the inspection requirement only by hiring a third-party inspector. This justification must be documented and retained for the life of the pipeline.

PHMSA proposes to limit this exception to distribution operators because it understands that many of these small operators are likely to have a limited number of employees, thereby necessitating reliance on contractor personnel.

Delaying construction projects because of a lack of qualified inspection personnel presents a public safety risk, especially when pipelines are near or within population centers.

Importantly, PHMSA makes it clear in the NPRM that PHMSA doesn't align itself with NAPSR's biased and unsubstantiated claims about contract personnel. PHMSA agrees that a lack of independence in inspection actions have raised public safety concerns, but disagrees that there is a "material distinction in risk between those personnel directly employed by the operator and those third-party personnel contracted by the operator."

PHMSA also contends that such a distinction might diminish safety benefits while placing burdens on smaller operators who rely on contractors for a large portion of their construction work. Therefore, PHMSA "does not see a reasoned basis to discriminate between operator personnel and contracted personnel for the purposes of this inspection."

In its comments to PHMSA, DCA said the association understands the concerns raised by APGA, but the "DCA believes NAPSR's position is shortsighted and out of touch. Pipeline contractors maintain elaborate safety programs, and inspections are a significant part of that. There is no basis or supporting data to show that requirements for post-construction inspections should be consistent for an operator's 'in-house' or contract personnel should be the same."

DCA appreciates PHMSA's decision not to subject this requirement only to contract personnel. DCA members, and the gas distribution construction industry, will continue to strongly oppose any regulatory efforts that single out contractors or subject them to additional requirements that do not apply to non-contract personnel. While DCA believes the actual safety benefits of this new requirement will be marginal, the association appreciates PHMSA's consistent application to all pipeline workers outside those covered by PHMSA's exception.

Latest CGA DIRT Report Highlights Enduring Problem with Facility Locates

The Common Ground Alliance (CGA), the largest national nonprofit trade group dedicated to developing and promoting best practices in the underground damage prevention process, recently rolled out the findings from its 2022 Damage Information Reporting Tool (DIRT) report. The report revealed some concerning increases across key damage indicators.

The DIRT report provides comprehensive accounting and analysis of damages to underground infrastructure in North America. Its goal is to help stakeholders understand current damage trends and the many factors contributing to underground facility damages during construction.

The 2022 report found that damage to underground utilities has trended upward over the past few years. As DCA has been stating for years, excavation activity in the U.S. continues to increase as states make infrastructure improvements. The significant influx of funding from the 2021 Infrastructure Investment and Jobs Act will obviously drive levels of excavation up even more.

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Highlights of the 2022 report include:

- No-notification damages make up more than 25% of all damages, with 77% of no-notification damages attributed to professional excavators.
- Nearly a quarter of damages were attributed to facilities not being marked or being inaccurately marked due to locator error.
- Utility work is most impacted by damages due to locator error (32% energy; 25% water/sewer; 19% telecom/broadband).
- As much as 56% of the time, excavators cannot legally begin work on their planned start date due to late or no response to a locate request.
- According to locators, the best ways to improve locating accuracy and timeliness is:
 - o Improved/updated facility maps (99%).
 - o Mandatory white lining (97%).
 - o Increased time to complete 'project tickets' (92%).

The report includes recommendations to address specific root cause groups, including:

- Restore excavator confidence in the 811 system through improved locating processes.
- Encourage effective use of the 811 system to reduce overall locator workloads through electronic white lining and more accurate descriptions of size/scope of 811 tickets.
- Consider innovative technologies and/or processes for leveling locating demand.
- Improve contract structures between facility owner/ operators and third-party locators.
- Provide timely, accurate positive responses to the 811 center.
- Enhance facility maps to GIS-grade and update maps with facility location information captured in the field.

The report also provides recommendations to enhance reporting and analysis of damages to better understand and address trends, including the implementation of standardized data collection fields and the creation of damage prevention indices to gauge progress over time.

Earlier this year, CGA launched its "50-in-5 Challenge," aimed at reducing damages by 50% percent over the next five years. "The findings of the DIRT report are critical to focusing the industry on key areas contributing to more than three-quarters of all damages to buried infrastructure. To make significant change and reverse damage rates, it's critical that our industry rapidly adopts the recommendations outlined in this report to target the most persistent challenges," said CGA President and CEO Sarah Magruder Lyle.

The complete DIRT Annual Report for 2022 is available for download at <u>dirt.commongroundalliance.com</u>.

