California Underground Facilities Safe Excavation Board
("Dig Safe Board")

May 13, 2019

Agenda Item No. 3 (Information Item) – Staff Report

Discussion on the 2019 Spring Open Forum

Presenter:
Kerstin Lock Tomlinson, Education and Outreach Officer

Background:
According to Dig Safe Board Policy B-04, "The actions and decisions of Dig Safe Board members and staff will be guided and informed by their commitments to… a culture of continuous learning based on the development and free exchange of safety information."[1] The Board's annual Spring Open Forum is an effort to allow for the free exchange of safety information, by giving the Board's diverse stakeholders an opportunity to discuss their issues outside of the Board's rigorous work to meet specific milestones in order to achieve its legislative requirements. In March, the Board's second annual Spring Open Forum began, and stakeholders were asked to share their feedback on the following issues:

- What are the big industry issues the Board needs to address?
- Where would you like the Board to focus its education efforts?
- Do you have any questions or concerns about everyday work practices like how to handle delayed start times or what to do if you don't receive a response from an operator?

The questions asked of stakeholders were designed to gather information that could help guide the Board's work in the future, once its legislative deadlines were met. [2]

The Spring Open Forum opened March 19, 2019 and closed on May 1, 2019. During that time, the forum was advertised on the Dig Safe Board website, and a link to the open forum was sent via email to individuals who expressed an interest in being notified of Board activities. The Open Forum was also advertised through a flyer at the Board's April meeting in Corona and the Reasonable Care Standards Workshop in Sacramento, and

[1] A full version of the Dig Safe Board's Values (Policy B-04) can be found online at http://digsafe.fire.ca.gov

[2] To meet its legislative requirements, the Board has identified the following milestones: begin investigations in early 2019, establish a funding source by July 1, 2019, develop regulations for minimum standards in areas of continual excavation by January 1, 2020 (GOV 4216.11), begin enforcement of Board-jurisdictional actors by July 1, 2020 (GOV 4216.6), and develop regulations for power tool use to find subsurface installations by July 1, 2020 (GOV 4216.4)

through outreach at the DigAlert Annual meeting in Corona, the Pipeline Safety Conference in Long Beach, the Sacramento Regional Builders Exchange and the CARCGA Mock Strike at Consumes River College in Sacramento.

Discussion:
The Board received five Spring Open Forum entries. Issues discussed range from questions about everyday work practices like legal start times, requirements for marking, and concerns over lack of education about Underground Service Alert (USA) Ticket requirements, to comments about the Board's implementation of Assembly Bill 1914. The feedback received during the Spring Open Forum are detailed below in the order in which they were received:

March 20, 2019

> "I oversee the Dig Safe Program inside the San Jose-Santa Clara Regional Wastewater Facility. We are located on 4.5 square miles of land in the north part of San Jose. We are undergoing a $1 billion, 20 year, rebuild for our facility. This means digging and construction everywhere on our property. Despite being a utility operator, we are considered, under 4216.1(o), to be exempt from having to call 811 before we dig. Fortunately, we make our contractors call 811 anyway. In addition, we have an aggressive dig safe program in place. I would like to see a change to 4216.1(o) to no longer exempt certain "operators" from calling 811. An operator should be defined as anyone who owns a buried utility no matter if they exclusively serve that property. A hit to a buried utility that is exclusively located on a property can cause just as much damage to a surrounding community as one that is not. Exactly, what was the reason for this exemption?"
>
> -Tim Hayes, San Jose-Santa Clara Regional Wastewater Facility

