Why Dig-Safe Certification?



In June of 1999, a pipeline exploded in Whatcom Falls Park, killing three young people. To
Become a
RECOGNIZED
AND
CERTIFIED
Excavator





Dig-Safe Training & Certification

Training Objectives

Set Safeguards for Construction and Excavation



- Protect Public Health and Safety
- Stay Abreast Law Changes and Regulations
- Define Responsibility & Liability



Training Objectives



- Process for Proposed Excavation
 - Locating and marking utilities
 - Pre-excavating process (have a system!)
 - Reporting and repairing damage
- Pipeline & Utility Damage
 - Laws, Enforcements & Penalties
- Protocol & Emergency Response
- Best practices



Dig-Safe Training & Certification



RCW19.122 Definitions

Washington's One Call Law: RCW 19.122 **Definitions**

Excavation:

"Any operation in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means."



Washington's One Call Law: RCW 19.122

Definitions

Underground Facility:

"[A]ny item buried or placed below ground for use in connection with the storage or conveyance of water, sewage, electronic, telephonic or telegraphic communications, cablevision, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and including but not limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors that are below ground."



Washington's One Call Law: RCW 19.122

Definitions

Service Lateral:

"[A]n underground water, storm water, or sewer facility located on a public right-of-way or utility easement that connects an end user's building or property to a facility operator's underground facility and terminates beyond the public right of way or utility easement."



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RCW19.122
Changes to the Law

Washington's One Call Law: RCW 19.122 Changes to the Law

- Increased civil penalties
- Pre-One Call White Lining
- Maintaining marks 45 calendar days
- Size Limits 700ft
- Reporting requirements DIRT



Washington's One Call Law: RCW 19.122 Changes to the Law

- Emergency excavation
- Definition of excavation



Unidentified underground facilities



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Excavator & Facility Operator Duties BEFORE Excavation

White Lining Excavation Area:

The excavator *must* mark the excavation area with white paint.

If marking is not feasible because of large area or multiple excavations, excavator must confer with facility operator.



One-Number Locator Process

Excavator shall **provide notice to all owners** through a one-number call service



One Number Locator Process

IMPORTANT!

Excavator must not excavate until operators have marked or provided information regarding all known underground facilities and pipelines.



Washington's One-Locator Service



Call:

8-1-1

Online:

http://callbeforeyoudig.org.



Why Do You Need to Call?

- ▶ It's the Law!
- Ensures that any publicly owned underground lines will be marked, so that you can dig safely around them.
- Having the utility lines marked not only prevents accidental damage to the lines, but prevents property damage and personal injuries that could result in breaking a line.



Calling 811 – Be Prepared Before You Call

- Who the work is being done for
- □ The county & city of worksite (and correct spelling!)
- The address & street of worksite

The nearest cross street



Calling 811 – Be Prepared Before You Call

- Your name & phone number
- Your company name & mailing address
- Correct alternate contact information
- What type of work is being done



Calling 811 – Be Prepared Before You Call

- Marking instructions (specific instructions of worksite)
- Township, range, section, and quarter section or gps coordinates of the worksite
- Have pen and paper ready

TIP! Pre-filled call-in form!



Calling 811 – Updating a Ticket



- You must have your caller ID!
- You must have your ticket number!

Have pen and paper ready



1) Call 811

TIP: Be prepared to be on hold



Peak calling times are Monday/Tuesday 7-11 A.M. & 3-5 P.M.

Friday afternoons are also busy

TIP: The 2-day rule is 2 full days example: if you call on Tuesday, you won't dig until Friday. Day you call doesn't count!



2) A representative will ask questions about your worksite.

Tip: Have all your information ready - on a pre-filled form!

Your information will be read back to you.

Tip: Your approval of what is read back is vital If it is not read back it's not on the ticket Conversation is recorded



3) You will be provided a list of underground facility owners in your area.

TIP: Keep this handy at all time

4) You will be given a date in which the underground lines will be marked.

REMEMBER: The 2-day rule is 2 full days example: if you call on Tuesday, you won't dig until Friday



5) You will be given a ticket number for your reference.

TIP: The ticket number is YOUR golden item

- * Proves you called and placed a request
- * Describes the area of the worksite
- * Keep this number on hand and in safe spot.
- * Give copy of ticket number to your competent person

NOTE! A voided ticket is not a valid ticket





Call before you dig. It's the law!

