

API & AOPL Provisions of a Model State One Call Law

Ranking: A – highest priority; B – medium priority; C – low priority

1. Mandatory membership in the one call system (A)

Any entity that operates underground or submerged facilities in a state must be a member of that state's one call system. This includes, but is not limited to municipalities (e.g., water, gas, sewer, cable, etc.), state agencies, and private or public institutions that operate their own infrastructure (e.g., railroads, hospitals, manufacturing plants, underground propane distribution companies, production lines and any hazardous material lines, etc).

Supporting viewpoint – Inclusion of all underground or submerged utilities increases the likelihood that all utilities are located and marked, leading to safer excavation and less damage. This aligns with CGA Best Practice 3-26.

2. Enforcement (A)

An active state enforcement authority receives and investigates reports of violations of the state damage prevention law from any stakeholder. The agency has enforcement authority to issue civil penalties on the spot for violations including excavating without proof of a valid one call ticket. Penalties are issued on an escalating scale with larger penalties for multiple violations. Annual statistics on investigations, enforcement actions, and proposed and collected penalties are made available by the agency to interested parties.

Supporting viewpoint – Underground facility damage has decreased in states that have implemented a formal enforcement process. This aligns with CGA Best Practices 7-3, 7-5 and 5-13.

3. Application of the one call law (A)

The one call requirement applies to all excavation activities whether utilities are on land or submerged (which should be defined as digging, disturbing in any way, compressing or

removing earth, rock, or other materials in or on the ground by use of mechanized equipment or blasting) including, but not limited to the following:

- Tilling of the soil for agricultural purposes (plowing, planting, installation or repair of drainage tile) at a depth of 16 inches or greater.
- Road construction and repair, regardless of entity conducting the excavation, including foundation upgrades such as crack and seat technology.
- Grading or clearing of roadside ditches or drainage ditches by state, county or municipal government agencies or their contractors using mechanized excavation equipment which disturbs or removes soil.
- Dredging, pile driving, wheel washing, spudding or large vessel anchoring in waterways regardless of entity conducting the excavation.
- Railroad excavations even in their own ROW where the soil is disturbed including, but not limited to track repair and soil disturbances from derailments or release cleanup efforts.
- Trenchless excavation (directional drilling)

The one call requirement should also apply to non-excavation activities that have the potential to damage underground utilities. This would provide a means of notification to the utility to check the integrity of their assets. Potential damaging activities include:

- Downed power lines that can cause arc weld burns to underground facilities
- Train derailments or transport accidents that can impact the integrity of an underground utility, including but not limited to the release of hazardous chemicals.
- The off-road use of heavy equipment over a specified weight limit, e.g. 30,000 pounds.

Supporting viewpoint – This measure provides additional protection for buried and submerged utilities from excavators employing mechanized equipment or blasting or that are currently exempt from using one-call in some states.

4. Notification of contact by excavator to facility owner/operator (A)

An excavator that physically contacts an underground facility, whether damage is caused or not, must immediately notify the facility owner/operator and the one call center. Excavation must be suspended until the owner/operator has examined the facility for

possible damage. Pipeline damages include nicks, dents, scrapes, gouges, grooves, loss of protective coating or damage to cathodic protection. Upon release of a hazardous liquid or gas, the excavator is required to call 911.

Supporting viewpoint – Immediate notification will assure measures are taken to protect the facility, the excavator, and the public. Notification to the facility owner/operator prevents potential future integrity issues. This aligns with CGA Best Practice 5-24.

5. One call ticket time limitations (Ticket Life) (B)

Excavation locate requests have a defined life and expire on a set date. Refresh tickets are required in order to extend the excavation activity beyond the life of the original ticket. Each person doing excavation work shall obtain their own one call ticket.

Supporting viewpoint – Provides better tracking and monitoring of excavation for facility owner/operators. This aligns with CGA Best Practice 5-23.

