Horizontal Directional Drilling Requirements Subcommittee

6/16/2026

10:00am

Attendance: Kevin Campbell, Jason Broyles, Dave Coniglio, Shawn Hudgel, Bryon Bedel, Bradley Shoemaker, James Mandera, Leslie Schell, Blake Ross, Melvin Henson, Gret First, Griffin Weasel, Joshua Dress, Brent St. Clair, Mary Logan So, Pat Ginnetti, Sean Travis, Mike Wartko, Chris Russ, Jim Collins, Joseph Dragovich, Larry Harvey, Lori Wade, Jimmy Stewart, Kiefer Standley, Deborah Harris, Mike Lawson, Rob Brundrett, Patrick, Collins Cranmer, Drew Williams, Collin Crigger, Jake Wright, Kyle Mangioni, Stephen Thomas, Rodney Troxell, Matt Hines, Richard, Stephen, Cramblett, William, Matt, Jim Mclelland, Paul Fannin II, Russell Johnson, Greg Vergamini

Meeting opened at 10:00am by James Mandera

Asked the group to review the previous meeting minutes.

James Mandera motioned, Mary Logan So seconded

Minutes passed unanimously

James Mandera reviewed the language that has been put together so far for the group to review, and what we are working to do. We are going to walk through this and address these one section at a time and get feedback. The language in black is existing language, and anything in red is proposed language. Nondestructive manner propose addition “Pertains to the impact to existing utilities and does not pertain to hard surfaces or roadways” Thoughts, questions, concerns with that?

None

James Mandera- Moving to duties of an excavator, HDD requirements. James reviewed proposed language in section (1) on the document Jason Broyles is sharing. (a) (b) (c) are proposed. Asked group for any thoughts or concerns on that section.

None

Exposing parallel facilities discussion. Reviewed proposed language in (2) proposed sections (a) (b).

Jason Broyles- While we are number 2 there, if you look below #3, there were two different variations, same information, but just how it is structured. Asked the group which wording structure is better.

Mary Logan So- It is common for the GC's, the highlighted grey area is more in line with what we see in the private sector.

James Mandera- Says the same thing, just comes down to what is clearer and easier to read. Just need to be clear that the existing underground utility facility needs to be clear.

Stephen Thomas- Overall, I do like the way the second option lays out, the only thing I suggest is the language above is, proposed alignment is not something I am familiar with. Would have it say any marked parallel facility.

James Mandera- Do we want to put installation instead of alignment.

Stephen Thomas- I would think excavation since the entire law is around excavation around utilities.

James Mandera- Installation/excavation since we are talking about HDD but am good with whatever this group feels.

Mike Warko- I agree with that from a legal standpoint.

Shawn Hudgel- I agree with everything in the bottom proposal, do feel excavation is the best word, even if we are drilling, we are still excavating. The other point was that it is the marked existing. If you don't have it marked, then you don't know where it is at.

Jason Broyles- when the meeting ends, I'll reorganize what we have agreed on so it is in the right section.

James Mandera- Moving onto the new language dealing with not having to pothole gravity sewer main lines. James reviewed the proposed language to the group. (Jason sharing document covering proposed updates)

Been some concerns in the previous meetings with people accessing these manholes without permission. Have inquired with construction management at Enbridge, when we drill during pipe replacements, we require pre and post camera verifications. How do those communications occur with the city, and are we asking for permission? That is addressed during the permitting process, some cities don't care, some care and ask that they replace the manhole lids when done, and some require the video footage when they are done. Key is not just giving excavators to pop any lid and do have to ask permission and follow the rules. If the city doesn't allow them then this exemption doesn't apply.

Dave Coniglio- In our world, risers on casting is adjusted after construction and that is part of the contract. This is just as it relates to HDD, but I can see this bleeding into the other side. Don't understand the issue with removing a lid to verify depth.

James Mandera- Is that part of the permitting process or asking permission around anything to do with that.

Dave Coniglio- it is part of the contract, if milling in Cincinnati for example, we take the risers off the make sure that the manhole is flush, then add when paving to make sure it is level when the project is done. Little bit of concern trying to regulate this. Could bleed off into some other stuff and cause us some issues at the OCA. What are we trying to guard against, and what does the data look like?

