

# OUDDPC Quarterly Meeting

12/14/23

## Minutes

**Welcome:** Co-Chairs Greg First and Michael Wilson called the meeting to order at 10:06 am. Greg First presented the evacuation and safety plan along with a review of the Guidelines of Engagement for the participants.

**Roll Call:** Jon Honeck, Mike Wilson, Jim Wooten, Dave Coniglio, Patrick Murphy, Seamus Mulligan, Blake Ross, Joel Johnson, Mary Logan So, Chris Russ, Scott Tustin, Lori Wade, Clayton Heitz, Alex McCann, David Losinski, Brian Hickman, Logan Vandermolan, Jim Collins, Dominick Belser, Jim Mander, Jaime Gillen, Casey Fritz, John Kelly, Chuck Green, Zachery Thayer, Bryon Bedel, Andrew Corder, Deron Large, Al Tonetti, Greg Bennett, Roger Lipscomb, Greg First, Jason Broyles, Frank Riegler

**Approval of Minutes:** Minutes from the 3<sup>rd</sup> quarter meeting. Mary Logan So motions for acceptance of minutes as presented. Motion was seconded by Jim Wooten. There was no opposition to the acceptance of the minutes. Motion passed, minutes accepted.

### Subcommittee Reports:

- **General Operating Procedures:** Mary Logan So presented a few minor changes to the GOP. The group reviewed the GOP, and it was accepted. The only change to the presented GOP was that the group decided it would be better to meet the first month of each quarter as opposed to the last month of the quarter. This was due to the number of individuals who are off during parts of December as well as the fact that the contractor basis is doing a lot of work throughout December trying to get projects completed before materials start getting harder to obtain throughout winter months (asphalt, gravel, etc). There was no opposition to this update.
- **Utility Coordination Subcommittee:** Jim Wooten and Clayton Heitz report on the work continuing to be done in this subcommittee. The subcommittee has met three times since the last OUDPC meeting. The group agrees on the language surrounding 16 calendar days, however, has not yet reached agreement on any language surrounding the life of a ticket. This will continue to be worked on at the subcommittee level.

The conversation about size/scope of a ticket also continues to be had. The group is continuing to research data to have solid answers for the group prior to deciding. Some of this is data that has been requested through OHIO811 Information and Technology department surrounding possible impact to how locate requests are currently being done and whether there is the ability for the system to automatically break down one large locate request into smaller ones without extra work being placed on those requesting the locates.

The group met on November 20, 2023, to review the proposed language that had been sent out for 45-day review and would be getting presented and voted on by the associations at the December Q4 meeting. The first discussed was the language surrounding Exemptions. The proposed language lists out six exempted activities:

- 1) Milling and grinding of asphalt road surfaces no greater than 4 inches, excluding pulverizing activities and activities at signalized intersections and where signal and/or environmental sensors may be present.
- 2) Underground utility locating and surveying activities limited to uncovering valve enclosures, manhole covers, or similar utility components, placement of temporary marking flags or wooden lathe and grounding of locating

- equipment.
- 3) Utility wood pole inspection utilizing hand tools to excavate and working on the clear side of poles, greater than 90 degrees from any risers.
  - 4) Tilling for sowing of grass and wildflower coverings no more than four inches deep for erosion control or beautification purposes.
  - 5) Placement of temporary signage, not to exceed four inches deep.
  - 6) Addition or removal of roadside berm material.

This began a lengthy conversation in which participants of the OUDPC were having some concerns surrounding the wording of exemption numbers 2 and 6. There was some discussion about continuing to work on this at the subcommittee level. It was mentioned that this piece of proposed legislation drastically affects some parts of the industry, and it is needed to continue moving forward. A motion was made by Deron Large to move forward with voting on the four remaining exemptions. This motion was seconded by Jim Wooten. Scott Tustin, on behalf of OGA, also commented that the group should move forward removing exemptions 2 and 6. A vote of the associations present was taken. The motion passed with a vote of 5-yes, 1-no and 1-abstention. The language will be adjusted to reflect the changes and will be forwarded to the State House for further consideration.

