OAR/ORS Committee Minutes -

August 1, 2019
PUC
201 High Street SE
Salem, OR 97301
Conference Call in: 515-606-5385

Members attending: Micah Brown, Scott Gallegos, Mitch Burghelea, Phil Boyle and Kitty Davis.
Guests Attending: Frank Planton, Ryan Truir, Kevin Hennessey, and Mark Maguire.
Guests Call in: Greg Snyder, Mark Edwards and Anthony Timineri.

1. Announcements and Introductions

    a. Micah Brown called the meeting to order at 10:02 a.m. and introductions were made.

    b. Scott Gallegos moved to accept the minutes from 5.29.19(2) and Mitch Burghelea 2nd the motion. The minutes were accepted. Kitty will post on OUNC website.

2. OAR Committee Items

    a. Update on reference error for 952-001-020
       i) Statutory Minor Correction (See Attachment 1) Micah worked with Diane Davis to have changes made.
    b. Discuss EWEB's request for transparency regarding facility enclosure maintenance.
       i) Mark Maguire shared the huge project EWEB will be working on over the next few years changing out over 20,000 meters. Will this project need locates called in? Looking at over 50k locate request. He hopes only 1-5% need locates. Long discussion followed. Can we look at changing the language of the rule? Micah explained we can't change the definition but we can look at rule. Scott Gallegos will draft a proposed language that would go under OAR 952-001-0050 (2)(e).
    c. Update on Spanish version of standards manual:
       i)Micah asked members if they approve to move forward with this and all agreed, yes. Micah will propose a motion at Aug.14 board meeting. Funds will come from T&E.

    d. Continue discussion concerning OUNC wildfire notification
       i) Do we use the call center for this notification? Informational ticket could be used. Kevin will contact Jessica at Williams. Kitty will send Kevin ppt that was shared at a board meeting. Micah tabled discussion.

e. Continue discussion concerning operator exposure to "No Access" locates. Should the ticket remain valid or open if unable to gain access or communicate with caller?
i) Micah share the response codes used for the Operator Positive Response. Here is the list of response codes: 0=(Blank- if participating. 1= Clear/No conflict. 2 = Marked. 3 = Ongoing job. 4 = Standby required. 5 = Not Marked/No Access. 6 = Not Marked/Unclear Marking Instructions. Discussion followed with questions such as: At what point is the operator not liable when they can't get access? Do we put in rule? If you don't have access… what are other options? Responses - Rules are made by Legislature to prevent damages. Enforcement issue: provide the best information. Are operators keeping record of the un-locatable tickets? What's expected out of rules? Micah will leave this discussion open, and work on verbiage to share at next committee meeting.

f. Ticket Length
i)(See Attachment 2) Members reviewed and discussed what states have a size restriction in their law. Oregon does not. Do we need to put this is rule? Might consider different language in rule. It was suggested to bring subject up at this years Users Group conference where most states will have representation. Get feedback from other states. Micah will attend Users Group.

3. Old Business-
   a. White Paint
   i) Do we want mandatory white paint? Most members would like to have it mandatory and provide in a description or virtual white line. Micah will bring up at the Users Group meeting.

4. New Business –
   a. Locate request validity/legality. Should the life of a ticket encompass the active status of a locate if is been re-called?
   i) Open discussion: What's the root cause? Was it damaged because failure to maintain? Micah will place in Old Business for next committee meeting.
   b. Removal of paint, who is responsible? Should there be a responsible party in rule?
   i) Micah reported he discussed this issue at July's board meeting. PUC reported they do not get complaints about removal of paint.

