

ADVISORY COMMITTEE POLICIES

17. The following applies to the use of air knives and high pressure boring equipment using water to dig around existing underground utility lines:
- a. Air knives which use air pressure not exceeding 140 psig to break up soils or earth may be used for hand digging around existing underground utility lines.
 - b. Boring equipment using water at pressures not exceeding 3500 psig to break up soils or earth may be used for boring in close proximity (less than 24 inches) to existing underground utility lines. The schedule 40 PVC casing kept in place as part of this process may qualify as a “shield” should the newly installed facility rest less than 12 inches from existing underground utility lines.
 - c. The reasonableness of any actions resulting in any damage to underground utility lines involving the use of air knives or high pressure boring equipment using water will be determined by the Advisory Committee after considering the specific facts of each case.

(November 8, 2005)

18. From time to time, it is necessary for utility contractors to cover up the end of a utility line they are constructing overnight, during the weekend, or during a holiday due to safety and/or permit requirements. To continue the construction of the utility line the next working day, the contractor needs to expose the end of the facility temporarily covered up. The following applies to this practice:

- a. Mechanized equipment may be used to uncover the end of a utility line temporarily covered up if:
 - (i) The line is not in operation;
 - (ii) Uncovering of the utility line is performed by the contractor constructing the utility line;
 - (iii) The utility operator is aware of this practice and does not object to it; and
 - (iv) Any damage that compromises the integrity of the facility is repaired before continuing the construction of the utility line. Such repair activities must be noted on “as-builts” associated with the project.

(January 10, 2006)

19. The Advisory Committee strongly encourages an operator to appear with its contract locator before the Committee when the contract locator requests an informal conference to review a report involving that operator’s facility.

(August 5, 2008)

20. If an excavator has a demonstrated history of failing to adequately respond to the Commission Staff's Notice of Investigation and Notice of Probable Violation letters, or the Commission's Orders including a Rule to Show Cause, the Board for Contractor's ("Board") representative may report to the Board such an excavator and request an investigation and appropriate enforcement action. The Commission Staff shall provide to the Board information it has regarding that excavator to assist the Board in its investigation.

(April 6, 2010)

21. The following applies to Jack and Bore Excavation:

1. When performing jack and bore excavation, the excavator shall take all reasonable steps necessary to protect all underground utility lines.
2. The excavator shall ensure that all personnel are trained and knowledgeable regarding the Act and the Commission's Rules for Enforcement of the Act.
3. All jack and bore excavations shall be engineered by a Virginia licensed engineering firm.
4. The excavator shall verify the location and depth of all underground utility lines within the bore path by means of hand or soft excavation methods. This may be accomplished by the use of Subsurface Utility Engineering (SUE).
5. Utility operators having utility lines in the excavation area shall be included in the preplanning and engineering phase of the project involving the jack and bore excavation.
6. If there is any deviation in the approved bore bath due to complications during the excavation process, the excavator shall contact the engineering firm for approval before excavation continues.
7. The excavator shall use jack and bore equipment that incorporates a leveling and guidance system to ensure accuracy in the direction of the bore.
8. The excavator shall not install a casing within two feet of any underground utility line.

(June 12, 2013)

22. When conducting an open trench excavation not parallel to utility markings, the excavation exceeds four (4) feet in depth, and the excavator does not find the utility line, the excavator must first comply with the provisions of § 56-265.24 C and § 56-265.17 C. When providing the additional notice, the excavator will inform the notification center of the details of the crossing. It shall then be considered that the excavator has taken reasonable care to avoid damage to an underground utility line if the excavator hand digs two (2) feet on either side of the marked location of the existing utility line to a depth of two (2) feet below the final depth of the excavation and does not find the utility line.

Upon receipt of the excavator's additional notice under § 56-265.24 C, the notification center shall transmit the notice to the member utilities or their contract locators. In addition, the notification center will provide a separate notice containing the details of the crossing of any natural gas, hazardous liquid or critical facility as specified by Positive Response Code 70 directly to the affected utility operator(s). Operators and their contract locators will respond in accordance with § 56-265.17 C.