The Utility Notification Center is the one-call agency dedicated to safeguarding citizens and construction personnel who work around utilities, as well as safeguarding the underground infrastructure of pipes, mains and lines which bring utilities to your community.

Calling before beginning any excavation prevents damage to underground facilities, service interruptions & bodily injury.

The Utility Notification Center is open 24 hours a day, every day, and accepts calls from contractors, homeowners, or anyone planning to dig in Oregon, Washington, Montana and Hawaii. Calling before you dig



Homeowners and Professional Excavators can submit their Locate Requests Online! To get started first choose your

http://www.callbeforeyoudig.org/



White	PROPOSED EXCAVATION
Fluorescent Pink	TEMPORARY SURVEY MARKINGS
Red	ELECTRIC POWER LINES, CABLES, CONDUIT AND LIGHTING CABLES
Yellow	GAS, OIL, STEAM, PETROLEUM OR GASEOUS MATERIALS
Orange	COMMUNICATION, ALARM OR SIGNAL LINES, CABLES OR CONDUIT
Blue	POTABLE WATER
Purple	RECLAIMED WATER, IRRIGATION AND SLURRY LINES
Green	SEWERS AND DRAIN LINES

APWA Color Code





http://www.managetickets.com/



Utility Markings

District Code	Company Name
360NET01	360 NETWORKS USA
ATT08	AT&T CORP
CC7700	COMCAST CABLE
ELCLT05	ELECTRIC LIGHT WAVE
KCMTRO01	KING CNTY METRO SEWER
LEVL301	LEVEL 3 COMMUNICATIONS
MCI01	MCI
METRAN01	METRO TRANSIT
MILDIG01	BROADSTRIPE
MTRMED01	ABOVENET COMMUNICATIONS, INC.
PUGG03	PUGET SOUND ENERGY GAS
QLNWA17	QLN-QWEST LOCAL NETWRK
QWEST05	QWEST COMMUNICATIONS
SEACL01	SEATTLE CITY LIGHT
SEAH2001	SEATTLE PUBLIC UTILITIES-WATER
SEASIG01	SEATTLE D.O.T.
SEASTM01	SEATTLE STEAM CORPORATION
STARCM01	ALLSTREAM
STTL01	SOUND TRANSIT
TWTWA01	T W TELECOM
WSDOT12	WSDOT - SIGNAL BRANCH OFFICE
XO02	XO COMMUNICATIONS



A Day in the Life of a Locator







Color Codes & Demarcation



Bad Locate Markings







Maintaining the Marks

Utility Owner Responsibility

The utility owner shall locate locatable utilities by surface marking within two (2) feet of the outside dimensions of both sides of the utility.















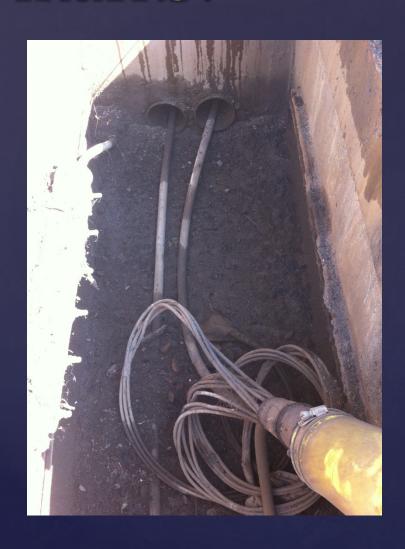








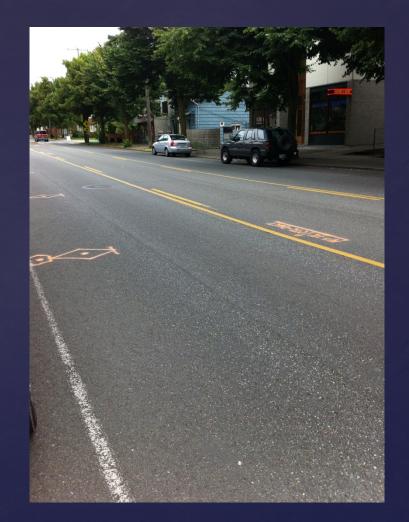
What is wrong with these marks?





And These?







White Lining-Win!!







Win & Fail















Above Ground Markers





Contractor Obligations –

- Contractor is required to provide notice of commencement of excavation through the one call service.
- The notice shall be communicated to the Utility not less than two (2) business days nor more than ten (10) business days before the scheduled date for commencement of excavation.