James Mandera- If this is implemented and goes into law, are you afraid you'll have to ask for permission?

Dave Coniglio- Does this only deal with HDD?

James Mandera- Yes

Dave Coniglio- I just don't understand what we are trying to legislate?

James Mandera- The goal here is to eliminate unnecessary potholing. And the only way to do that is verify the depth of the existing facility. If drilling 30' deep, do we need to pothole a sewer that is known to be 15 ft deep.

Dave Coniglio- I understand that, but are all the utility facilities going to be able to respond to this quickly enough? I understand what we are trying to do, but I feel like if we legislate this it could lead to other issues. Unknown issues possibly, and at what point does this bleed into something outside of directional drilling.

James Mandera- If you aren't drilling, then it doesn't apply to you.

Mike Wartko- this just deals with municipalities, so you're going to have to go through a process with them. This is just for the gravity sewers.

Dave Coniglio- I get that, just feel like there could be some unforeseen issues moving forward. Talked about it in the safety committee meeting and was a concern with some of the other contractors in that meeting. Who would give the permission?

Mike Wartko- If would be the municipality. This would allow us to bypass the requirement for a gravity sewer that we know is deep, could be viewed as trespassing if we don't have permission. What issues do you have from a contractor standpoint.

Dave Coniglio- Some of these projects are time based, a project could get delayed because someone can't make it out there on time and require their folks to do that portion.

James Mandera- At the end of the day, you are required to pothole, we are trying to give a pass to bypass that, but if the requirements can't be met, then you are still going to have to pothole.

Mary Logan So- (Chat)- I don't think every municipality will have a clear agreement on who can give authority.

And because of this, I feel like no one will give authority. And it will only be a fight that well he shouldn't have given approval.

Dave Coniglio- Was a lot of talk in our safety committee meeting regarding this and there are some concerns.

Jason Broyles- I think this would all be included in your scope of work

Dave Coniglio- When we get the contract it should all be laid out and is usually already handled.

Pat Ginnetti- Permissions are granted by the owner of the sewer, and if you don't have permission, you are essentially trespassing, so if something happens, then the owner of that sewer knows what and who caused it so it doesn't cause any issues moving forward. Adjustment of manholes during and after paving, that is in the scope of work and permissions are already accounted for in the contract/scope of work and is in place prior to the work being awarded. If cameras get stuck, then it has to get dug up, and removing a lid, the lid can fall through. The owner needs to known who is accessing their facilities.

Shawn Hudgel- We currently, with our Duke Contract, we camera all the lines. So that is a pretty accurate locating method. Lebanon requests all that be done. Upon that initial assessment you do get the permission sot access them. Could we word it so permissions have to be given from who own the sewer facilities? This could be an issue on the back side.

Jason Broyles- I would reference that if any of this depth verification cannot be completed, then you have to spot that line.

James Mandera- At least to the depth of the new facility, and to your point Shawn, you're saying (a) is falling short in the obtaining permission?

Mike Wartko- Going back to the trespass comment, if you pop a lid, you can be considered trespassing.

Shawn Hudgel- I do think the wording is sufficient, just want protection on the backside. When we camera, we do that to help us from having to do all the potholing, because it is accurate on location and depth.

James Mandera- Under the existing law, you are still popping lids, videoing the line and getting that info. You are still required under current law to still pothole that line. We are trying to find a safe way to keep contractors from having to pothole lines that are known to be deep and out of the way. Would like to have someone on the call that owns the roadways to get their perspective.

Shawn Hudgel- I agree and get what you are saying, just have some concerns and wanted to discuss.

James Mandera- All ears if you have a suggestion, the conversation is what we are here for and what to make sure everyone's voice is heard. Want to minimize the back and firth later in the process.

Jake Wright- Basically, would contractors be using their own means and methods to verify depths? Do we need to specify how that is done?

James Mandera- I would assume a tape measure, but open to comments.

Jake Wright- Someone new who maybe doesn't know how to read a tape measure and then reads it wrong and the line gets hit.

James Mandera- If you pothole, then none of this would apply. That is what you already required to do today.

Jake Wright- So that language is already there, and will stay in the law?

Jason Broyles- Yes, that language will stay in the law, this is just in addition, and companies that elect to use this new method to get that depth in place of the potholing requirements can use it, but if can't, or would rather, you can pothole instead.