OSHA Proposes to Allow Third Parties to Attend Worksite Inspections

Late last summer,OSHA proposed a rule that would empower their inspectors to allow community activists, industry watchdog groups, union organizers, and other parties to accompany them on a workplace inspection if requested by a company employee. r. OSHA's regulations have long permitted an employee to accompany the agency's officers on inspections, but third parties are currently only allowed to accompany an inspector when good cause has been shown why accompaniment by a third party who is not an employee of the employer (such as an industrial hygienist or a safety engineer) is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace.

OSHA's proposed rule would fundamentally change the nature of workplace safety inspections and put OSHA in the middle of organizing campaigns and/or labor negotiations between the employer and union. These individuals, who could be environmental activists, organizers, or engaged in some other campaign against the employer, could use the inspection as an opportunity to collect information about the workplace, target workers for an organizing drive, or simply obtain proprietary information.

DCA has been an active member of the Coalition for Workplace Safety (CWS) for several years. The coalition comprises associations and employers who believe in improving workplace safety through cooperation, assistance, transparency, clarity, and accountability. The CWS believes that workplace safety is everyone's concern. Improving safety can only happen when all parties – employers, employees, and OSHA – have a strong working relationship.

In September, CWS wrote a letter to the House Education and the Workforce Committee's Subcommittee on Workforce Protections calling out OSHA for its new "walkaround" proposal, which contradicts OSHA's longstanding agency guidance and past interpretations of the Occupational Safety and Health (OSH) Act. If enacted, the rule will likely result in unmanageable OSHA inspections with multiple third-party representatives. The proposed rule would interfere with, dilute, and undermine OSHA's credibility, as well as the inspections' sole focus of ensuring workplace health and safety. Allowing these individuals into workplace inspections exposes both OSHA and employers to significant liability for the actions of individuals they do not know or control and whose intentions are unclear.

The proposed rule sets no restriction on the number of different third-party representatives that may be present for a single inspection or how many employees may request different representatives. It also gives no guidance on how an inspector should prioritize, approve, or manage these requests.

Furthermore, the proposal would interfere with, dilute, and undermine OSHA's sole and only Congressionally mandated purpose, which is to uphold federal standards for workplace health and safety. OSHA's inspections would instead provide opportunities for individuals with grievances against the employer to further their own agenda, which could be union organizing, media campaigns against the company, efforts to obtain or exploit employers' proprietary information, or efforts to target the workers themselves for any number of reasons.

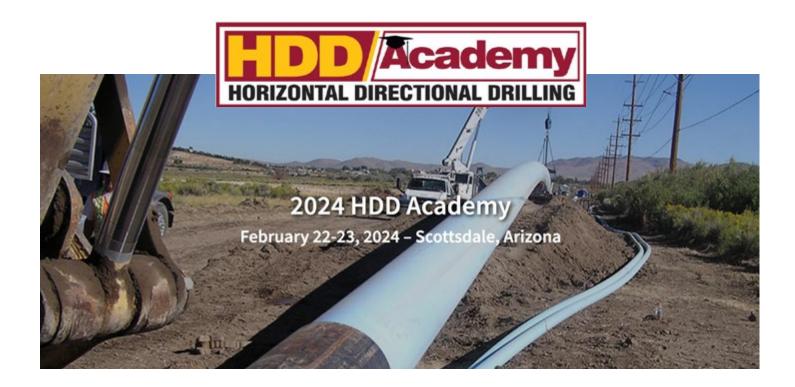
Of course, OSHA has not provided answers with respect to who will be responsible for these individuals while they are in the workplace. Questions being asked include:

- Is OSHA ready and willing to be liable for their actions if third-party participants act inappropriately, deviate from the mission of the inspection, or harm persons or property?
- Will OSHA be able to rein in unscrupulous or dangerous behavior that exposes the employer – and potentially OSHA – to liability?
- Will OSHA provide these third parties with personal protective equipment and be responsible for their safety?
- Would an employer be required to cover a hostile, non-invited guest under their workers' compensation program?

Another big point is that Congress has not granted authority to OSHA to include non-employee, third-party individuals on walkarounds at employers' private property. At press time, DCA had just agreed to sign on extensive comments to OSHA from CWS, and several hearings were said to be in the works, as Congressional Republicans were lining up in opposition to this shortsighted policy adjustment.