(October 1, 2013)

23. The following applies to Maximum Depth Guidelines for Installing Utility lines:

1. Operators shall establish maximum depths from final grade for installations of their underground utility lines. The depth shall not exceed 10 feet unless the utility line is being installed under railroad crossings, river crossings, bridge abutments, other major underground obstacles or the underground utility line is required to be installed deeper than 10 feet by VDOT, a local government, or other governmental authority.
2. When an underground utility line is installed deeper than 10 feet, the operator shall:
 - a. Document the depth and the reason for the depth exceeding 10 feet.
 - b. Ensure the locatability of the underground utility line by verifying the approximate location after installation is complete.
 - c. Utilize available technologies such as Radio Frequency Identification ("R.F.I.D.") devices.
 - d. Prepare and maintain an accurate record of the line.
 - e. The records of the deep underground utility lines shall be made available to the operator's locator and for planning future work in the area.

(July 9, 2013)

24. The following may assist the excavator in protecting and preserving utility line location markings during the excavation process.

Excavator's Responsibilities:

1. Excavators shall plan their work in proper phases to avoid destroying utility line location markings caused by excavation activity, vehicle traffic, spoil piles, etc.
2. The competent person or supervisor shall document all markings prior to excavation or demolition.
 - a. Create a manifest that is supported by pictures as well as video if possible.
 - b. Review the documentation with all personnel that are unfamiliar with the site or at any time work begins in a new area of the site.
3. If possible avoid driving equipment and vehicles over the markings during everyday excavation activities.
4. Avoid covering the markings with spoil piles from test holes, trenches, etc.

5. Utilize White paint to circle existing locate marks. As the locate marks begin to fade, white paint can be refreshed by the excavator. Once locate marks fade to a point where they are no longer legible, the excavator shall call for a remark.
6. Request the proper means of marking based on the terrain and site conditions and the type and extent of the proposed excavation.

Operator/Contract Locator's Responsibilities:

1. For certain circumstances such as new construction or high traffic areas, operators or their contract locators are to use permanent or semi-permanent markers. These may include but are not limited to, semi-permanent marker posts, whiskers, stake chasers, soil markers, pavement markers and pavement decals.

(February 4, 2014)

25. The following may assist the excavator in the support and protection of exposed utility lines during the excavation process.

1. The competent person, supervisor, and all employees involved with the excavation must be knowledgeable with the requirements of the Virginia Underground Utility Damage Prevention Act, The Commission's Rules and the Virginia Underground Utility Marking Standards.
2. Shoring must be placed with all reasonable care to avoid damaging utilities in the excavation area.
3. The excavator shall monitor the shoring and soil conditions including any water intrusion into the excavation pit that may compromise the proper protection and support of any exposed utilities.
4. If a support structure is needed to properly protect and support the exposed utility lines, the excavator shall consider the following:
 - a. Timbers or other suitable means should span the trench in a perpendicular manner.
 - b. The support structure should span a reasonable distance past the trench openings on either side to ensure a stable platform for the support structure.
 - c. The utility line should be supported by a means of a non-marring or padded surface to prevent marring, cutting, chipping or gouging of the exposed utility line or appurtenances.
 - d. The support structure should protect the utility from experiencing sagging, pulling, pushing or disjoints that would be caused by its exposure and excavation activities.
5. In the case of prolonged exposure of facilities for ongoing excavations, the contractor shall contact the operator for any special methods of support and protection that the operator deems appropriate and implement the agreed upon methods.
6. The excavator shall contact the operator for guidance whenever there is any question relative to the proper protection and support of an exposed utility line.

(February 4, 2014)

26. The Advisory Committee strongly encourages the Operators and Contractors to follow these guidelines to help improve underground utility damage prevention in the Commonwealth.

Operators

1. Operators shall ensure that their appropriate personnel and all contractors and subcontractors performing excavation on behalf of the operator, have successfully completed the VA811 computer based training program or an equivalent training program approved by the Damage Prevention Advisory Committee.
2. Operators shall develop and utilize a QA/QC plan to inspect active and completed excavations conducted on their behalf. Such a plan shall include procedures for conducting effective field inspections to determine compliance with the Virginia Underground Utility Damage Prevention Act and the Commission's Rules for Enforcement of the Act and shall require the remediation of any discovered lack of compliance. Inspections shall be documented by the operator.
3. Operators shall approve the use of all subcontractors working on their behalf.
4. Operators shall ensure that all contractors and subcontractors performing excavation on their behalf are appropriately licensed as required by the Commonwealth of Virginia.

