

2009 State Damage Prevention Program Grants Progress Report
Funding Opportunity Number: DTPH56-09-SN-0001
CFDA Number: 20.720

Award Number: DTPH56-09-SN-001
Project Title: Indiana 811 State Damage Prevention
Date Submitted: December 31, 2009
Submitted by: Daniel J. Meiners, Indiana 811

Specific Objective(s) of the Agreement

1. Continue its excavation quality control program and outreach program to strengthen the Regional Common Ground Alliance.
2. Support a legislative effort, proposed by Indiana 811's Legislative Committee in conjunction with the Indiana Energy Association, by sponsoring stakeholder meetings to discuss proposed changes to the call before you dig law and/or developing educational materials related to the proposed changes. The legislative effort consists of proposed changes to the call before you dig law in Indiana that could be introduced into the 2009 Indiana State Legislative session. Key changes to IC 8-1-26 are related to the establishment of a seven (7) member Underground Protection Advisory Committee that would oversee an enforcement program.
3. Provide Indiana 811 members with a marketing tool box that can be used to promote a consistent message on 811 and the "Call Before You Dig" process. Member utilities and stakeholders will be able to track their efforts on the existing web based tool (www.onecallmaps.org) provided by Indiana 811. In addition, Indiana 811 will acknowledge public education efforts in their quarterly newsletter.
4. Develop a web-based portal that will be used to provide interactive web-based training that emphasizes Common Ground Alliance best practices. The portal will be developed with a tiered set of training lessons that will start with the basics and increase in difficulty as a trainee progresses through the course. Once a trainee has completed the entire course, he/she will receive a printable certificate as proof of successful completion of the training.
5. Sponsor four (4) quarterly stakeholder events designed to foster the Regional Common Ground Alliance in Indiana.

Workscope

Under the terms of this agreement, the Grantee will address the following elements listed in 49 USC §60134 through the actions it has specified in its Application.

- *Element (2):* A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program.
- *Element (4):* Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the one call center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators.

- *Element (5):* A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities.
- *Element (6):* A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues.
- *Element (7):* Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.

Accomplishments for this period (Item 1 under Section 9.01 Progress Report: “A comparison of actual accomplishments to the objectives established for the period.”)

Objective 1 – Site Visit Quality Control

The field agent assigned to the SDPP project in Indiana continues to make dig site inspections. In addition, one of our main goals has been to establish Regional Damage Prevention Councils (RDPC) in the State of Indiana. On November 4th, 2009, a meeting was held at Indiana 811 to establish the first RDPC in Central Indiana. Additional information regarding Objective 1 is covered under the “Quantifiable Metrics/Measures of Effectiveness” portion of the report.

Objective 2 – Legislative Efforts

In 2009 Indiana 811 was successful in having major revisions made to the law (IC 8-1-26), especially with regards to damage prevention, establishment of an Advisory Committee to oversee enforcement and civil penalties for not becoming a member of the organization. A complete copy of the revised law is attached for your review (Attachment A). Additional information regarding Objective 2 is covered under the “Quantifiable Metrics/Measures of Effectiveness” portion of the report.

Objective 3 – Member Toolkit

In conjunction with MGH Advertising and Public Relations, the first phase of material for the Member Toolkit has been developed and is available for downloading by all stakeholders at the Indiana 811 website <http://www.indiana811.org/toolkit.php>. The Member Toolkit continues to be a work in progress and will be expanded upon as new material is identified. Additional information regarding Objective 3 is covered under the “Quantifiable Metrics/Measures of Effectiveness” portion of the report.

Objective 4 – Web Training Portal

Efforts have begun to develop a tier based interactive web training and certification portal. A preliminary outline for the training modules, as well as a timeline for completing this project are attached (Attachment B). Additional information regarding Objective 4 is covered under the “Quantifiable Metrics/Measures of Effectiveness” portion of the report.

Objective 5 – Damage Prevention Stakeholder Events

As mentioned under Objective 1, one of our main goals has been to establish Regional Damage Prevention Councils (RDPC). To date, the newly established RDPC of Central Indiana has held two meetings at the Indiana 811 facility. During the first and second quarters of 2010, we will continue to host meetings for the new RDPC, and also hold meetings in Northern and Southern Indiana to discuss the establishment of RDPC's in those areas. Additional information regarding Objective 5 is covered under the “Quantifiable Metrics/Measures of Effectiveness” portion of the report.

Quantifiable Metrics/Measures of Effectiveness (Item 2 under Section 9.01 Project Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)

Objective 1 – Site Visit Quality Control

One of the major goals of this program has been to gather information on the performance of the call center and the locators. This has been on-going since June of 2008. During the life of the project, over 1,300 site inspections have been conducted, and over 300 follow-up visits have been conducted in an eight (8) county area. The results of these visits can be accessed and downloaded at www.onecallmaps.org. In addition, Attachment H contains the slide presentation that the field agent utilizes to explain the SDPP program and how the information is captured on a website portal. Our field agent will continue to conduct site visits and report his findings.