James Mandera- To be clear, this exemption is strictly for gravity sewer main lines.

Jake Wright- It says shall and seems confusing.

Jason Broyles- The paragraph above covers the concern you have.

Stephen Thomas- I think there has been a lot of great points, do want to call out that I agree with the damaging of the road comment, that is something that sh9ould be taken into consideration. Conversation that it is already happening today, and what happens when something goes wrong to know who and what is happening. Want to throw something out there, through the permitting process, or ticketing process, if HDD is being used, are we

doing enough for the sewer owners, so they have the ability to stop it if they don't want it or being able to remedy things when something does wrong. We require them to notify, but don't require them to get permission. The intention is to carry on things that are happening today with documentation on who is doing what and permissions to help on the back end if something was to happen.

James Mandera- Great point, because "obtaining permission" can have different meanings, could be verbal, or through permitting. Would love to hear from someone on the call who is more closely involved.

Pat Ginnetti- Utility owner can comment during the plan review process, our county would give written permission to access the sewer. Never witnessed a delay if the contractor is doing their due diligence. Point of the permission, if something goes wrong or there is a break or blockage, it can be remedied. Want to ensure we know who is in the active facility at all times. All utilities are contacted in the review stage. Strongly suggest to not go off of verbal's because then it becomes a "he said she said" situation.

James Mandera- Are you ok with (a) then?

Pat Ginettii- Yes, I am.

Dave Coniglio- Echoing Pat, during the design phase, utilities can comment and be involved. I think some of those documentation requirements are already in the law somewhere.

James Mandera- That reinforces that the language we have here is going to work. Hearing these last few comments, does (a) seem right to you Stephen?

Stephen Thomas- Hard for me to answer that, not saying it's wrong, just not sure. I feel like I keep hearing is the primary concern is not knowing who is accessing the facility. So, if the permitting is part of the process, then that also gives the sewer owner

Jason Broyles- If that is existing code in another state can you send it to me so we can read through it and make a comparison and discuss?

Stephen Thomas- Yes absolutely

Shawn Hudgel- I don't have a problem with obtaining permission, but if it is in the law, what or how do we obtain permission? A permit, and an 811 call, do we have to contact that sewer department directly?

Pat Ginnetti- Yes because OHIO811 can't grant that permission.

Mike Wartko- from a legal standpoint, I would never go by verbal agreement. Getting written permission from an authorized person at that utility.

Pat Ginnetti- I would say in most cases you are working from a set of plans that have went through review, and things should have been taken care of and covered in the plans already. They should be contacting that utility before entering their system.

James Mandera- I think with the adjustment we just made, it is clear to me.

Brad Shoemaker- As a employee with the sewer division, prints with permitting with the big jobs are done, but the main concern is the smaller jobs that are done that we don't get notification of.

James Mandera- With (a) in there, that should make you feel better about it.

Brad Shoemaker- Yes, it does.

James Mandera- Any other discussion at this point?

None

James Mandera- reviewed proposed language in "Minimum Vertical Separation" for the group. With the intent, 5' is the conservative distance so we won't be causing any damages. Is 5' the right number? Anyone have a different opinion?

Pat Ginnetti- Is this for a perpendicular installation? We don't generally let anyone install a line parallel to our sewer lines within a certain footage, so we have room to get in there and work on that facility.

James Mandera- Actually, I think this is for perpendicular, but we don't really spell this out, so we need to think that through. The 5' is in line with the parallel rules, you aren't required to pothole if you are outside of 5' in a parallel installation.

Jason Broyles- If it is open trench, and not being drilled, what process is being done to make sure distance is kept from the existing sewer line.

Pat Ginnetti- Vertical and horizontal separation. Force main, we require potholing and location is verified. Proposed line is then staked out.

Jason Broyles- what is the distance?

Pat Ginnetti- We have a minimum 5' separation rule, it is usually the deepest line, and usually need to use a trench box, so need extra room to be able to get in there and work safely. That is also spelled out early on to get that situation taken care of early in the process.

Jason Broyles- Does Montgomery County have similar guidelines they follow with that? Or anyone else from that part of the industry.

Brad Shoemaker- Depends where we are at, in an easement we require that to be in a dedicated 20' easement and only allow perpendicular crossing. In the right of way, we require the same 5' separation parallel. And that is taken care of during the permitting process.

