

Pennsylvania One Call System, Inc.

FAQs for Act 287 as amended by Act 50

As a Project Owner who hires Subcontractors to excavate for my company will I be responsible to report their damage to an underground facility under the new Act?

Yes. If a project owner's contracted excavator strikes or damages a facility owner's line during excavation or demolition, the project owner is obligated to report this alleged violation within 10 business days.

How is the re-notification requirement in the new Act intended to be applied and is it different than the current re-notification action type? Can you provide an example?

Upon initial arrival at a work site, if an excavator finds an unmarked or incorrectly marked facility, they must call 811 to request to renotify the facility owner(s). The facility owner has two hours to make direct contact with the contact person on the ticket. Direct contact means a meeting at the work site, communicating by telephone, or contacting via FaceTime or Skype. Excavation can begin after the facility owner contacts the excavator directly, or three hours, whichever occurs first. The three hour renotify rule only applies for initial arrival at the work site when reporting an unmarked or an incorrectly marked facility. An excavator is required to dig with prudent techniques until finding the line.

Rules:

- The contact person on site must have their contact information on the ticket,
- The ticket is non-emergency, and
- The scope of ticket must match the work site where excavation will occur.

Will the newly created Damage Prevention Committee issue fines and if so what is the highest fine amount?

Section 7.8(b)(3) states the Damage Prevention Committee will "Issue an informal determination that imposes an administrative penalty." Section 7.10(b)(i) states that a person or entity violating this act may be subject to "an administrative penalty of not more than two thousand five hundred dollars (\$2,500) per violation". The Act also has a provision for issuing a penalty for death or injury between \$25,000 and \$50,000 dollars.

There is a requirement for Member Mapping in the new Act, what does that mean to companies who already have GIS systems, electronic records and robust ticket management systems?

Every member shall participate in the PA One Call System, Inc. "Member Mapping" application. The Pennsylvania One Call Board of Directors is responsible for developing a schedule for implementation for members who currently do not participate.

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Will there be any change in the scenario where I place a One Call notification for excavation and the sewer lines aren't marked?

When you arrive on site, if you notice an unmarked or incorrectly marked underground facility, please call 8-1-1 and request a 'Renotify'. The Facility owner(s) will have two hours to make direct contact with you. The excavator can also report the "no marks" to the one call system for DPC action.

Does the new law address the requirement for an Excavator to Update their One Call Ticket every 10 days if they are still working on a job site? It is extremely time consuming to respond and provides little value when nothing regarding the scope of work has changed.

The excavator is not required to call every ten business days on an active work site where the markings are preserved and the equipment has not moved off site for more than two business days. The ticket is valid as long as an excavator is working. An excavator does not have to update a ticket every ten business days to keep it active. The excavator can request the facilities to be marked again in the event the previous markings have been compromised or eliminated on an active work site. This requires a three business day notice.

Is there a definition of what is considered a Complex Project and what is required if my work triggers that scope of work?

A complex project is anything larger than a single notification, or any project designated as such by the excavator or facility owner, or any project that requires locates over an extended period of time. The Board of Directors has defined a single notification as "1000 feet, or intersection to intersection, whichever is greater, on the same street, in the same political subdivision". Projects that exceed this definition are considered complex.

If your work triggers a complex project, the excavator should place a complex project notification instead of a routine ticket, and follow the complex project ticket requirements to meet with facility owners, define a schedule for locates, and document their progress of the project in the Pennsylvania 811 Complex Project portal.

If while excavating I discover an incorrectly marked line what should I do?

Are you excavating within the Tolerance Zone? Did you find an incorrectly marked line when you arrived on site before excavation began, or well into your excavation job? In either case, call 8-1-1 to notify the facility owner of the incorrectly marked line. If you began excavation, the facility owner is not obligated to directly contact you within two hours.

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What is an Update to a One Call notification and when is it to be used?

An UPDATE Ticket:

- Assigns a new Serial Number and references the original Serial Number
- Resets the Lawful Start Dates to be 3-10 business days from the creation of the UPDATE ticket
- Has UPDATE in the banner section. The Remarks will indicate the serial number of the ticket being updated.
- It can be used when work has not started within the original lawful start date window, or when work is in progress.
- Indicates if the excavator needs the site to be remarked.

The PUC is responsible for One Call enforcement in the new Act, does this mean they will be stopping on job sites such as sewer, water and road construction to address violations?

As of March 26, 2018, it is unknown how the PUC will enforce the law. Pennsylvania 811 is waiting for guidance from the PUC. The PUC has indicated that they will be enforcing all sections of PA Act 287, as amended, including responsibilities by all named stakeholders. The PUC will primarily depend on entities filing an alleged violation report with the one call system, however, the PUC also has 26 engineers in the field who are trained on damage prevention issues and investigate underground facility damages for natural gas, hazardous liquid, electric, and water and sewer facilities.

How will I report damages and violations under the new Act?

Alleged Violations to PA Act 287, as amended will be reported through the One Call System. The person reporting will log in to www.paonecall.org and "Report an Alleged Violation" from the Enforcement section. The application will guide the reporting person through the process.

Are Design tickets required under the Act or optional?

Design tickets are required. Designer responsibilities were introduced in the One Call law in 1974 and have not changed.

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We often encounter privately owned underground facilities that are not marked when a One Call is placed, aren't the Owners of these lines required to be members of One Call?

Not always. A truly private line (such as a fuel line for a pool heater or an electrical line for patio lights) belong to the property owner. Lines connected to facilities before the meter (such as a gas, water, sewer, electric, communication service lines) are defined as an appurtenance to the main and must be marked.

Does milling the paved surface off a roadway require a One Call?

Milling is using powered equipment to disturb the earth and is not considered minor routine maintenance. Milling a paved surface of a roadway does require a One Call.

Minor routine maintenance (tarring and chipping, crack and joint sealing, patching the road surface, or drainage pipe, inlet and ditch cleaning) does not require a One Call when the depth measured from the highest point of the roadway is less than twenty four inches for a state highway or eighteen inches on a municipal roadway.

For final paving restoration PennDOT and many Municipalities require a saw cut edge, cutback area around an excavation that has temporary paving material which is then excavated to install the new macadam or concrete pave material, does this saw cut require a One Call?

Yes.

What should I do when I receive multiple Excavation tickets involving 10 city blocks of work?

By definition, this example is considered a Complex project. The facility owner has the option of declaring a project complex.