The second phase of the project is now being implemented, which is the establishment of Regional Damage Prevention Councils (RDPC). On November 4th, 2009 a kick-off meeting for the first Regional Damage Prevention Council, made up of stakeholders in Central Indiana met at the Indiana 811 facility. The Council has begun the process of organizing, and initially will meet on the first Wednesday of every month moving forward. The first meeting was attended by 43 stakeholders and a high level of interest in the program, as well as the establishment of a RDPC was expressed. The second meeting was held December 4th and was well attended with progress made for setting up the Council structure and hierarchy. Information pertaining to both meetings, including meeting minutes and a roster of attendees, can be reviewed in Attachment C.

Objective 2 – Legislative Efforts

As mentioned in the Accomplishments section of the report, in 2009 Indiana 811 was successful in having major revisions made to the dig law IC 8-1-26. In order to educate the stakeholders on the new changes to the law Indiana 811 has conducted presentations at the following meetings/events:

- Indiana Rural Water Boot Camp August 25th Grissom Air Force Base Peru Indiana
- Indiana Public Employee’s Plan October 20 - Madison Indiana
- Indiana Public Employee’s Plan October 21 - Huntingburg Indiana
- Indiana Public Employee’s Plan October 22 - Noblesville Indiana
- Indiana Public Employee’s Plan October 23 - Auburn Indiana

In addition, Indiana 811 created FAQ’s on the changes, which cover the main points of new law (Attachment F), and information has been included in several Indiana 811 newsletters (Attachment D).

The efforts of educating stakeholders on the changes to the new dig law will be on-going, especially with regards to oversight by the Advisory Committee and enforcement. The Indiana Utility Regulatory Commission is currently working on (1) rulemaking for the Advisory Committee, and (2) the process of selecting industry representatives to serve on the Advisory Committee.

Objective 3 – Member Toolkit

Information pertaining to the Member Toolkit has been included in several Indiana 811 newsletters (Attachment D). In addition, a stakeholder survey is being conducted by Indiana 811 to obtain feedback on our newsletters and the material that has already been developed for our Member Toolkit. The survey can be accessed at <http://surveys.mghus.com/se.ashx?s=3203BDCB14FB18DB>

The Member Toolkit is available for downloading by all stakeholders at the Indiana 811 website <http://www.indiana811.org/toolkit.php>. This toolkit continues to be a work in progress and will be expanded upon after the results of the survey have been reviewed and as new material is developed. Attachment E contains a brief summary of the material that has been created to-date, and screenshots from the Indiana 811 Member Toolkit website.

Objective 4 – Web Training Portal

As mentioned in the Accomplishments section of the report, we are in the preliminary stages of developing a web training and certification portal (Attachment B). We are currently reviewing various industry related resource material (e.g. videos, books, CGA Best Practices) to be used for creating the training modules. In addition, we are currently conducting a survey to obtain feedback from stakeholders to determine the type of material they would like to have covered in the training modules.

To date, we have received 132 responses to the survey. The survey can be accessed at <http://www.surveymonkey.com/s/R3KNWST>. We have also been in contact with the Common Ground Alliance to determine what topics they would like to have included in the training modules.

Objective 5 – Damage Prevention Stakeholder Events

The SDPP field agent continues to attend various meetings and events on a regular basis. The field agent continues to attend the monthly meetings of the Southwest Ohio Utility Safety Council. Since June 2009 the field agent has attended several different functions to help spread the word about safe digging. These meetings and events include, but are not limited to the Indiana State Fair, The Enbridge Energy Partners Company Picnic, The Enhanced Telecom Picnic, The Town of Brooklyn Fall Festival, The Noblesville Christmas parade, The IGWA annual meeting, the Indianapolis Fire Chiefs Convention, Indiana Chapter of the National Utility Contractors Association Meeting, Indiana Rural Water Association Meeting, Indiana Rural Electric Cooperative Meeting, and the BP Pipeline booth at the LaPorte elementary school Fall Festival.

Issues, Problems or Challenges (Item 3 under Section 9.01 Project Report: “The reasons for slippage if established objectives were not met.”)

No issues.

Mid-term Financial Status Report

The following are expenses for the period June, 2009 through December 2009.

