

# OULDPC | MINUTES

SEPTEMBER 4, 2019

1:00 – 3:00

GEORGE J. IGEL COMPANY

## ATTENDEES:

Bryon Bedel, GCWW Construction Inspection  
Tony Brigano, Hicks Partners for Spectra Energy  
Greg Bennett, Byers, Minton & Associates  
Michael Beirne, American Municipal Power  
Forrest Cash, Barrett Paving  
Pete Chace, PUCO  
Jon Culbreath, Kinder Morgan  
Gilan Emam, OHIO811  
Greg First, Conie Construction Company  
George Gillespie, OHIO811  
Robert Gropp, Kinder Morgan  
Deborah Harris, American Electric Power  
Melvin Henson, USIC  
Joe Igel (through OCA)  
Kris Klaus, Ohio Home Builders Association  
Jeff Kursman, OHIO811  
Kristopher Lankford, Overland Contracting  
Roger Lipscomb, OHIO811  
Mary Logan So, George J. Igel Company, Inc.  
David Losinski, American Electric Power

Alice Miller, OHIO811  
Vita Moore, FirstEnergy Corp.  
Alex McCan, Shelly and Sands  
Jim Mander, Dominion Energy  
Seamus Mulligan, the Energy Coop  
Kimberly Madden, FirstEnergy Corp  
Mark Niehe, Greater Cincinnati Water Works  
Regan Noble, Enterprise Products  
Darren Owens, City of Lebanon  
Mark Potnick, Ohio Contractors Association  
Jennifer Reams, Infrastructure Compliance Concepts  
Mark Ritter, Marathon Petroleum Company  
Steve Schafer, FirstEnergy Corp.  
Les Schell, Kinder Morgan  
Kevin Schimming, City of Columbus  
Adam Schwiebert, County Commissioners Associations  
Jimmy Stewart, Ohio Gas Association  
Briant Thomas, AT&T  
Neil Tunison, Warren County Engineers  
Lori Wade, Columbia Gas of Ohio

## AGENDA TOPICS

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### I. Welcome

Joe Igel, Chair, opened the meeting at 1:02 and thanked everyone for attending; he also thanked George J. Igel Company for the use of the meeting room. Introductions were made. Ed Hammond, from George J. Igel Company, shared emergency protocol procedures.

### II. Administrative

Minutes from the April 2019 meeting were approved.

### III. New Business

Joe restated the role of the subcommittees and discussion groups formed at the April meeting: subcommittees will discuss the assigned topics and, if feasible, craft language that may be submitted this legislative term, while discussion groups will discuss the topic at hand and begin work on forming a consensus in order to craft language in the future.

## Subcommittee Reports:

**Exemptions**    Presenter:    Darren Owens

This Subcommittee had three conference calls since the April 30th OUDPC meeting. Darren noted that the Subcommittee is only looking at the exemption pertaining to governmental agencies. The group is gathering information pertaining to excavation work currently being completed that could fall into this category. It is reviewing a proposed exemption list that was created in 2017. The Municipal League and the Township Associations representatives will provide feedback regarding items on the 2017 proposed exemption list during the next Subcommittee conference call which is scheduled for October 24<sup>th</sup> at 10.00 a.m.

*Discussion:* Joe Igel asked Darren if he believes that the group will have crafted language that could be presented to the Legislative Services Commission within six months. Darren confirmed that group discussions will continue and hopefully proposed language will be ready within six months

*Next Steps:* The Subcommittee will continue its work and inform the OUDPC of its progress at the next meeting.

**Large Project / Scope of Ticket, Life of a Ticket**                      Presenter:    Kevin Schimming

This Subcommittee had two face-to-face meetings since the April 30<sup>th</sup> OUDPC meeting. Members will continue to discuss why large/complex projects are important to address within legislation. They typically are highly complex and require significant collaboration, and human and financial resources. In cases where these projects are not efficiently and effectively planned, contractors may experience more downtime and delays, utilities may be damaged, and public safety may be at risk. Kevin pointed out that the term "large project" can refer to a project that is complex in nature as well as large geographical size.

*Discussion, Large Project:* The Subcommittee's current goal is to create a definition of large/complex projects. The components agreed upon by the subcommittee are; the complexity of excavation and locating, site condition, number of utility conflicts, duration of the project, and geographical size. The group discussed a mechanism to determine if a ticket is a large/complex project ticket: when an excavation notice is provided to Ohio811, and the ticket is distributed to stakeholders, any of the stakeholders receiving a ticket may flag it as a large/complex project by contacting the excavator within the first 24 hours. Within 48 hours, a phone call or a meeting will be scheduled during a mutually agreeable upon time – it needs to take place within 10 days. If requested, the excavator will provide detailed information regarding the project such as intended depth, equipment to be used, etc. The subcommittee is also discussing how to make this process work within a reasonable time frame, and how to make sure that nobody abuses the process.