5. For the Good of the Order – none

6. Next Meeting - tbd

Motion to adjourn was made by Scott and 2nd by Mitch. Adjourned at 12:40 pm

Minutes submitted by Kitty Davis on August 5, 2019

Attachment 1

OFFICE OF THE SECRETARY OF STATE
BEV CLARNO
SECRETARY OF STATE

A. RICHARD VIAL
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
INTERIM DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

STATUTORY MINOR CORRECTION

FILED
07/12/2019 4:27 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

OUNC 1-2019

CHAPTER 952
OREGON UTILITY NOTIFICATION CENTER

FILING CAPTION: Statutory Minor Corrections to OAR 952-001-0020

CONTACT: Diane Davis
503-378-4372
diane.davis@state.or.us

PO Box 1088
Salem,OR 97308

Filed By:
Diane Davis
Rules Coordinator

AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting grammatical mistakes in a manner that does not alter the scope, application or meaning of the rule
Correcting statutory or rule references

AMEND: 952-001-0020

RULE TITLE: Project Plans to Notify Excavator of Requirements of Law

RULE SUMMARY: This statutory minor correction to OAR 952-001-0020 corrects the rule reference from "OAR 952-001-0001 through 952-001-0090" to "OAR 952-001-0100" and removes the extra parenthesis from the end of the telephone number.

RULE TEXT:
All project plans must contain the following statement:
ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0001 through 952-001-0100. You may obtain copies of the rules by calling the center.
NOTE: The telephone number for the Oregon Utility Notification Center is (503) 232-1987.

STATUTORY/OTHER AUTHORITY: ORS 757.552

STATUTES/OTHER IMPLEMENTED: ORS 757.552

Attachment 2

OCC State	Size restriction Yes / No	Explaination of restriction
Oregon	No	
Washington	No	Washington does have "Large Project" language in their laws. "If an excavator intends to work at multiple sites or at a large project, the excavator must take reasonable steps to confer with facility operators to enable them to locate underground facilities reasonably in advance of the start of excavatiion for each phase of the work" Large project means a project that exceeds seven hundred linear feet.
Montana	Yes	Locate request size is now restricted to: Rural areas = 2 miles long by 1,000 feet wide. Within city limits = 2,000 feet long by 300 feet wide. For agricultural activity including for locates prior to soil probing or testing = Limited to the size of the field being excavated.
Hawaii	No	
Missouri	Yes	General rule inside city limits = no more than 10 addresses or up to 1/2 mile on a single ticket. Outside city limits = No more than 10 addresses or up to 1 mile on a single ticket.
Nebraska	Yes	General rule inside city limits = No more than 5 addresses or 1 block on a single. General rule outside city limits = No more than 10 addresses or up to 6 miles on a single ticket.
Louisiana	Yes	Urban areas = length limited to 1/4 mile. Rural areas = length limited to 1 mile.
Kansas	No	No size limit on continious projects. Individual jobs need to be on individual tickets
New York	Yes	Limited to a single block in length
Maryland	Yes	Limited to 1,320 feet on both urban and rural areas
Delaware	Yes	Limited to 1,320 feet on both urban and rural areas
Washington DC	Yes	Limited to 1,320 feet on both urban and rural areas
Minnesota	Yes	1- Limited to 5 linear miles of continious work (such as routes along a road) and tickets are split at municipal boundaries. 2- Tickets defined by an area, or worksites that are irregular in shape, must not cross a roadway and are limited to an area that is 10 miles in perimeter. 3- Meet tickets have a maximum of a 25 mile peremiter. 4- One address per ticket 5- Locations such as signs, mailboxes, poles, the sites nust be within 500 feet of each other to be on the same ticket
New Jersey	Yes	Maximum size allowed is 1 block in an urban area and 1,500 feet in a rural artea. A rural area is defined as an area that does not have an intersection within 1,500 feet of another intersection.
Iowa	Yes	**Inside City Limits -** 1) One ticket per every three city blocks in length within a **Outside City Limits** - 1) Work to be done outside city limits should be limited to one mile per ticket for work along a road/ditch (e.g. sign/pole installation, ditch cleaning), or to one square mile per ticket for work in an open field (e.g., farm drainage tiling). Multiple addresses in a rural area may be processed on the same ticket, provided that all addresses fall within the same one-mile span of the same road. 2) Work to be done in multiple townships or multiple counties must be limited to one township/county per ticket (Exception: work to be done along both sides of a township/county-line road). 3) 1/2 mile radius of an intersection.
North Dakota	Yes	All work must be done within 3 contiguous city blocks or 1,000ft within city limits or 4 contiguous quarter sections or 5 linear miles (500ft wide path) within a township