Item Purchased for SDPP	Actual Cost to date
Gasoline	\$2,273.59
Oil Changes/Truck Service	\$210.83
Truck Washes	\$76.00
Printer Ink	\$104.66
Rechargeable Batteries	\$14.68
Hotel for 11/3 Guest Speaker	\$101.64
Meals	\$135.00
Breakfast for DPC Meeting 11/4	\$250.72
Breakfast for DPC Meeting 12/2	\$130.00
Health Benefits	\$4,532.08
Gross Salary	\$30,129.27
Cost for 11/4 meeting mailing	\$1,307.29
Phone and Air card fees	\$903.48
Total	\$40,169.24

Plans for next period (remainder of grant)

We plan to operate the program in the same manner as described in the Accomplishments section of the report, however, emphasis will be placed on meeting the following objectives:

- (1) Expand our efforts to establish two additional Damage Prevention Councils in the Northern and Southern parts of Indiana.
- (2) Finalize educational material and establish an on-line training and certification program for our stakeholders (e.g. utilities, excavators, locators, etc.).

Requests of the AOTR and/or PHMSA

No actions requested at this time.



October 2, 2009

Greetings:

Since June of 2008, Indiana 811 has been conducting a Quality Control pilot program with money received under the PHMSA State Damage Prevention Program. The main objective of this program was to follow the life of a locate request from start to finish, and to document the results. This pilot program has focused on visiting dig sites located in eight (8) central Indiana counties.

However, another important objective of this program is the establishment of two to three active Regional CGA Damage Prevention Councils in various parts of the State of Indiana. With this goal in mind, I would like to invite stakeholders and excavators in the pilot program area to an organizational meeting of the Regional CGA Damage Prevention Council. This meeting will be held on Wednesday November 4th at 9:00 am at the Indiana 811 facility in Greenwood, IN. Attached you will find a registration form, as well as a tentative agenda for this meeting.

With the combined resources of the Common Ground Alliance, Indiana 811 and its member utilities, NUCA and the excavators in the area, I am sure we can get this Council off to a great start and more importantly that it will become a long term player in damage prevention in the Central Indiana area.

Please plan on attending this important meeting and help get the Regional CGA Damage Prevention Council off to a good start! Also, you can obtain more information on Indiana 811 (www.indiana811.org), the Common Ground Alliance (www.commongroundalliance.com) and NUCA (www.nuca.com) by visiting their websites.

Thanks & Dig Safely,

Aaron Holeman
Quality Control/Training/Special Projects Indiana 811



INDIANA DAMAGE PREVENTION COUNCIL

REGISTRATION FORM

NOVEMBER 4th, 2009

9:00 am – 11:00 am

**INDIANA 811 CALL CENTER
1433 Holey Moley Way
Greenwood, IN 46142**

RSVP

Please provide the following information:

Company Name: _____

Names of Individuals Who Will Be Attending from Your Company

Name: _____

Name: _____

Name: _____

Name: _____

Note: A continental breakfast will be served.

Please fax or email your RSVP to Michelle Shoemaker. If you have any questions, she can be reached at 317-893-1410.

Fax: 877-230-0496

Email: mshoemaker@indiana811.org



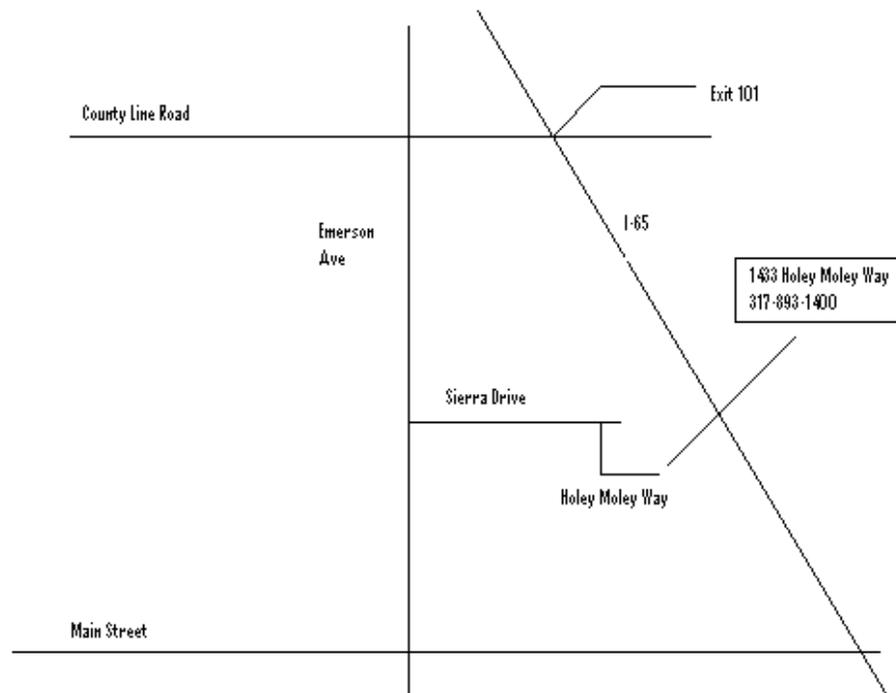
AGENDA

- Introduction
- Goals of the Indiana Damage Prevention Council
- Guest Speaker from SWOUSC
- Discussion on the importance of communication between stakeholders and excavators.
- Questions and Answers
- Future Meeting Information