*Scope of a Ticket:* The Subcommittee is discussing what limits should determine the scope of a ticket. Options include: a ticket within incorporated area of 500 ft. and unincorporated area of 1500 ft. Kevin noted that the scope will fall somewhere between ¼ - ½ mile.

*White Lining:* The Subcommittee is also discussing how white lining may affect the scope of a ticket. That is, should a locator mark only where the white lining is and any adjacent area identified on a ticket, or are they required to mark the entire (larger area identify within a ticket). Rogers Lipscomb noted that with regard to locating facilities, when white lining is involved, it should be defined legally.

*Ticket life:* The committee discuss the life of a ticket and has considered a time frame of between 20-30 days. Joe suggested that the life of a ticket should be clearly defined. A question presented: If after three days from calling Ohio811, another ticket is created for the same area, will the original ticket be voided?

Rogers noted that if the project started within 10 days, and the marks are still visible, then the original ticket is still valid.

*Next Steps:* The Subcommittees will continue their work and inform the OUDPC of their progress at the next meeting, Thursday, November 7<sup>th</sup>.

#### Discussion Group Reports:

**Training**      Presenter:      Kevin Schimming

This Discussion Group had three conference calls since the April 30<sup>th</sup> OUDPC meeting. The primary goal of this group is to review and, if needed, improve the current language in order to enhance safety among all stakeholders. Topics discussed include groups that need training, what that training should consist of, frequency of training, and who may provide the training.

*Discussion:* Roger noted some, more definitive language, should be written. Kevin Schimming encouraged others to join the group. Anyone who wants to join the group, contact Alice Miller at [alicem@oups.org](mailto:alicem@oups.org).

*Next Steps:* The Discussion Group will continue its work and inform the OUDPC of its progress at the next meeting, Thursday, November 7<sup>th</sup>.

**Abandoned Lines**      Presenter:      Kristopher Lankford

This Discussion Group had three conference calls since the April 30<sup>th</sup> OUDPC meeting. The group continues to look at the problems involving abandoned lines: the identification of the lines, whether the lines have been completely purged, are they identified on a GIS or other mapping system, and what actions should be taken when an abandoned facility is discovered. At least 16 states have some language in place, but there is little uniformity.

A survey was distributed during August to more than 1,100 facility owners within Ohio, they have until September 27<sup>th</sup> to respond to the survey. The results will be discussed on the next conference call scheduled for October 24<sup>th</sup> from 10:00-11:00 a.m.

*Discussion:* Joe Igel noted the importance of this issue, due to its widespread impact while excavating. Roger noted that it is an issue that is also being addressed nationally.

*Next Steps:* The Discussion Group will continue its work and inform the OUDPC of its progress at the next meeting, Thursday, November 7<sup>th</sup>.

**48-Hours**      Presenter:      Johnny Henson

This Discussion Group had two conference calls since the April 30<sup>th</sup> OUDPC meeting. Discussions included how a 48-hour notice, not including the day of the call, would improve the ability of locators to mark facilities within the allotted time frame.

*Discussion:* Johnny pointed out that the 48-Hour Discussion Group has decided to suspend its work until crafting and passing such language becomes more feasible.

#### Open Discussion General:

*Next steps:* Joe proposed that language be crafted and submitted to the Legislative Services Commission by next year, and final language be presented by May 1<sup>st</sup>, 2020.

## Action items

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Subcommittees and Discussion Groups will continue their work and report to the OUDPC at the next meeting.

If anyone is interested in joining a Subcommittee/Discussion Group conference call or face-to-face meeting, they will be able to find the scheduled meetings on the [OUPS/OU DPC](#) Page. If you plan to participate please contact Alice Miller at [alicem@oups.org](mailto:alicem@oups.org) for details.

Notes from each Subcommittee and Discussion Group conference call or meeting may also be found at <http://www.oups.org/legislative-coalition>.

## Next Meeting

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Wednesday, November 7th, 1:00 – 3:00

George J. Igel Company

3500 Alum Creek Drive, Columbus

Submitted By: Gilan Emam and Alice Miller, September 12, 2019