IAN ASSOCIATE

Eben M. Wyman Principal eben@wymanassociates.net



Calendar

2024 DCA & Industry Events

JANUARY 30 - FEBRUARY 3

2024 PLCA Convention Grand Hyatt Baha Mar Nassau, Bahamas www.plca.org

FEBRUARY 12-17

DCA 2024 Annual Convention Fairmont Orchid Kohala Coast, Hawaii www.dcaweb.org

FEBRUARY 22-23

HDD Academy Arizona State University's SkySong Center Scottsdale, Arizona www.hddacademy.com

MARCH 7-12

PCCA Annual Convention Turtle Bay Resort Kakuku, Hawaii www.pccaweb.org

MARCH 18-20

2024 DCA & AGA Workshop InterContinental Kansas City at The Plaza Kansas City, Missouri www.dcaweb.org

MARCH 19-21

Underground Infrastructure Conference (UCI) Oklahoma City Convention Center Oklahoma City, Oklahoma www.uctonline.com

APRIL 22-24

DCA Safety Congress InterContinental Kansas City at The Plaza Kansas City, Missouri www.dcaweb.org

JUNE 24-28

SkillsUSA TechSPO Georgia World Congress Center Atlanta, Georgia www.nlsc.skillsusa.org

JULY 24-27

DCA Mid Year Meeting Fairmont Chateau Whistler Whistler, British Columbia www.dcaweb.org

OCTOBER 23-25

DCA Fall Meeting Boston Park Plaza Boston, Massachusetts www.dcaweb.org

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. If you have any questions, please contact Teri Korson at tkorson@dcaweb.org.



Build A Strong Foundation, Attend UIC!

Attend interactive presentations and grow your network during the 2024 Underground Infrastructure Conference (UIC).Plus, you can earn PDHs and CEUs to boost your career. Dig into a dynamic program that will demystify the latest technologies and equipment showcased in the exhibit hall.

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- HDD Operations
- HDD Hall of Fame Panel
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Member News



Vacuworx: 25 Years of Thought Leadership

Celebrating its 25th anniversary, Vacuworx founder Bill Soloman attributes nearly three decades of leadership in vacuum lifting technology to a dedicated team, responsible growth, continuous improvement and passion for industry-leading products and services.

When the Tulsa-based company started in 1999, its 8,500-square-foot shop produced only a few product types, including its flagship RC Series lifters that handle virtually any type and diameter of pipe length effectively, with no need for chains, slings or hooks.

The foundation for Vacuworx was established as major advancements in protective coating technologies were being rolled out – and having tremendous impacts – on traditional methods used to handle oil and gas pipes.

Solomon and his wife, Christy, continued developing their original idea to create a faster, safer and smarter way to lift and move heavy, bulky objects. Their goal has always been "to protect people by keeping them out of lift zones and removing them from other places, where they don't need to be."

Evolution

Over the past 25 years, the company has evolved, while holding 100-percent to its original mission and values.

It now has a state-of-the-art, 155,000-square-foot U.S. headquarters and manufacturing facility with more than

60 employees and the advantage of all in-house precision machining and custom fabrication. It also developed a global network of qualified vacuum lifting equipment dealers – across six continents – and a customer base extending around the world.

Vacuworx vastly diversified its products and capabilities to match louder calls for greater safety, throughput, durability and longevity across a range of sectors. From the original RC and MC Series to compact and versatile SL 2 lifters, PS 1/PHD machines and more, today, Vacuworx offers the most useful, reliable, service-and-support backed line-up of machines for compact, mid-range and specialty lifting scenarios in the world.

Vacuworx material-handling systems have also proven effective in all unusual types of industrial situations, tight or confined workspaces, expansive outdoor environments, rigorous weather, and diverse field conditions. This includes applications where safety and precision are imperative, such as concrete road barriers, solar panels, burial vaults and electrical transmission and distribution poles.

Word-of-mouth testimonials, and countless videos and images, have spread Vacuworx's story organically.

"We were in the right place at the right time," Solomon explained. "It didn't just happen overnight. One contractor would see the benefit of our product because another contractor was using it. 'Where did you get that? We need one of those.' That's how we got started."

Connecting the dots

Solomon's company and the industries it serves have come a long way since 1999 – including the accelerated rate of pipe handlers' adoption and utilization of vacuum lifters in the past 10 years, alone. Ultimately, vacuum lifting has left an indelible mark on pipe-handling.

