

# OHIO UNDERGROUND DAMAGE PREVENTION COALITION

## Utilities Coordination Project Subcommittee Meeting

April 27, 2021

### Call Meeting to Order:

### Introductions and Attendance (18):

Bryon Bedel (Cincinnati Waterworks), Jason Broyles (KS Energy), Michael Franzen (Duke Energy), George Gillespie (OHIO811), Johnny Henson (USIC), Joe Igel (OUDPC Chair), Joel Johnson (City of Columbus), John Keaton (Duke Energy), Jeff Kursman (OHIO811), Mike Lawson (Cincinnati Waterworks), Jim Mander (Dominion Energy Ohio), Kyle McLeod (Columbia Gas), Liz Pyles (George J. Igel), Seamus Mulligan (The Energy Cooperative), Mark Niehe (Cincinnati Waterworks), Kevin Schimming (OHIO811), Lori Wade (Columbia Gas), Jim Wooten (Centerpoint Energy)

### Recap:

Kevin Schimming provided an overview of the UCP discussion at the OUDPC meeting. The results of the recently concluded survey were shared, conveying overwhelming support for continuing to address issues with potential updates to Ohio Revised Code and the OUDPC as the proper mechanism for leading this process.

The subcommittees are tasked with continuing to work toward those changes. Typically, an in-person coalition meeting would have allowed for deeper discussions. This meeting is focused on providing/collecting input on the proposals as they have been developed to this point.

## UTILITY COORDINATION PROJECT

### Proposed Draft language added to an enforceable section of the law:

*Excavation(s) that exhibit one or more of the components of a Utility Coordination Project (UCP) may be designated as such by a commercial excavator when a ticket is created or by a utility within one full working day of receiving a ticket(s) from a commercial excavator or utility. A utility, as defined in ORC 3781.25(C), whom designates an excavation as a UCP shall make this designation utilizing the positive response system and the protection service shall notify the commercial excavator that the designation has been made.*

*Upon designation as a UCP, the excavator and utility shall communicate to each other Project Related Information and agree to a marking schedule that coordinates utility markings with actual excavation activities and/or follow the UCP Best Practices on file with the Protection Service. The marking schedule shall be agreed to and documented by each party prior to the commencement of any excavation activity. The protection service may serve as repository for this information.*

*The excavator or utility, as defined in ORC 3781.25(C), may request a modification to the agreed upon marking schedule. Any modification to the marking schedule shall be agreed upon and documented by each party prior to it becoming effective.*

*Representatives of Commercial Excavators and Utilities, serving on Ohio Damage Prevention Councils, and at least one representative from the protection service shall review, and modify if needed, the UCP Best Practices every 2 years.*

**Feedback:**

There was broad-based support for the Utility Coordination Project (UCP) as defined to replace the “Large Project.”

*“Cooperation, Documentation, Communication and a Mechanism for Accountability – the UCP hits on all four points.”*

*“This is a challenging topic, hashed out over a period of time. Either a utility or second-party locator should/must have the ability to trigger the process as well as the contractor”*

*“Well-written and definitely needed, the UCP would be helpful for contractors and utilities.”*

*“Intended to promote communications and cooperation, this relationship building should benefit all parties.”*

**Questions:**

*“Is there any opportunity for sharing best practice documents on how to establish a proper marking schedule, meet sheets and email templates?”*

*“Is there still a size trigger?” – It was explained that through subcommittee discussions, it was agreed that size is not always the best indicator of complexity and that complexity is really what necessitates the UCP.”*

*“Would there be a need to redefine Positive Response Code 007?” – While there may be residual impacts on positive response codes, the UCP would be stand-alone language added to the law.*

*“Education will need to be at the forefront if we move forward”*

**SCOPE OF TICKET- CLARIFICATION AROUND WHITELINING**

Likely added to 3781.25 (J) *“Excavation site means the area within which excavation will be performed... If an excavator indicates the excavation site has been pre-marked, they shall also be asked to indicate the number of pre-marked excavation locations and to specify any additional footages needed from each pre-marked location. When this information is provided, and included on the notice of proposed excavation that utilities receive, the excavation site/scope shall be the pre-marked area, along with any additional footage specified. If pre-marking is not indicated by the excavator, the excavation site/scope shall be as described on the notice of proposed excavation.*

**Feedback:**

*“Love it. – Clarification (which supersedes - white lining vs. ticket description) needed for a long time.”*

*“Looks good”*

*“Excited to read”*

*“Ditto”*

*“In agreement. This provides clarity over a fuzzy area.”*

**Questions:**

*“Can a temporary drop by a contractor be accepted as white lining?” -- Some of the participants on the call were supportive whiles expressed reservations. At next meeting, develop suggested guidance regarding moveable objects. Keeping in mind that 25 feet is required around a single point, but only 10 feet is required to either side of a path.*

## **SCOPE OF TICKET- GEOGRAPHIC LIMITATIONS TO SIZE OF A TICKET**

*A locate request submitted to the protection service shall not be more than ¼ mile (1320 feet) in length.*

### **Feedback:**

*"Looks good"*

*"The subcommittee would have loved to differentiate between urban, suburban and rural when recommending geographic limitations, but this poses a challenge for both contractors and OHIO811."*

*"This is a potential landing point. There is no perfect solution."*

*"Concern expressed that this change might simply result in the generation of multiple ¼ locate requests with the same deadlines by the contractor. Calling in four tickets instead of one really wouldn't impact the demand upon the utility/locator." - Subcommittee didn't define a solution for this issue.*

### **Questions:**

*"Would this limitation apply to design tickets or just 48-hour dig tickets?" – Applicability to design tickets wasn't discussed by subcommittee. Feedback was varied on this point. While some participants were supportive, others felt that the limitation "Shouldn't apply to design tickets as many design projects are significantly larger than ¼ mile."*

*"Define length vs. area. Is this a quarter mile in every direction?" – The subcommittee has previously discussed this issue as a square ¼ mile equates to 40 acres. "Maybe ¼ mile and 250 feet on either side of the road"*

## **TICKET LIFE- 30 DAY TICKET EXPIRATION**

*A ticket will be valid for 30-calendar days from the date of notification to the Protection Service, provided markings are visible and continue to clearly identify the approximate location and direction of underground utility facilities. If the markings are not visible and/or clear, the ticket is no longer valid, even if it has been less than 30 days since notifying the Protection Service. If excavation activity is required to extend past 30 calendar days, the excavator shall notify the protection service as required in 3781.28(A).*

### **Feedback:**

*"Like 30 days."*

*"Agree."*

*"Clarifies and is consistent."*

*"This would clean up the education process and the understanding of 'the life of a ticket.'"*

*"Much easier to track."*

## **TICKET LIFE- 16 DAY COMMENCEMENT OF EXCAVATION REQUIREMENT**

*3781.28(A) Excavator notifying protection service or pipeline (A) except as otherwise provided in divisions (C), (D), (E) and (F) of this section, at least forty-eight hours, not including weekends and holidays, but not more than 16 calendar days before commencing excavation, the excavator shall notify a protection service of the location of the excavation site and the date on which excavation is planned to commence. If the excavation is not started within 16 calendar days, the ticket will be considered no longer valid.*

### **Feedback:**

*"Calendar days is a much better approach"*

*"This extension, even if only two days, makes the process more manageable for both contractors and locators."*

*"Two thumbs up."*

*"Love it."*

### **Questions:**

*"Can 'Starting' or 'commencement' please be defined?"*

## **NEXT STEPS**

Kevin will send out a doodle to schedule the next meeting in a couple of weeks.