



## **OUDDPC Abandoned Lines Subcommittee**

Minutes

7/9/2024

**Call to Order/Opening Statements:** Jason Broyles

**Roll Call:** Jason Broyles, Jason Ward, Jonathan Culbreath, Dave Coniglio, Deron Large, James Finucan, Don Huck, Seamus Mulligan, Peter Chase, Frank Riegler, Blake Ross, James Mandera, Jon Honeck, Les Schell, John Kelly, Debbie Harris, Greg First, Stephanie Kromer, Lori Wade, Liz Pyles, Brent St. Clair, Wendi Snyder, Chuck Muller

**Review/Approval of Minutes:** Minutes were reviewed. No suggested changes. Motion to accept made by Dave Coniglio, seconded by John Kelly, and accepted with no opposition.

**Abandoned Lines Discussion:** Conversation began by discussing the fact that some phrases, such as abandoned and out of service, need to be defined before the group would be able to move forward on how to handle. Blake Ross recommended that the definitions as outlined by PHMSA be used since that language is already statutory recognized at a federal level.

The conversation then focused on how to handle. Don Huck stated that he can see benefit in having a notification system to allow information on abandoned lines to be passed to the excavator, however it would be impossible to legislatively mandate the locating of properly abandoned lines. A few other ideas were making to where utilities would have the option to respond with locate marks in the field identifying abandoned lines, but not requiring the action. Lori Wade made the point that often it is extremely difficult, if it can be done at all, to locate abandoned lines. Les Schell added that when they abandon a facility, the rights to access the property where the pipe is gets turned back over to the landowner. Even if they know where they are, they do not always have legal access to the property. Also, the idea of above ground facilities being removed from the area as pipes are being abandoned.

Chuck Muller stated to the fact that the utilities do not know the location of historical lines and without them knowing that information. It is not possible for utilities to provide information to contractors if they do not have the information themselves. Dave Coniglio stated that some of

the problems from a contractor's perspective is that they do not have the ability to determine if a line that they have uncovered is an active or abandoned line. Leads to more confusion in the field.

Don Huck stated that another issue he sees is that any date forward language still leaves a lot of issues surrounding this topic. Jim Manderer asked about any liability that would be placed on this process and where would that liability fall? The conversation surrounding liability would need to take place before utilities would be able to make any decisions on steps moving forward. The process followed in AZ was referenced in which Don Huck responded that AZ does not have an accumulation of pipelines that goes back 140+ years like Ohio does.

Dave Coniglio stated that he could see agreement around participation at a volunteer level, however fears that with no teeth in legislation, utilities, on the average, would not voluntarily participate in such a program. He also stated that it would not be unreasonable to alleviate responsibility on the utility if the line had been properly abandoned. Jim Manderer stated that they have to respond now due to "unknowns" and having a recognized process in place, could alleviate some of the times they have to physically respond through a process. Lori Wade stated that utilities need to have "eyes on" to verify whether specific pipe in question is abandoned or live. John Kelly added that currently, if contractor finds a possible abandoned line and no utility takes responsibility, the contractors are left having to deal with it.

James Finucan posed the question as to whether, through current processes, in TX and AZ deal with all line types or if it deals with just mains/primaries? Jason Broyles to research and give solid answer at next meeting, however, understanding in AZ, it deals with all lines. Unknown through TX.

Deron Large stated that he was trying to understand; if we abandon a line today, we would put the information out there and someone would most likely respond anyways. Are we climbing a hill we can't get to the top of? What problem are we solving here? Don Huck spoke in agreement with Mr. Large's statements.

James Finucan questioned as to whether it would be worth finding a process and utilizing as a best practice instead of legislative language? Could come up with a step-by-step process with the focus being on information "when known". He added that it would be a tough sell legislatively. Don Huck agreed with the statement. Lori Wade added that we may be able to handle through Universal Marking Standards. James Finucan questions to what facility types should/would be included in this specifically mentioning phone/cable drops.

**Next Steps:** Follow up information to answer question surrounding AZ and TX processes. Continue conversation to identify definitions, possible processes to be looked at, etc.

**Adjournment:** Motion made, seconded, and carried with no opposition.