6. One call centers accept multiple reference points for locate requests (B)

The one call center accepts multiple types of reference points to define the specific location of excavation. This includes, but is not limited to the following: address, cross-streets, latitude/longitude, highway/railroad/pipeline mile markers, description, etc.

Supporting viewpoint – When an excavation site is specifically defined, the utility operator can screen the ticket more efficiently and find the planned excavation site easier for more timely markings. This aligns with CGA Best Practice 3-20.

7. Excavation within the tolerance zone (B)

No mechanized excavation is allowed within a defined tolerance zone until sufficient earth has been removed so the facility can be positively identified and the direction and course of the facility determined. Mechanized excavation is the use of powered equipment that has a high likelihood of damaging underground utilities, such as backhoes, boring machines, drilling machines, augers, etc. Manual excavation or soft excavation (i.e., use

of vacuum excavation techniques or pneumatic hand tools) is allowed within the tolerance zone.

Supporting viewpoint – Increases the likelihood of safe excavation and less damage to underground facilities. This aligns with CGA Best Practice 5-19 and 5-20.

8. Mandatory positive response facilitated by the one call center (B)

Require one call centers be responsible for transmitting and documenting positive responses to excavators (utility owner/operator contacts the one call center, not the excavator, when responding to a one call ticket).

Supporting viewpoint – Improves communication between the excavator and the one call center and reduces the likelihood of excavator losing track of multiple utility responses.

9. Mandatory response time for marking (B)

Underground facility operators must respond to non-emergency one call tickets within 48 business hours (or the time specified by state or provincial law) of receipt. The response may include one or more of the following: markings or documentation left at the jobsite, call-back, fax, or automated response system.

Supporting viewpoint – Ensures communication channels are opened between the facility operator and excavators so that safe excavation may occur and damage prevention requirements are clearly understood. It also provides an incentive for excavators to place one calls if they are assured that underground facility operators will respond to their notifications within a given period of time. This aligns with CGA Best Practice 5-8 and 4-9.

10. Emergency Excavation (B)

In the event of the need for emergency excavation repairs for situations that involve danger to life, health or property, or that require immediate correction in order to continue the operation of or to assure the continuity of public utility service or public transportation,

the excavator must place an emergency one-call prior to excavation. The One Call Center must be able to receive and process emergency one-calls 24 hours per day, 7 days per week and shall notify all affected utilities immediately on receipt of the emergency one-call. The utility operator shall respond within a reasonable time period, e.g. two hours, to the emergency one-call.

Supporting Viewpoint – This allows excavation to be expeditiously rather than immediately performed, but still protects both the excavator and underground utilities even in an emergency situation. This aligns with CGA Best Practice 5-26 and 3-6.

11. Mandatory damage reporting to appropriate state agency (C)

Owner/operators of underground facilities must report excavation damage to appropriate state agency.

Supporting viewpoint – Mandatory reporting of damages would provide more accurate and comprehensive data to measure damage prevention progress at a state level. The data could help drive improvements in processes, training, education, advertising or possible legislative changes. This aligns with CGA Best Practice 9-1.

12. Locators must be properly trained and locator training must be documented (C)

Minimum training guidelines and practices must be adopted for locator training.

Documentation of all training must be maintained to ensure that facility locators have been properly trained.

Supporting viewpoint – Provides additional safety for the excavators that are following all the appropriate processes. Operator Qualification requirements for DOT Parts 192 and 195 would comply with this provision. This aligns with CGA Best Practice 4-5.

13. Excavation site must be clearly identified on the locate ticket (C)

If the location of the excavation cannot be clearly identified on the locate ticket, then the excavator must white-line the excavation location prior to the arrival of the locator or

conduct a pre-excavation meeting with the facility locator if the excavation site is too large to white-line.

Supporting viewpoint – This eliminates the ability to put “mark entire property” on a one call ticket which can result in large amounts of property (acres of land in some locations) being unnecessarily marked. Marking property that is not being excavated prohibits the locator from performing other necessary duties. This aligns with CGA Best Practice 3-14, 3-16, 3-20, 5-2 and 5-4.