

OAR/ORS Committee Minutes

Friday, November 19, 2021, 10 a.m. to Noon | Zoom Meeting

Members: Micah Brown, Melanie Lewis, Mitch Burghlea, Connor Toney, Kitty O'Keefe, Josh Thomas. Michelle Tyree from KUCC;

Guests: Kevin Hennessy (pending appointment to board); Sean Crosby from USIC and Garry Black from City of Philomath.

1. Announcements and Introductions

- a. Micah Brown called the meeting to order at 10:02 a.m. and introductions were made.
- b. A motion from Mitch was made to approve minutes from 10.01.21 and seconded by Micah. Kitty to post on website.
- c. Chair Statement: Micah welcomed members and guests. He shared there will be no OAR meeting in December.

2. OAR Committee Items

- a. Design Locate Request Revision
 - i. Micah commented he had emailed data to Kevin after last meeting per request.
 - ii. Draft language from last meeting: "Design Locate Request" means a request to have all known underground facilities marked, staked, or located by all operators notified within the requested area. **See Attachment 1.**
 - iii. Still a lot of 2-business day tickets that should be design locate/survey. Need to get information to requestors before they need the marks.
 - iv. Micah would like to go over Washington state's Design Request System Manual with Josh and Scott. Link: <https://digsafewa.com/design-request-system/>
 - v. Moving ahead will be a priority and will also need to update definitions in the process.
- b. ITICnxt – continued education and training discussion
 - i. How do we get more people to learn the new benefits of nxt? Encouraged by strong increase of adoption/usage but would like to see us over 80%.
 - ii. Create a brochure or flyer "this is how we want you to use ITICnxt." Include virtual white lining; ticket length and better notification benefits.
 - iii. OUNCs website has the link with resources to educate contractors and locators: <http://or.tryitic.com/>
 - iv. Help and support button on this link where you can access nxt manual and videos.
 - v. One Call Concepts has two full time training experts. Schedule with them for assistance.
 - vi. Continued efforts to power users and the public via free format messaging and Facebook.
 - vii. Josh and Kitty will reach out to the creative team to create a new flyer or brochure and compare/gather ideas from what other states are doing.
 - viii. Michelle Tyree indicated that her members from KUCC were not aware of ITICnxt and requested more information and updates for this and other upcoming items.

3. Active OAR Tabled Item Updates

- a. Length of a Ticket
 - i. Do we keep this discussion open? Will ITICnxt help with this issue?
 - ii. ITICnxt ticket response is at 35.09%. Up 20% in a month.
 - iii. How to we make the public more aware? Discuss circled back to nxt brochure, flyer or mailer.

- b. White Paint or Virtual White Line
 - i. Members shared they feel the ITICnxt tool will address this issue. Consider creating an flyer specifically for this topic?
- c. Paint Remediation
 - i. Josh is monitoring for any legislation similar to Oregon House Bill 3181 (2021)

4. 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. Do we change the definition of the law? (term can be expanded on)
 - ii. The OARs are the do's and don'ts. The ORS was created to establish the OUNC. iii
Keep discussion open.

5. New Business

- a. Emergency Tickets
 - i. Micah asked members to share their issues with an Emergency Ticket. This was identified as an issue at the last KUCC meeting and shared by Michelle Tyree.
 - ii. Some members find the verbiage vague; what constitutes an emergency? Discussion followed.
 - iii. The Complaint Process has been useful; you can find at: <https://arcg.is/1qSmi>.
 - iv. Failure to give notice to the Call Center falls under a complaint investigation.
 - v. There is an existing rule for Emergency Tickets.

6. For the Good of the Order

7. Next Meeting – tbd, no meeting in December

Meeting adjourned at 11:30am. Minutes submitted by Kitty O'Keefe on November 22, 2021

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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