Contractors

1. Contractors shall ensure that their appropriate personnel and all of their subcontractors performing excavation to install underground utility lines, have successfully completed the VA811 computer based training program or an equivalent training program approved by the Damage Prevention Advisory Committee.
2. These contractors shall develop and utilize a QA/QC plan to inspect active and completed excavations conducted on their behalf. Such a plan shall include procedures for conducting effective field inspections to determine compliance with the Virginia Underground Utility Damage Prevention Act and the Commission's Rules for Enforcement of the Act and shall require the remediation of any discovered lack of compliance. Inspections shall be documented by the contractor.
3. These contractors shall approve the use of all subcontractors and their subs performing excavation to install underground utility lines.
4. These contractors shall ensure that all subcontractors performing excavation on their behalf are appropriately licensed as required by the Commonwealth of Virginia.

(July 8, 2014)

27. (This policy was repealed by the Advisory Committee on April 2, 2019)
28. In addition to the best practices in Virginia’s Underground Utility Marking Standards Booklet, the Advisory Committee strongly encourages locators to use the following best practices to prepare the manifests of their locates:
- A north facing arrow should be included in all manifests.
 - The closest cross street should be included, if practical, on all manifests to establish orientation.
 - Documenting the line size is important but should not clutter the manifest.
 - GPS, time, and date stamps should be used, if available.
 - A photograph showing the best representation of the utility marks covered in the completed manifest should be attached, unless photography is prohibited by law.
 - Standardized abbreviations for “tie down” or other notable locations should be used to reduce confusion among all stakeholders.

(Revised April 2, 2019)

29. When an operator is changing contract locators, the Advisory Committee strongly encourages the following best practices be used to help a smooth transition:

1. The operator shall ensure that the new contract locate company is trained on Virginia law and the Commission Rules.
2. The operator shall set the terms, timelines and accountability for both the incoming and outgoing contract locator. The operator shall remain involved in the process until transition completion and conduct follow-up meetings with the parties involved, as necessary.
3. The operator and contract locators shall inform VA811 and the SCC Staff in advance of a transition (timelines and accountability).
4. The cutover from one contract to the next should occur at 7:00 a.m. during normal business hours so that parties involved can respond to issues as they arise.
5. Transitions should be as short as possible depending on the operator’s ticket volume. However, if the operator has a large ticket volume or operates in various parts of the state, the transition should be staggered in phases.
6. The operator shall monitor staffing of the outgoing and incoming contractors to ensure sufficient staffing for a smooth transition.
7. If practical, the operator should attempt to transition during non-peak excavation periods (December – February).
8. The operator shall involve the VA811 as early as possible to ensure terminal codes are established and tickets are going to the proper locate company.
9. All appropriate stakeholders should be made aware of transitions and cutover dates through VA811, LDPC meetings and other venues.

(June 2016)

30. The Advisory Committee strongly encourages the following minimum public outreach best practices be used by operators in preparing their public awareness program required by § 56-265.16:1 E:

- Have a written formal outreach plan for the operator's target audiences.
- Ensure that the message is consistent with the statewide message.
- At a minimum, conduct public outreach utilizing 3 of the following methods:
 - Brochure distribution.
 - "Call 811, Dig with C.A.R.E." bumper stickers on company vehicles.
 - "Call 811, Dig with C.A.R.E." decals on work equipment (excavator to hard hats).
 - Utilize "Call 811, Dig with C.A.R.E." logos with safety educational materials (internal/external documents).
 - Provide a link to VA811's website on company website.

(June 2016)

31. If an excavator has been contracted to perform soft digging excavation as defined in § 56-265.15, the following conditions would constitute reasonable care and would not require notification prior to excavation.

- 1) The excavator is working for a person with a valid ticket and locate marks are legible for safe excavation near the underground utility lines.
- 2) The person with the valid ticket must directly supervise the excavator performing the soft digging excavation.
- 3) The soft digging excavation must be documented to include: date, time, underground utility lines exposed, type of equipment, name of equipment operator and name of person supervising the excavation.
- 4) The person with the valid ticket, supervising the excavation, will assume responsibility for any damage/violation resulting from the soft digging excavation.
- 5) If the excavator performing the soft digging excavation cannot meet the requirements of this policy, the excavator must comply with the provisions of § 56-265.17 A.

(July 2016)

32. If a probable violator fails to adequately respond to communication from Commission Staff, the Staff may increase the proposed penalty recommended to the Advisory Committee by maximizing the “culpability” and “other” factors of the civil penalty matrix.

(October 2016)

33. If a probable violator has maximum history of failing to notify the notification center (17A) or has a history of notifying the notification center but fails to do so, the Staff may increase the proposed penalty recommended to the Advisory Committee by maximizing the “culpability” and “other” factors of the civil penalty matrix.

(December 2016)