Pat Ginnetti- We also do the exclusive 20' dedicated easement for sewer.

James Mandera- Do we need to address parallel vs perpendicular? Or let is all be addressed during the permitting process, and again, if you can't do what is in the exemption, then it doesn't apply and you must pothole.

Jason Broyles- Need to hear from the facility owners on this, as it stands today, they will find out what the guidelines are during the permitting process, and if that can't be met then they have to pothole.

Pat Ginnetti- Do we need to nail down a distance? Each sewer owner could have different stipulations. Could be conflicting.

James Mandera- Does the 5' minimum still apply for perpendicular installation?

Pat Ginnetti- No

James Mandera- So when perpendicular installation, its currently just what is in the ORC currently?

Pat Ginnetti- Could be 18", depends on what the facility is that is being installed.

Stephen- Could we say something about whoever's requirement is more stringent.

Pat Ginnetti- I would agree with that

Shawn Hudgel- I agree with that too, makes sense.

James Mandera- Are we thinking of putting some language like that in the first sentence?

James Mandera- Obviously, that will impact this second part too. "Method of Installation Restriction" Have to be using an HDD method that has a steerable head, and bore path can be monitored during installation to control path and location of drill path

James Mandera- "Reduced Separation Exception" reviewed proposed language to the group for this section. If we follow these rules, is everyone comfortable with this?

Patrick- (Chat) Shouldn't the excavator still ask for permission to insert the camera in the sewer mainline?

Pat Ginnetti- (Chat)- Yes, the excavator should get permission to insert a camera into a sewer main.

Jason Broyles- With the definition, the intent was to define what HDD is, and what is covered in the exemption, so if someone comes up with something we didn't list in regard what can't be used, we would be covered because we define exactly what type of equipment can meet this exemption.

James Mandera- I like where you are going, my only concern is we are monopolizing what HDD means for what we want it to be.

Jason Broyles- I agree and see what you are saying, if we don't define it as directional drilling, then they may not follow the requirement of HDD requirements.

Stephen Thomas- They are all considered trenchless technology, but the exemptions are specific to HDD because of the level of control. Potholing is required on all forms of trenchless technology, but HDD requirements for specific exemptions.

Jason Broyles- Current ORC says trenchless excavation methods, doesn't call out HDD.

James Mandera- Ok good, just wanted to make sure we weren't going to have unintended consequences. As long as we get to our intent with whatever definition I am good.

Other thoughts from the group?

James Mandera- There is a lot going on here with this one, any other discussion points? I know we have an OUDPC mid-July, do we want to attempt to get another meeting prior to that? We were kicking around bringing this to a vote then to see where we are, do you think we are close enough?

Jason Broyles- I think we need to get this sent out to the industry and give them some time to digest it before taking it to the coalition and have another meeting before we have our full OUDPC meeting. Full OUDPC is July 16th, our next committee meeting is the 20th, so we will need to move it up if the group wants another meeting. Group decision to be made. Where things are now at the statehouse, it is an election year, I don't see getting this to the full coalition in July as opposed to October, it won't make much difference. It will be 2027 before this would make it to the statehouse.

Mike Wartko- We might get some more opinions and input and think that a month's turnaround may be a bit tight. Need to give some time to let it be digested and considered.

Jason Broyles- When I say industry, I am referring to those here in the subcommittee.

Shawn Hudgel- I agree, and I would like to see the changes made and have a clean copy to read before we decide.

James Mandera- So are we having another meeting before the OUDPC meeting or not? The option would be to move it up a week. I think there are just a couple of talking points to go over the Tuesday before and then take it to the full coalition and get everyone's thoughts so we can see what to do moving forward. Would like to get the full OUDPC input so we can get things out to everyone for review. I feel like we are close.

Jason Broyles- I will support whatever the group wants.

Jim Mandera- Everyone good with meeting before the next full coalition meeting?

No opposition

James Mandera- Lets move that meeting to the Tuesday before the full coalition meeting, and everyone can come back with their organizations thoughts that we can discuss.

Jason Broyles- Abandoned lines subcommittee is the same day at 2pm as well.

James Mandera- Thank you to everyone for being on the call!

Meeting adjourned at 11:28pm