

## **OAR/ORS Committee Minutes**

Friday, January 28, 2022, 10 a.m. | Zoom Meeting

**Members:** Micah Brown, Melanie Lewis, Mitch Burghlea, Scott Crosby & Kitty O'Keefe.

**Guests:** Kevin Hennessy (pending appointment to board) & Scott Gallegos from OCC.

### **1. Announcements and Introductions**

- a. Micah Brown called the meeting to order at 10:01 a.m. and introductions were made.
- b. A motion from Mitch was made to approve minutes from 11.19.21 and seconded by Micah. Kitty to post on website.
- c. Chair – Statement
  - I. Micah shared with members he held a meeting on 1/26/22 with Scott G., Kitty and Josh.
  - II. The language that Micah and Scott had worked on and discussed at the OAR committee meeting on 11.19.21 is with Josh now. (See Attachments 1 & 2 for reference)
  - III. Josh to draft final language and cross reference with OAR/ORS and FAQ.
  - IV. Scott will provide DIR/DLR Data and put together a short presentation to explain the process to all board members.

### **2. OAR Committee Items**

- a. Design Locate Request Revision
  - I. See Chair – Statement

### **3. Active OAR Tabled Item Updates**

- a. Length of a Ticket - tabled
- b. White Paint or Virtual White Line - tabled
- c. Paint Remediation - tabled

### **Old Business**

- a. 'Large Area' definition Revision to Include Survey Design Language to include 952-001-0080.  
Keep this action item tabled.
- b. Review ORS/OAR definition for "Underground Facility"
  - i. Discussion of changing the definition occurred and comments followed
  - ii. Kevin shared, 'Maybe not go to the legislative; once the statute is opened, the whole thing is subject to revision. Look first what rule provided to comply with that rule.
  - iii. Scott commented, to avoid statute; enhance the definition/rule.
  - iv. Micah will follow up with Josh
  - v. Josh to contact DOJ.

### **4. New Business**

### **5. For the Good of the Order**

### **6. Next Meeting – tbd**

*Meeting adjourned at 10:35am. Minutes submitted by Kitty O'Keefe on January 31, 2022*

## **Attachment #1**

**952-001-0080**

### **Design Information Requests and Design Locate Requests**

*A Design Information Request (DIR) must be processed before a Design Locate Request (DLR) can be made. This is not a request for marks from utilities, but is in place to provide the designer with a list of contacts for those utilities that have facilities in the proposed area of design. If the Designer determines that marks are needed to complete their design, after 5 business days, the DIR can be converted into a DLR.*

1. After a designer notifies the Oregon Utility Notification Center with a **Design Information Request (DIR)**, the operator of the underground facilities must:
  - a) Provide the excavator the best description available to the operator of the unlocatable underground facilities in the area of the proposed excavation including as-constructed drawings, or other facility maps that are maintained by the facility operator; **or**
  - b) Contact the person requesting design information and agree on a time, prior to the beginning of the proposed project, for exchange of the information required under subsection (a) or subsection (b) of this section of this rule.
  
2. **Within 10 business days** but not before 5 business days after the submittal of a DIR. The designer may notify the Oregon Utility Notification Center of a Design Locate Request, the operator of the underground facilities must:
  - a) Mark within 24 inches of the outside lateral dimensions of both sides of all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;
  - (1) If a designer intends to perform work at multiple sites or over a large area, the designer must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of survey or design for each phase of work.
  - (2) ***All DLR's must be preceded by a DIR but no earlier than 5 days after DIR is submitted.*** *No excavation can take place on either a DIR or a DLR, these requests are for design purposes only.*

Stat. Auth.: ORS 757.552

Stats. Implemented: ORS 757.552

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

There will also need to be new definitions added for both DIR and DLR in OAR 952-001-0010:

“Design Information Request” means the process to provide contacts of all participating operators with available underground facility information from all operators notified within the requested area.

“Design Locate Request” means a request to have all known underground facilities marked, staked, or located by all operators notified within the requested area.

## **Attachment #2**

**952-001-0080**

### **Design Information Requests and Design Locate Requests**

*(1) A Design Information Request (DIR) must be processed before a Design Locate Request (DLR) can be made. This is not a request for marks from utilities, but is in place to provide the designer with a list of contacts for those utilities that have facilities in the proposed area of design. If the Designer determines that marks are needed to complete their design, after 5 business days, the DIR can be converted into a DLR. Once a DLR is made, the Operator must:*

*(A) Within 10 business days after a designer notifies the Oregon Utility Notification Center of a proposed project, the operator of the underground facilities must:*

1. Mark within 24 inches of the outside lateral dimensions of both sides of all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;
2. Provide the excavator the best description available to the operator of the unlocatable underground facilities in the area of the proposed excavation including as-constructed drawings, or other facility maps that are maintained by the facility operator; **or**
3. Contact the person requesting design information and agree on a time, prior to the beginning of the proposed project, for exchange of the information required under subsection (a) or subsection (b) of this section of this rule.

*(2) If a designer intends to perform work at multiple sites or over a large area, the designer must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of survey or design for each phase of work.*

*(3) No excavation can take place on either a DIR or a DLR, these requests are for design purposes only.*

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