

OAR/ORS Committee Minutes -

September 13, 2017

Held at the Oregon Public Utility Commission

Board Members attending: Micah Brown, Lori Koho and Mitch Bughelea.
Guests Attending: Jarrod Morrison, and Steve Rose.

Agenda

1. Announcements and Introductions

- a. Micah Brown called the meeting to order at 2:15 p.m. and introductions were made.
- b. Micah moved to accept the minutes and Mitch seconded the motion. The minutes were accepted.

2. Chair Statement

- a. None

3. OAR Committee Items

- a. Reasonable Accuracy Zone (Tolerance Zone)
 - i. Micah briefed the committee on the latest board engagement concerning tolerance zone or the proposed amendment to OAR. Micah further stated that the board's consensus was that there could be some confusion if the "Reasonable Accuracy Zone" language changed to "all" sides of the facility instead of "both" when excavators were to pothole for utilities. The board mentioned a possible FAQ and Micah stated that he would take the idea back to committee for discussion. After discussing in committee it was decided that there should not be any confusion as to the accuracy zone whether its states "both" sides or "all" as the definition currently

requires excavators to locate the exact location of the underground facility when excavation is to be made within the reasonable accuracy zone. Micah will take this back to the board once again and get a final vote as to whether the committee moves forward with this amendment.

b. Due Date Exemption

- i. Micah had brought to the committee's attention that while briefing the board on the decision to table the exemption to the two business days during the last OAR meeting, there was push back and a dissuasion concerning the need for it in a minimal capacity. Micah drafted and proposed language (see attachment 1) to the committee that would provide exception if there was an agreement made between the excavator and the operator. Lori stated that having such an exception impedes the rules ability to extend rule as many parties can say they had an agreement. Lori recommended agreement should be documented. The committee agreed that some form of documentation was needed to effectively allow exception. Micah amended the language (see attachment 1) during committee and is going to present to the board.

4. Old Business

- a. None

5. New Business

- a. Jarrod had brought proposed language for pre-survey locate requests covering large areas. Currently there is no limit to how large of an area a caller can stipulate when requesting design locates, nor is there any rule requiring designers to communicate a marking schedule with operators when design locates span over large enough areas that inhibit an

operators ability to mark within the required time frame. The language Jarrod proposed (see attachment 2) was taken from the large project language in OAR 952-001-0050 with minor adjustments. The committee agreed that there should be similar requirements for large design projects and reflect in OAR 952-001-080. Micah stated that he would present this to the board at the next meeting.

6. For the Good of the Order

- a. None

Micah adjourned the meeting at 3:30 pm

Attachment 1

952-001-0070

Operators to Mark Underground Facilities or Notify Excavator that None Exist

(1) Except as provided in section (3) of this rule, within 2 business days (48 hours) after the excavator notifies the Oregon Utility Notification Center of a proposed excavation, the operator or its designated agent must:

(a) Mark with reasonable accuracy 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;

(b) Provide marks to the excavator of the unlocatable underground facilities in the area of proposed excavation, using the best information available including as-constructed drawings or other facility records that are maintained by the facility operator; or

(c) Notify the excavator that the operator does not have any underground facilities in the area of the proposed excavation. Acceptable notifications must include locate request call back information and if done with an AVR (Automated Voice Response) must have a repeat option and a call back number to hear the information again.

(2) Operators of abandoned facilities must mark said facilities to the standards of locatable facilities or unlocatable facilities.

(3) An operator or designated agent must have a documented agreement or arranged marking schedule, date and time with excavator for marks to be placed prior to excavation.

(4) An operator must mark any known abandoned underground facility with a capital letter "A" inside of a circle, using the appropriate operator color and identification.

(5) An operator of any out-of-service underground facility must mark such facility in the same way it marks an underground facility that is in service.

(6) If an excavator uses offset marking, the excavator must correctly measure the amount of offset, so that the excavator can reestablish the location of underground facilities where originally marked.

(7) If the excavator notifies the operator of underground facilities discovered during an excavation in response to an emergency, the operator of underground facilities must comply with section (1) of this rule as soon as possible.

(8) Underground facilities must be marked using the following color code:

(a) RED — Electric power lines, cables or conduit, and lighting cables.

(b) YELLOW — Gas, oil, steam, petroleum, or other hazardous liquid or gaseous materials.

(c) ORANGE — Communications, cable TV, alarm or signal lines, cables or conduits.

(d) BLUE — Water, irrigation, and slurry lines.

(e) GREEN — Sewers, drainage facilities or other drain lines.

Attachment 1

(f) WHITE — Pre-marking of the outer limits of the proposed excavation or marking the centerline and width of proposed lineal installations of buried facilities.

(g) PINK — Temporary Survey Markings.

(h) PURPLE — Slurry and reclaimed.

(9) In areas of ongoing excavation or construction, operators must mark newly installed underground facilities immediately upon placement.

(10) Except while making minor repairs to existing non-conductive, unlocatable facilities, an operator burying non-conductive, unlocatable facilities within the public rights-of-way or utility easements must place a tracer wire or other similar conductive marking tape or device with the facility to allow for later location and marking.

(11) An operator of underground drainage lines is not required to indicate the presence of those underground drainage lines if the existence and route of those drainage lines can be clearly determined from the presence of other visible facilities, such as manholes, catch basins, inlets, outlets, junction boxes, storm drains or permanent marking devices.

(12) An operator of underground drainage lines in the area of the proposed excavation must:

(a) Provide the excavator the best available description of the underground drainage lines, including as-constructed drawings or other facility maps maintained by the underground drainage lines operator; or

(b) Contact the person requesting locates, meet with the person or their designee prior to the beginning of the proposed project, and convey the information required under paragraph (a) of this section.

Draft proposed new rule

952-001-0080

Operators to Respond to Notifications Requesting Design Information

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 with reasonable accuracy 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 section (1) or section (2) of this rule.

(4) 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 the work.

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