March 26, 2019

> "As you can see in the two attachments *(see attachments 1.1 & 1.2)*, USA North changed their website to match USA South. While I can understand their reasoning, the execution causes a couple of problems. In their changing, they eliminated the option of EXTENDING a ticket, that is keeping the ticket open without requesting remarks or, to be honest, any action from anyone. The extend button was replaced with the RENEWAL button. Prior to this change, extending a ticket, pushed the end date out 28 days and did nothing else, RENEWING a ticket generated a new ticket number, as you only RENEWED a ticket when six months had passed. Since the change, the ONLY option is to RENEW each active ticket every month. This is problematic because RENEW and EXTEND have always had separate and distinct meanings. This problem is compounded because USA North sends an automated response any time any action is taken on a ticket and in the response for renewed tickets, the phrase "LEGAL START DATE" appears and is three days out, as if a new ticket was called in, with that wording in place are we required to STOP WORK until that start date has passed? I was assured by USA North that that LEGAL START DATE does not prevent us from working. This issue MUST be cleared up immediately or you will have thousands of contractors in violation for working as we always have been able to after extending a ticket."
>
> -Don Simpson, Jerry's Trenching Service

March 27, 2019

"As a gas foreman for PG&E, limiting the use of a vital tool is detrimental to the well-being and production of our work force. Having limited use of a newly deemed power tool will increase body injuries (i.e.) hands shoulders etc... I understand that this change was to be in compliance with California laws and has safety at its core, but I believe that it comes with potentially more hazards than it's meant to mitigate. Not to mention the decline of production due to this limitation."

-David Guardino, PG&E

April 2, 2019

"When a safety issue arises in our company I like to feel that safety is every employee's business. I tell all Stomper employees that they are safety officers of Stomper. Stomper employees have to buy into a safety culture that they create. So, last week when I was asked to get a couple of bids for some wood fence approximately 150' in a residential area of Newark, CA for the owners of Stomper, I was confused when I awarded the job to a fence company and asked if they USA. Their response was it wasn't needed. I told them it was the law. They respectfully replied 'if you want it we will get a USA.' I was protecting Stomper's interest in asking for a USA. So, I am wondering with safety cultures being so important to me, why was a fence company who digs holes all day having to be trained by me a demolition guy? My response to my clients when asked if we need to USA is 'if you want to put roses in your front yard... USA.'"

-Dan, Stomper Company Inc.

April 4, 2019

"First off, thank you for recognizing LADWP's concerns and support for some of the changes to AB 1914. I can only speak to the area of my expertise which was gained in the City of Los Angeles over the last 32 years as a backhoe operator, a crew foreman, a senior foreman and now the Manager of the Power Underground Conduit Construction Group. We at LADWP are very unique, we are a Utility Operator, an Excavator and a Locator of our Water & Power Assets. As a Utility Operator, we encase our High Voltage assets, and natural soil or slurry back-fill our secondary voltage (house current) and Water assets. Both Water and Power Divisions have training practices which have given our employees the skills to gain access to our underground facilities. We are comfortable with using a 35 LBS. Clay Spade with a minimum of a 5.5-inch blade on the digging gad to locate our substructures along with hand tools. But never a pick or digging bar. We hand excavate with shovels to locate other utilities per 4216.4 of the Government Code. We in the Power System have for years conducted an annual "Chipping School' which again gave our employees the skills to chip concrete from our encased electrical assets to gain access to our conduit system. We have strict protocols to conduct such work and only allow our trained LADWP personnel to undertake this work practice. Our employee's safety, and that of the public in which we serve is our highest safety priority. So in regards to AB 1914 we at LADWP would be comfortable with the use of a Clay Spade as described previously within the two-foot tolerance zone as long as an "excavator" has gained some level of verifiable safe excavation training. However, when it comes to directional boring LADWP's assets have been compromised by the Excavators who felt they were "deep enough", and did not pot hole correctly and drilled right through energized duct lines and underground vaults causing service interruptions and