Owner Responsibility

Upon notice, the owner shall provide the excavator with reasonably accurate information as to its locatable underground facilities and marking the location of the facilities.

What is reasonable accuracy?



Reasonable Accuracy

= location within twenty-four inches of the outside dimensions of both sides of an underground facility.



Owner shall respond no later than 2 days after receiving notice

Remember:

What does 2 days mean?

TIP:

Don't plan to excavate the morning of day 2





Public Right of Way

Owner must mark locatable facilities within the public right-of-way and marked excavation area.

- Must "designate the presence or location" of "service laterals" if the service lateral
 - (1) connects the end user to the facility operator's main utility line, and
 - (2) within a public right-of-way or utility easement.



Private Property

The End User is "responsible for determining the location of a service lateral on their property or a service lateral that they own" but not if the service lateral is within a right-of-way or utility easement.

An end user, however, is not required to subscribe to a one-call statute.

TIP: Have a dialogue with the end users BEFORE digging



Public vs. Private Easements

Practice Pointer:

- Public right-of-way or utility easement =
 Facility Operator (even service laterals)
- Private property = End User (usually through a private locate service)



Owner must provide information about unlocatable facilities.



What is an "unlocatable facility"?



"Unlocatable Underground Facilities":

- "[A]n underground facility that cannot be marked with reasonable accuracy using the available information to designate the location of an underground facility."
- Including, but not limited to,
 - service laterals
 - storm drains
 - nonconductive and nonmetallic underground facilities that do not contain trace wires



Appurtenances Clause

Beginning January 1, 2013, a facility operator MUST identify ALL service laterals or appurtenances **even if there are other visible facilities**, the only exception are water lines.



The Waterline Exception:

The Appurtenance clause holds true **UNLESS** the line "convey[s] **only** *water* and the presence [of the service lateral] can be determined from other visible water facilities, such as water meters, water valve covers, and junctions boxes in or adjacent to the boundary of an excavation area."

Key Points

- Obligation placed on contractor to look around
- Assume straight line (but not always so)
- Work with water company as needed



Failure to notify the one-number locator services – subject to civil penalty of not more than \$1000 per violation (mutually exclusive to damage) and up to \$5000 for subsequent violations.





EXCEPTIONS:

- (1) operator was provided valid confirmation code
- (2) excavation performed in emergency situation
- (3) operator provided false confirmation code by identifiable third party



EXCAVATOR RIGHTS

Excavators shall have the right to receive compensation from the owner of the underground facility for costs incurred if the owner of the underground facility does not locate its facilities in accordance with this section.



OWNER RIGHTS

The owner of the underground facility shall have the right to receive compensation for costs incurred in responding to excavation notices given less than two business days prior to the excavation from the excavator.



Washington's One Call Law: RCW 19.122

Responsibilities Before Excavation

Important!

If excavator discovers unidentified facilities, must cease excavation and notify facility operator or owner



Key Natural Gas Awareness Reminders

Know how to detect a natural gas leak

Know what to do if you suspect a natural gas leak

Know how to prevent damage to a pipeline – CALL 811 before you Dig!

Recognize pipeline markers

Exemptions to the Law:

- Emergency situations
- Excavation of less than 12" for agricultural purposes less than 12" w/in utility easement and 20" outside of utility easement
- Road maintenance involving excavation less than 6"
- Replacement of traffic signs installed prior to Jan. 1, 2013



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RCW19.122
Maintenance of
Marks

Excavator Responsibility

The excavator protects and preserves the staking, marking, or other designation of underground facilities until no longer required for proper and safe excavation.

Excavator must maintain the marks for a period of 45 days or the length of the project. Whichever is the lesser.

**Remember the clock starts the day of the call.



The excavator is responsible for maintaining the marks.

How do you maintain the marks?



Excavator Responsibility

If the excavator, while performing the contract, discovers underground facilities which are not identified, the excavator shall cease excavating in the vicinity of the facility and immediately notify the owner or operator of such facilities, or the one-number locator service.



It is the excavator's responsibility to call the one-number locator service prior to forty five days to request re-marking of underground facilities.

Call BEFORE 45 days!!



Damaged, Removed & Mismarked Markings

The excavator notifies the facility owner/ operator directly - or through the one call center - if an underground facility is not found where one has been marked or if an unmarked underground facility is found.



Maintenance of Marks – Best Practices

Following this notification, the excavator may continue work if the excavation can be performed without damaging the facility, unless specified otherwise in state/provincial law.