Now rented and sold in over 25 countries, Vacuworx systems have become one of the best-recognized innovations in vacuum lifting equipment and its increasing versatility. But it didn't stop there. The company also focuses on customer service – 24 hours a day, 365 days a year – and offers quick access to technical support and parts; a complete inventory; a full line of sales and rental options; and strong North American supply chain business relationships.

By listening to customers, the company continues to evolve and improve, developing new material lifting solutions for a growing number of established markets.

"We've gotten through some extraordinary things," he said. "We are going to get on the phone. We're going to get on a plane. It's part of our covenant with our customers. You can get a hold of somebody to help. We're going to be available."

For Solomon, this often equates to helping customers "connect the dots" – with access to the right engineering conversations, demonstrations, or compelling visual representations of lifters in action.

"Everything about what we are trying to do ties back to continuous improvement and growth in areas where we can make a difference," he said.

Peering into the future

Looking ahead, Solomon can see engineering even more products with the demonstrated ability to outperform traditional lifting and handling methods, safely and cost-efficiently.

In preparation, he is considering even faster, safer and smarter machines that will be put to work by qualified operators in even more semi-autonomous and fully manufacturer-supported lifting and handling operations.

Vacuworx lifting systems are already adaptable to multiple applications and host machines, such as modular systems for heavy-duty manufacturing, battery or electric systems for various in-plant or field operations, and an alternative system for using anchors and chains when handling precast.

In light of the 25-year milestone, Solomon reflected on his years building Vacuworx and reminded himself that while focusing on what's next is important, so is remembering where it all started.

Material handlers of all sizes come to Vacuworx for not only the safety aspects and labor-saving benefits, but also to uncover advantages associated with a superior level of service and support.

"When we enter a new market, sometimes it's hard for people to believe that our lifters are as safe and easy to use as we say they are," said Solomon. "But we're in our 25th year, and we welcome the opportunities to prove what we say is what we do."



Wyo-Ben Inc. Acquires Bentonite Operation of M-I Swaco

Wyo-Ben Inc., a leading provider of high-quality drilling fluids and minerals, announces its recent acquisition of the bentonite operation of M-I Swaco, a division of Schlumberger and renowned global leader in drilling fluid systems and services. This strategic move further solidifies Wyo-Ben's position as a leader in the industry and opens up new avenues for growth and innovation.

The acquisition of the M-I Swaco bentonite operation, located in Greybull, Wyoming, represents a significant milestone for Wyo-Ben, as it brings together two industry powerhouses with complementary strengths and expertise. By combining resources, knowledge, and experience, the newly formed entity will offer an enhanced portfolio of products and services to customers worldwide.

Wyo-Ben has built a strong reputation over the years for its commitment to delivering superior drilling fluids, sealants, and additives that meet the unique needs of its customers. This addition will further enhance Wyo-Ben's ability to provide tailored solutions for drilling and completion challenges across a wide range of applications.

M-I Swaco's established global presence and extensive customer base will also contribute to the accelerated growth and market expansion of Wyo-Ben. The acquisition will bolster the company's ability to serve its customers on a larger scale, tapping into new markets and providing a broader range of integrated solutions to address the evolving demands of the industry.

"We are thrilled to announce the acquisition of the bentonite operations known as M-I Swaco," said David Brown, CEO of Wyo-Ben. "This acquisition aligns perfectly with our long-term growth strategy and allows us to provide an even more comprehensive suite of products and services to our valued customers worldwide. By combining our strengths, we will enhance our capabilities and unlock new opportunities for innovation and success. We warmly welcome the employees at M-I Swaco into the Wyo-Ben family."

(continued on pg. 28)



Tom Allen

In Memoriam: Thomas Michael Allen

DCA Past President Tom Allen passed away on Monday, Oct. 23, 2023, at the age of 83. Allen served as president of the DCA in 1994.

Allen was a sergeant in the U.S. Marine Corp Reserves, serving from 1957 to 1965. He worked for Illinois Bell

Telephone from 1958 until 1976, then moved to John Burns Construction. He started Tom Allen Construction, which specialized in utility construction, in 1980. He later founded and operated American Fiber Comm, which he ran until 2019.

Allen was born January 22, 1940, in Jerseyville, Illinois. He is survived by his partner, Janice Morrow; two sons, Michael and Mark Allen; two daughters, Kathy Allen and Loretta Howard; eleven grandchildren, eight great grandchildren, and one great great grandchild; one sister, Kathy Wittman; and grand dog, Cooper.