thousands of dollars of damages to our system. So, as a Utility Operator we are against the practice of not locating substructures before directional boring. As a Utility Excavator, as stated above we are comfortable with using a Clay Spade to gain access to our facilities, and would like to see that explored for prospecting for other utilities in the two-foot tolerance zone. We feel that we have the training expertise over the decades to pass on to our current and new employees the skill set that we use to locate and expose our facilities. LADWP does not currently conduct directional boring operations. But in the future if we would, from our experience we would make the pot holing of subsurface installations part of our work practice before boring. As a Locator, we have two Underground Service Alert (USA) Operations Offices, one in Metro Los Angeles, and one in the San Fernando Valley of the City of Los Angeles. Our USA ticket counts are almost doubled in the Metro area so we staff accordingly. Our management mechanism consists of a senior foreman who manages the construction activity in that particular district as well as the USA operations. An A level foreman supervises the USA desk with assistance from an electrical craft helper. They pull the tickets, maps and drawings for our field locators, who take these work packages into the field to locate and mark our facilities. Our locators are Senior Level Workers, eight (8) in Metro and four (4) in the Valley. We are trying to incorporate more technology with smart devices but have had some issues due to the terrain of our city. In conclusion, the Los Angeles Department of Water & Power is the largest Municipal Utility in the United States. We have been a long-time leader in our industry, and continue to contribute and share our expertise with other utilities. I hope that the Board will consider some of but not all of the changes from AB 1914 form some of the experience I have shared in this text. Thank you."

-Fraser Campbell, Los Angeles Department of Water and Power

Attachments:

1.1-Legal Start Date Ticket Example

1.2-Renewal vs. Extension Ticket Example

Attachment 1.1: Legal Start Date Ticket Example

D. Simpson

From: notification@usan.org
Sent: Monday, March 25, 2019 5:39 AM
To: doncsimpson26@gmail.com
Subject: USA North 811 Confirmation for Ticket X906001937-01X

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EMLCFM 00098X USAN 03/25/19 05:38:56 X906001937-01X RNEW NORM POLY LREQ

Ticket: X906001937 Rev: 01X Created: 03/25/19 05:38 User: IDS298580 Chan: WEB

Work Start: 03/05/19 17:01 Legal Start: 03/27/19 17:01 Expires: 04/22/19 23:59
Response required: N Priority: 3

Excavator Information
Company: JERRY'S TRENCHING
Co Addr: 3096 W.BELMONT AVE
City    : FRESNO                        State: CA Zip: 93722
Created By: DON SIMPSON                    Language: ENGLISH
Office Phone: 559-275-1520        SMS/Cell:
Office Email: drillforjerrys@gmail.com

Site Contact: DON SIMPSON
Site Phone: 559-618-1982          Site SMS/Cell:
Site Email: doncsimpson26@gmail.com

Excavation Area
State: CA County: MADERA          Place: MADERA /U
Zip: 93638
Location: Address/Street: AVE 14 1/2
        : X/St1: ROAD 28
        :
        : FROM NE CORNER AVE 14 1/2 ALSO KNOWN AS SUNRISE AVE AND ROAD 28 ALSO
        : KNOWN AS TOZER ST GO N 350' ON E SIDE ROAD 28
        : FROM SAME BEGIN POINT GO S 500' ON E SIDE RD 28 FROM SAME BEGIN POINT
        : GO W 360' ON N SIDE AVE 14 1/2 FROM SAME BEGIN POINT GO E 400' ON N
        : SIDE AVE 14 1/2 INCLUDE 25' BACK FROM EDGE OF PAVEMENT ALL DISTANCES

Delineated Method: WHITE PAINT
Work Type: DIRECTIONAL BORING COM CONDUIT
Work For : AT&T
Permit:                                Job/Work order: 4012-19
1 Year: N Boring: D Street/Sidewalk: Y Vacuum: Y Explosives: N

Lat/Long
Center Generated (NAD83): 36.962031/-120.037594 36.959819/-120.035396
                        : 36.959800/-120.039840 36.957588/-120.037643
Excavator Provided:

Map link:
https://newtin.usan.org/newtinweb/map_tkt.nap?TRG=48TeJjCiCp3uvuQ-N

Comments:

EAST OF ROAD 28 MARKED WITH WHITE WHISKERS
**RENEW TICKET** WORK CONTINUING PER DON SIMPSON--03/25/2019 05:38:34 AM

Members:
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1

Attachment 1.2: Renewal vs. Extension Ticket Example

