OUDPC
Utility Coordination Project Subcommittee

Hybrid Meeting: Hosted at Igel and via GoToMeeting
February 10, 2021

Participants: Mary Logan So, Liz Pyles, Jim Mandera, Mark Neihe, Bryon Bedel, Les Schell, Joe Igel, Kevin Schimming, and Jeff Kursman.

UTILITY COORDINATION PROJECT (UCP) DISCUSSION

The previously agreed upon language was distributed and reviewed. No major conceptual changes were proposed, however the Subcommittee did agree to some clarifying language.

Timelines

- The potential challenges associated with a Utility designating an excavation as a UCP within 24 hours of receiving it was discussed. However, the group reaffirmed their belief that given our narrow scope, this this best solution and imposes the least on other provisions in the ORC.

Designation as a UCP

- Discussion around who, from a utility's perspective, could designate an excavation as a UCP. Several options were discussed. The Subcommittee agreed that our solution should provide some flexibility and ultimately decided that the designation could be made by a utility as defined in 3781.25(C).

Effective communication will be critical.

- Contact Information- It will be imperative that locate requests include contact information for personnel who have the knowledge of the project and authority to make decisions related to damage prevention efforts on behalf of the company.
- Follow through- This process's foundation relies on timely and effective communication between affected parties.

Modifications to marking schedule

- The Subcommittee continues to agree that a certain amount of flexibility is needed, due to the nature of excavation work and the inherent complexity of our underground infrastructure.
- The Subcommittee ultimately agreed that the modification process should be left to the effected parties in the field. OHIO811 could, but would not be required to, act as a repository for any documentation resulting from this process.

Summary

The Subcommittee is still fully supportive of this effort and believe that this process provides a workable solution to an issue that has challenged our industry for many years. We understand that this process will likely require some change to existing business processes, however we are in agreement that this advancement is necessary in order to promote a safer working environment and protect Ohio's critical underground infrastructure.

SCOPE OF TICKET- CLARIFICATION AROUND WHITELINING

The subcommittee members agreed that the intent of their proposed change is not to impose any additional situations where premarking would be required. Alternatively, the goal of this language is to provide clarity for all parties when premarking has occurred and is noted on the excavation request.

- It was agreed that premarking has had very positive effect on damage prevention and overall safety, by further narrowing the scope of proposed excavation. This results in increased safety through a more efficient locating process.

SCOPE OF TICKET- GEOGRAPHIC LIMITATIONS TO SIZE OF A TICKET

While there are benefits to utilities/locators in establishing a standardized maximum ticket size, there was discussion around the value of establishing any geographic limitations on notifications. It was acknowledged that establishing such parameters could result in additional ticket volume and expense to utilities.

- Subcommittee members ultimately agreed to recommend a standardized maximum geographic limit of ¼ mile (1320 feet), but didn't want to exclusively establish this limit within right-of-way excavations.

- Assigning a ¼ mile limitation to both length and depth would create efficiencies in location requests along highways or in rural excavation area with a limited number of underground utilities.

- In urban settings with higher concentrations of underground utilities and more frequent cross streets, it is likely that excavators would continue to utilize city blocks, intersections or similar designations to create workable scopes.

TICKET LIFE- 30 DAY TICKET EXPIRATION

While a ticket would still expire if markings are no longer visible or clearly identify the location and direction of underground utilities, the subcommittee believes that recommending a 30-day expiration date on tickets would:

- **Create a black and white expiration date**
- Reduce the frequency of unnecessary notifications for remarks every 8 days; and,
- Allow for the easy scheduling of notification requests every 28 days (same day of the week, every four weeks).

TICKET LIFE- 16 DAY COMMENCEMENT OF EXCAVATION REQUIREMENT

It was discussed that a proposed extension of the commencement period from 10 working days to 16 calendar days would:

- Result in a maximum of two additional days, not six, because of the inclusion of weekends and possible holidays.

- The primary benefits include ease in scheduling/tracking with a resubmission now only required every 14 days, and the provision of additional time to start the work, possibly reducing unneeded tickets

Next steps

Kevin/Jeff will revise the previously proposed draft language per our discussions and distribute that language back out to the Subcommittee.

Kevin will act as spokesperson for this Subcommittee during the full Coalition meeting later this month and present the draft language along with previously developed benefits/challenges.