Cards and letters may be sent to 6509 Fox Lake Dr., Edwardsville, IL 62025.

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CATERPILLAR®



Caterpillar Raises Record \$14.8 Million in United Way Campaign

Caterpillar Inc. employees and retirees, together with the philanthropic Caterpillar Foundation, have pledged more than \$14.8 million to United Way chapters across the United States, Mexico, Canada, and Panama for the 2023-2024 campaign. The campaign achieved a record-breaking amount for the second consecutive year.

Caterpillar is part of the United Way's Global Corporate Leadership Program, which includes 86 corporate partners that raise more than \$800 million annually. There are more than 1,100 United Way chapters globally, and Caterpillar's annual campaign supports 542 of these chapters where the company's employees live and work.

Employees generously donated to the United Way campaign and recorded over 5,000 volunteer hours through the Caterpillar Foundation Volunteer Service Match Program during August and September, which will generate additional matching funds for charities in Caterpillar communities.

"I want to express my sincere thanks to our employees and retirees whose incredible generosity is demonstrated by our campaign increase from \$12.8 million in 2021 to \$14.8 million this year, continuing to create a profound impact in our global communities," said Caterpillar Chairman and CEO Jim Umpleby.

The United Way has been Caterpillar's only annual solicitation for funds to its employees and retirees for over 70 years. The Caterpillar Foundation matches employee and retiree donations dollar for dollar. Over the past two decades, Caterpillar has raised more than \$210 million during the annual campaign.



Ditch Witch

Ditch Witch Enters Agreement With Heavy Equipment Colleges Of America To Offer HDD Training For New And Seasoned Operators

Ditch Witch has entered into a unique partnership with Heavy Equipment Colleges of America (HEC), a nationally accredited institution, recognized by the Department of Education. Through this partnership, HEC is now a Ditch Witch Authorized provider of training courses and brings instructor-led training that covers basic machine operation and jobsite safety applications.

"HEC is a nationally accredited provider of proper and safe equipment operator training. When they reached out to us about this partnership, it made a lot of sense," said Brian Grim, Ditch Witch manager of training and development. "We look forward to working with them and hope to see the HDD courses offered across all their campuses."

Course materials cover everything from proper PPE and jobsite preparation to the importance of traffic control and equipment inspection procedures. Participants will receive hands-on training in mud mixing and drilling, along with HDD tracking and locating.

The program is also a good opportunity for HDD contractors who have good employees and want to promote from within, but just lack the time for training. The HDD training from HEC can be completed in as little as two weeks.

"We want to be clear that this is not a replacement for any of the training that we recommend before someone hops in the cab of a drill," said Grim. "This is a supplemental training that both new and experienced operators can take advantage of to either get a head start or stay ahead in their careers."

For enrollment information, please visit ditchwitch. com/training and click on the "Hands-on Training" tab.

(continued on pg. 30)



Vermeer Introduces VXT600 Vacuum Excavator

The Vermeer VXT600 vacuum excavator has undergone a redesign to enhance its performance. The load capacity has been increased for road use, and the component and technology reliability and serviceability have been optimized. In addition, the machine has incorporated performance-enhancing features to boost productivity for vacuum crews. "We have incorporated many features that contractors appreciate about the popular Vermeer VXT300 vacuum excavator to create the larger and more powerful VXT600," said T.J. Steele, product manager for Vermeer MV Solutions. "We believe this second-generation VXT600 is exactly what the industry is looking for in a high-production vacuum excavator. It is an excellent choice for utility contractors who want to increase their potholing productivity. We designed the new VXT600 from the ground up with the goal of making the lightest 12-yard truck on the market."

The Vermeer VXT600 vacuum truck is the lightest vacuum excavator in its size class, weighing in at just 40,000 pounds. This new design allows for even weight distribution when traveling while maximizing the volume of material hauled. It also has a low profile with a height (with boom) of 12.25 feet so that it can maneuver under trees, power lines, and bridges.

The VXT600 can dig quickly and deeply, yet it operates quietly while on the job. \blacktriangle



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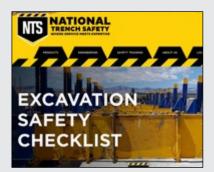
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DCA NEWS is a bi-monthly publication of Distribution Contractors Association 101 West Renner Road, Suite 460 Richardson, Texas 75082 972-680-0261 www.dcaweb.org



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