If excavation continues, the excavator must plan the excavation to avoid damage and interference.



Maintaining the Marks – The Law



Project Owner Responsibility

Owners <u>must</u> identify in the bid or contract documents the existence of underground utilities known by the Owner to be located within the proposed area of excavation.



Maintaining the Marks

Project Owner Liability

If an Owner <u>does not identify</u> a known utility, it is deemed a changed or differing site condition, and the Owner is liable for damages and attorneys' fees.



Maintaining the Marks

Utility Owner Responsibility

For identified, but unlocatable, underground utilities, the Utility shall provide the contractor with the best available information as to their locations.



Contractor/Excavator Responsibility

If a contractor discovers underground utilities which are not identified, the contractor is required to cease excavating in the area immediately, and notify the Owner of such utility or the one call service.



Contractors are required to use reasonable care to avoid damaging underground utilities.

WHAT IS "REASONABLE CARE"?



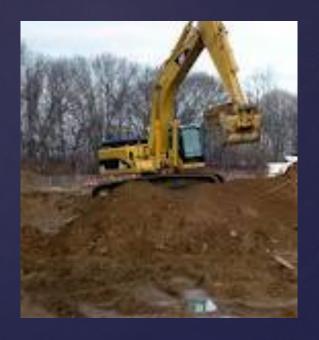
Reasonable care -

Determine the precise location of marked underground utilities.



Reasonable care -

Plan the excavation to avoid damage or minimize interference with underground utilities in or near the excavation area.





Reasonable care –



Provide support for underground utilities in the construction area, including during backfill operations, as may be necessary for their protection.





What if utilities are shown on the plans as not being in conflict with the work, but are in fact in conflict with the work?



General Rule

Where plans or specifications lead a contractor to reasonably believe that conditions represented therein do exist, and may be relied upon in bidding, it is entitled to compensation for extra expense incurred as a result of the inaccuracy of those representations.

The liability is premised upon the contractor's reasonable reliance upon inaccurate representations.



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RCW19.122
Damage to
Underground
Facility

EXCAVATOR RESPONSIBILITY

An excavator who contacts or damages an underground facility must

- a. notify the utility owner
- b. notify one-call center
- c. allow owner to come make repairs
- d. allow owner to re-map
- e. report it to D.I.R.T. Damage Information Reporting Tool



EXCAVATOR RESPONSIBILITY

If the damage causes an emergency condition, the excavator causing the damage must also alert the appropriate local public safety agencies and take all appropriate steps to assure public safety.



EXCAVATOR RESPONSIBILITY

No damaged facility can be buried until it is repaired or relocated.

Do not let damaged facility get re-buried without inspection!



FACILITY OWNER RESPONSIBILITY

It is the owner's responsibility to arrange for repairs or relocation – the owner may permit the excavator to make such repairs or relocation at a mutually acceptable price.



Liability



If an underground utility is damaged as a result of a contractor's failure to abide by these requirements, the contractor is liable to the utility owner for damages and attorneys' fees.



Willful and Malicious Damage

A contractor who fails to notify the one call service, and damages an underground utility, is liable to the utility owner for three times the cost incurred in repairing or relocating the utility.



Overhead – Recoverable by Utility Owner

A utility may recover its full cost of repairing damaged property, including indirect costs such as overhead, so long as such costs can be calculated accurately.



- Excavator Rights to Compensation when a Facility is "Hit"
 - Reasonable compensation from a facility operator for the costs incurred by the excavator if the facility operator does not locate its underground facilities in accordance with the requirements of the statute.



DIRT Reporting

NOW <u>Required</u> in the "One Call Law"!

Both the Owner and the Excavator must report!



Damage Incident Reporting Tool

- submit damage and near miss reports
- browse files
- administer roles based on company and user information
- edit personal profiles
- submit feedback