Language Distributed to Subcommittee via Email on 2/15/2021:

UTILITY COORDINATION PROJECT PROCESS

Proposed Draft Definitions added to an enforceable section of the law:

COMPONENTS OF A UTILITY COORDINATION PROJECT (UCP)

- *Complexity of locating efforts and/or quantity of utility conflicts*
- *Complexity, duration and/or geographical scope of excavation work*
- *Work progresses from one area to another*
- *3781.27 (design ticket) utilized in preparation for project*

******this is essentially the definition of an excavation that may require utility coordination*****

PROJECT RELATED INFORMATION

- *Actual start date and location(s) of excavation(s) within boundaries identified on ticket(s)*
- *Current and available Construction documents, including plans and project schedule(s), that illustrates the progression of work from one area to the next*
- *Work Type, Means of Excavation, Anticipated Daily Production and Intended Depth of Excavation(s)*
- *Contact information for the excavator and utility whom has the knowledge and authority to coordinate marking activities at this site.*
- *Agreed upon means, methods and frequency of communication for this project*
- *Other information that could assist in coordinating utility markings with actual excavation activities*

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.

~~*A request for a modification to the marking schedule shall be initiated through the protection service and shall be agreed to by the excavator and utility prior to becoming effective.*~~

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.

BENEFITS

Increase in communication between stakeholders

This process, or variations of this process, are used every day in the industry

- Won't affect the large numbers of folks who are already doing this… just the ones unwilling to communicate

Creates a clear definition/listing of components likely present in UCPs

- Educational guidance for Stakeholders… we have some concrete things to teach on now…
    - What will trigger a UCP?
    - What info will I the Utility be asking for?
- With this knowledge, more excavators will enter into the process voluntarily and upfront
    - Reduce the likelihood of delaying a project

Based on take-a-ways from real world application (Igel/AT&T pilot projects)

Allows for changes in technology, excavation means and methods and damage prevention practices

CHALLENGES

This is a change… kind of

Requires stakeholders to become active participant

Could require additional planning- many are already doing this

How do you handle Murphy's Law?

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, 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.*

BENEFITS
Clarifies gray area created with pre-marking requirement & Marking Standards in HB 458.
Maximizes and focuses locating resources
Significant buy in by excavators throughout the state- they are seeing the benefits of narrowing the scope of the ticket to improve locating response and accuracy
No change to existing law on when pre-marking is required

CHALLENGES
Education & Awareness effort required to educate stakeholders

- Not all types of excavations would benefit from this
- What happens when my excavation expands beyond the pre-marked area?

Potential reduction in pre-marking activities when not specifically required by law

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 when working within or in close proximity to the ROW.

BENEFITS
Standardizes tickets

- Statistical Comparisons
- Cost per Ticket issues

Potential identifier of a UCP
Provide legal backing for Protection Service to enforce such practices
Provide relief for rural/cross-country type locating efforts

CHALLENGES
Does not address sequencing of tickets… calling in 10 ¼ mile tickets all due at the same time
What works well in rural areas may actually hinder urban locating
Likely result in increased ticket volume

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).

BENEFITS
Clarifies existing law by clearly defining how long a ticket is valid.

- Black & White expiration dates make it easy to track
- Eliminates necessity of computing weekends and legal holidays (not everyone recognizes the same holidays)
- Reduce frequency of 8 day calls

Allow Utility Owners to more efficiently manage locating resources by decreasing inadvertent misuse of system
Simplifies education and outreach to stakeholders

CHALLENGES
May increase ticket volume- those who work a ticket for 6 months
Requires excavators to track/monitor the age of their tickets
Life of Markings
Paint Life
Ohio's Environment

TICKET LIFE- 16 DAY COMMENCEMENT OF EXCVATION 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.

BENEFITS
Clarifies confusion around existing law

- Black & White commencement dates make it easy to track- recall every 14 days if excavation not started

Provides additional time in order to start the work in hopes of reducing unneeded tickets
Eliminates necessity of computing weekends and legal holidays (not everyone recognizes the same holidays)
Allow Utility Owners to more efficiently manage locating resources by decreasing inadvertent misuse of system
Simplifies education and outreach to stakeholders

CHALLENGES
May increase ticket volume- those who work a ticket for 6 months
Requires excavators to track/monitor the status of their work
Extends by 2 days the opportunity for utilities to be installed prior to the start of a project