



## OUDDPC Training Subcommittee Meeting

### Minutes

June 11, 2024

**Call to Order/Opening Statements:** Alex McCann, Brad Shoemaker

**Roll Call:** Jason Broyles, Chuck Muller, Caitlin Kacsandi, Frank Reigler, Dominick Belser, Alex McCann, Lawrence Hampton, James Mander, James Finucan, Wendi Snyder, Scott Tustin, Lori Wade, Al Tonetti, Michael Wilson, Brent St. Clair, Greg First, Peter Chase, Brad Shoemaker, Stephanie Kromer, Deron Large, Don Huck, Les Schell, Jim Wooten

**Review/Approval of Minutes:** Minutes were reviewed. Brad Shoemaker motions to accept as presented and was seconded by Lori Wade. No opposition, motion carries.

**Training:** Alex McCann starts off the conversation by discussing with the group to directly outline the goal of the group. During this, he states that we need to simplify the approach. Alex continues by referencing language that was worked on by the prior Discussion Group.

- 1) *“A commercial excavator, contractor, utility, designer, developer, engineer, and utility locator that utilizes a protection service shall obtain training in the protection of underground utility facilities. Training shall be comprehensive and understandable, as well as documented. Training shall include the one-call OHIO811 notification process, responsibilities of utilities, locators, and excavators, positive response, marking standards, and the complaint process, as codified in Ohio Revised Code 3781.25-3781.34.”*
- 2) *“An excavator, contractor, utility, designer, developer, engineer, and utility locator that utilizes a protection service shall obtain and document training in the protection of underground utility facilities. Training shall include their responsibilities as codified in Ohio Revised Code 3781.25-3781.34.”*

Chuck Muller stated that the language should read “professional excavator rather than just excavators. Al Tonetti commented that he disagrees with everything that has been said so far. Al believes that the definition of a professional excavator should not be talked about; you just

have to say that you have to have training. Alex stated that he understands AI's point, but there needs to be some guidance in the law. AI responded that the more you get into this, the more you will have people rejecting the language down the road. Scott Tustin makes a point that "professional excavator" is already defined under 3781.25 in the ORC and we could lean on that. Further conversation between AI and Scott proves that the two disagree on the intent of the subcommittee.

Jason Broyles brings the group back to the two proposed languages that were presented and recommends the group to vote on one to work from. Alex McCann agrees and talks through the mindset behind the proposed verbiage. Brad Shoemaker continues by discussing the importance of specifying training so that people are not able to call whatever they want "training" in order to meet the requirements under ORC 3781.261.

Scott Tustin asks about the UTC verbiage and how it compares to other states? Mentions the federal law pertaining to having to call 911 if there is an escape of a hazardous product. Requests that some research be completed into other states that have training requirements outlined in legislation. AI Tonetti states that this should be the UTC's responsibility and it should not be in the law.

Lori Wade asks if there could be a place for a check box on locate requests and if the caller checks "no", the center could automatically send them information about how to complete the training? Jason Broyles responded that it could be a possibility to get a check box added, in the similar manner to how white lining is currently being captured through the request process.

The conversation then turns to how often you would have to be trained. Two time frames are discussed: every two years or every five years.

Lawrence Hampton discusses some additional information on how the UTC/PUCO are currently handling complaints that are found to be in noncompliance and how those organizations receive the training. They are able to complete in a number of ways and are assessed on a case-by-case basis, with OHIO811 being utilized as an option to conduct the training for the noncompliant organization.

Jason Broyles brings the group back to the vote. A vote is conducted with the following results:

Language Version 1- 12 votes in favor

Language Version 2- 3 votes in favor

Abstain- 5

The group will move forward massaging language version 1.

The conversation then turned to whether locators should be included in this training.

**Next Steps:** Continue working language. Complete research into other states laws pertaining to training requirements.

**Adjournment:** Jim Wooten motions and Al Tonetti seconded. No opposition. Meeting adjourned at 1:55 pm.

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