DIRT FIELD FORM Go to UTC Website

www.utc.wa.gov/damagereporting



Rev: 2/1/2012

Damage Information Reporting Tool (DIRT) - Field Form

Part A – Who is Submitting This Information	
Who is providing the information? ☐ Electric ☐ Excavator ☐ Insurance ☐ Liquid Pipeline ☐ One-Call Center ☐ Private Water ☐ Road Builders ☐ State Regulator	Engineer/Design □ Equipment Manufacturer □ Locator □ Natural Gas □ Public Works □ Railroad □ Telecommunications □ Unknown/Other
Name of the person providing the information:	
Part B - Date and Location of Event	
•	I/DD/YYYY)
*Country *State *County City Street address Nearest Intersection	
*Right of Way where event occurred	
Public:	
Part C – Affected Facility Information	
*What type of facility operation was affected? Cable Television Electric Natural Gas Liquid Pipeline Sewer (Sanitary Sewer) Steam Telecommunications Water Unknown/Other *What type of facility was affected?	
☐ Distribution ☐ Gathering ☐ Service/Dro Was the facility part of a joint trench?	Transmission Unknown/Other
Unknown Yes No	
Was the facility owner a member of One-Call Center? ☐ Unknown ☐ Yes ☐ No	
Olikiowii Ito	
Part D – Excavation Information	
*Type of Excavator Contractor County Developer Railroad State Utility *Type of Excavation Equipment	Farmer Municipality Occupant Data not collected Unknown/Other
Auger Backhoe/Trackhoe Boring Explosives Farm Equipment Grader/Scra Probing Device Trencher Vacuum Eq	
☐ Agriculture ☐ Cable Television ☐ Curb/Sidew ☐ Drainage ☐ Driveway ☐ Electric ☐ Grading ☐ Irrigation ☐ Landscaping ☐ Natural Gas ☐ Pole ☐ Public Trans	☐ Engineering/Survey ☐ Fencing ☐ Liquid Pipeline ☐ Milling
Natural Gas	Storm Drain/Culvert Street Light Water Waterway Improvement
Part E – Notification	
*Was the One-Call Center notified?	
Yes (If Yes, Part F is required) If Yes, which One-Call Center? If Yes, please provide the ticket number	□ No (If No, Skip Part F)
Part F - Locating and Marking	
*Type of Locator	
Utility Owner Contract Locator *Were facility marks visible in the area of excavation?	Data Not Collected Unknown/Other
☐ Yes ☐ No	☐ Data Not Collected ☐ Unknown/Other
*Were facilities marked correctly?	□ Data Not Collected □ Linknown/Other

Recommended Steps to Pursue When a Utility is Hit or Damaged





1. Stop all work in the area of the utility hit.

2. Secure the site.

- a. If there are any personal injuries, administer first aid and call appropriate emergency services.
- ь. Ensure that the area is safe, and traffic is rerouted.
- <u>c. Secure</u> the area for safe documentation.



3. Notify your home office, the utility owner and locator of the hit.



4. Document the site conditions Photographs!



- a. Take Close-up photographs of the hit area
- ь. Take perspective photographs of the area of the hit to provide depth and context of the condition
- c. Use the Hit-Kit tape or some other device to provide dimensions in the photographs
- d. Mark the utilities lines with wire flags that are contained in your kit, to give the photos perspective and context.



5. Document the site conditions

(in writing)

- a. Note all witnesses to the incident (take photos of the witnesses if you do not get positive identification).
- b. Fill in the Hit-Kit form and give a written narrative description of the events as close to the time of the incident as possible.



6. Document the site conditions

(Document your conversations)

- a. Obtain **business cards** of all when possible.
- ь. Take photos of the vehicles and **license plate numbers** (photos of the officials if you are not sure as to who they are).
- Answer the questions forthrightly, **do not volunteer information** unless directed to do so by the home office.



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RCW19.122
Safety
Committee

Safety Committee

- The statute directs the UTC to contract with a nonprofit entity.
- The nonprofit must create a 13-member Safety Committee consisting of participants over all industries dealing with underground utilities, such as

Contractors
Excavators,
Electrical utilities
Pipeline companies
UTC,
Telecommunication companies & Insurance

Safety Committee

- The Safety Committee, in reviewing complaints, will make written notifications to the UTC of violations with supporting documentation
- For every one facility operator representative there must be one excavator representative when reviewing complaints.



Safety Committee

The Safety Committee then *may* provide written notification to the UTC with supporting documentation to show that a violation of the statute has occurred and recommend remedial action and/or penalties

➤ The UTC *may* enforce the Safety Committee's recommendation



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RCW19.122 Commission Authority

Commission Authority

Only the UTC may enforce the civil penalties, while taking into consideration the Safety Committee's notifications.



Commission Authority

Safety Committee and UTC may or may not investigate and enforce alleged violations of the statute (there is no language in statute making enforcement a requirement).



Commission Authority

There is, however, some incentive to enforce violations and impose penalties:

All penalties paid will be placed into a "damage prevention account" to fund "educational programming designed to improve worker and public safety relating to excavation and underground facilities."





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