The modified language will read:

**3781.25(I)** "Excavation" means the use of hand tools, powered equipment, or explosives to move earth, rock, or other materials in order to penetrate or bore or drill into the earth, or to demolish any structure whether or not it is intended that the demolition will disturb the earth. "Excavation" includes such agricultural operations as the installation of drain tile, but excludes agricultural operations such as tilling that do not penetrate the earth to a depth of more than twelve inches. "Excavation" excludes activities listed below when performed in the public right of way and providing that the activity does not penetrate the earth to a depth of more than twelve inches, unless otherwise stated. "Excavation" excludes coal mining and reclamation operations regulated under Chapter 1513 of the Revised Code and rules adopted under it.

1. Milling and grinding of asphalt road surfaces no greater than 4 inches, excluding pulverizing activities and activities at signalized intersections and where signal and/or environmental sensors may be present.
2. Utility wood pole inspection utilizing hand tools to excavate and working on the clear side of poles, greater than 90 degrees from any risers.
3. Tilling for sowing of grass and wildflower coverings no more than four inches deep for erosion control or beautification purposes.
4. Placement of temporary signage, not to exceed four inches deep.

Jim Wooten and Clayton Heitz present the proposed language surrounding the wait time from locate request to the start of excavation; Two working days not including the day of request. They also presented the proposed change from ten working days to 16 calendar days. A vote of the associations present was taken with the results of 7- yes, 0- no and 1- abstention to both proposed changes. This language will be sent to State House for further consideration and reads:

**3781.28 Excavator notifying protection service or pipeline owner:**

- (A) Except as otherwise provided in divisions (C), (D), (E), and (F) of this section, the excavator shall notify the protection service of the location of the excavation site and the date on which the excavation is planned to commence, two working days, as defined by 3781.25(F), beginning at 12:01 a.m. the next working day after the notification is generated, but not more than 16-calendar days before commencing

excavation.

A vote was then taken on the proposed removal of all language around Limited Basis Participants from the Ohio Revised Code. This is being proposed due to the language no longer having any effect on the industry and is an attempt to clean up unnecessary language. The associations present voted with the results of 7- yes, 0- no and 1- abstention.

- **Abandoned Lines Subcommittee:** Mary Logan So reported on the meetings that were held by this subcommittee. Mrs. So reported that the group is nowhere near being ready to present any proposed language, however the group continues to diligently work. Linescape and TX811 had attended a meeting to present on how things are currently being done in Texas, which only deals with pipeline organizations and is 100% voluntary. The group is working to have AZ811 attend a meeting to better explain the state law in Arizona and talk the group through some of the ins and outs of how the process is handled. They are also reaching out to Monte Zimmer, CGA Abandoned Lines Best Practice Committee Chair, in an attempt to have him present as well since his organization, a municipality, has their own process in place. Roger Lipscomb requests that the subcommittee allow for a presentation from PA811 on Coordinate PA at one of their future meetings.
- **Training Discussion Group:** This topic was lightly discussed and tabled at the Q3 OUDPC meeting. The group agrees that this is a conversation worth getting started again. There was interest in participating from many, however no one could commit to chairing/co-chairing the discussion group at this time. Roger Lipscomb offered to have a member of OHIO811 get the group started on conversations and organize the first couple meetings in attempt to continuing to serve the greater good of the OUDPC and its mission. Frank Reigler, OHIO811 Public Service Coordinator, will be holding this role until such a time that a chair/co-chair can be obtained. The group will be focusing on **3781.261 Protection of underground utility facilities training**. The group will first address what “training” looks like and how it should be obtained.

**Round Table/Open Discussion:** Zach Thayer had created some logo options as requested by the OUDPC. Mr. Thayer presented 6 options and took feedback from the group to narrow down the scope of what they are looking for. There are 3 of the options that he will modify based on the feedback and sent out to the group via email for feedback prior to the Q2 meeting.

It was decided that due to the group moving the meeting to the first month of each quarter, that the group would not meet in Q1 as there would not be enough time for work to be done over the next few weeks, especially with the holiday season. The next meeting will be the Q2 and will take place on April 25, 2024, from 10:00 am – 2:00 pm. The meeting will be held at the Ohio Contractors Association facility, 1313 Dublin Road, Columbus, OH.

**Adjournment:** Meeting adjourned at 12:46 pm.