Directions

From Indianapolis

- Follow I-65 South to the County Line Road Exit (Exit 101)
- Turn West (Right) at the light and go to the first stop light (Emerson Ave)
- Turn South (Left) on Emerson follow it to Sierra Drive
- Turn East (Left) on Sierra Drive passing the old office and South (Right) onto Holey Moley Way
- Parking and entrance on the buildings south side



ATTACHMENT A

Chapter 26. Damage to Underground Facilities

Application of chapter

IC 8-1-26-1 Sec. 1. (a) Except as provided by this section, this chapter does not apply to the following:

(1) Excavation that is performed:

(A) only with a hand tool;

(B) on property owned or controlled by the person performing the excavation; and

(C) to a depth not greater than twelve (12) inches.

(2) Excavation using only animals.

(3) Tilling of soil for agricultural purposes, such as plowing, planting, and combining.

(4) Surface coal mining and reclamation operations conducted under a permit issued by the natural resources commission under IC 14-34.

(5) Railroad right-of-way maintenance or operations.

(6) Underground probing to determine the extent of gas migration.

(b) This chapter does apply to blasting, setting drainage tile, subsoiling, and other subsurface activities.

(c) Sections 16, 19, 20, and 22 of this chapter apply to the construction and installation of railroad signal facilities and drainage facilities at public grade crossings.

"Account" defined

IC 8-1-26-1.3 Sec. 1.3. As used in this chapter, "account" refers to the underground plant protection account established by section 24 of this chapter.

"Advisory committee" defined

IC 8-1-26-1.5 Sec. 1.5. As used in this chapter, "advisory committee" refers to the underground plant protection advisory committee established by section 23 of this chapter.

"Approximate location" defined

IC 8-1-26-2 Sec. 2. As used in this chapter, "approximate location" means a strip of land at least four (4) feet wide but not wider than the width of the underground facility plus two (2) feet on either side of the outer limits of the physical plant.

"Association" defined

IC 8-1-26-3 Sec. 3. As used in this chapter, "association" means an organization that is:

(1) formed in Indiana to provide for mutual receipt of notice of excavation or demolition for the organization's members;

(2) known as the Indiana Underground Plant Protection Service (or its successor organization); and

(3) accessed by dialing the abbreviated dialing code 811, as designated by the Federal Communications Commission as the nationwide toll free number to be used by state One Call systems.

"Damage" defined

IC 8-1-26-4 Sec. 4. As used in this chapter, "damage" means:

(1) the substantial weakening of structural or lateral support of an underground facility;

(2) the penetration or destruction of a protective coating, a housing, or another protective device of an underground facility;

(3) the partial or complete severance of an underground facility; or

(4) rendering any underground facility inaccessible.

"Demolish" defined

IC 8-1-26-5 Sec. 5. As used in this chapter, "demolish" means an operation in which a structure or mass of material is wrecked, raised, rendered, moved, or removed by means of tools, equipment, or discharge of explosives.

"Excavate" defined

IC 8-1-26-6 Sec. 6. As used in this chapter, "excavate" means an operation for the movement, placement, or removal of earth, rock, or other materials in or on the ground by use of tools or mechanized equipment or by discharge of explosives, including augering, backfilling, boring, digging, ditching, drilling, driving, grading, jacking, plowing in, pulling in, ripping, scraping, trenching, and tunneling.

"Facility" defined

IC 8-1-26-7 Sec. 7. As used in this chapter, "facility" means a line or system used for producing, storing, conveying, transmitting, or distributing communication, information, electricity, gas, petroleum, petroleum products, hazardous liquids, carbon dioxide fluids, water, steam, or sewerage. The term includes pipeline facilities.

"Imminent danger to life, health, property, or loss of service" defined

IC 8-1-26-8 Sec. 8. As used in this chapter, "imminent danger to life, health, property, or loss of service" means there is a substantial likelihood that loss of life, health, property, or service will result before the procedures under sections 16 and 18 of this chapter can be completed.

"Mechanized equipment" defined

IC 8-1-26-9 Sec. 9. As used in this chapter, "mechanized equipment" means equipment operated by means of mechanical power, including trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows, hydroexcavators, and other equipment that may cause damage to underground facilities.

"Operator" defined

IC 8-1-26-10 Sec. 10. As used in this chapter, "operator" means a person who owns or operates an underground facility, other than an underground facility that:

- (1) is located on real property that the person owns or occupies; and
- (2) the person operates for the person's benefits.

"Person" defined

IC 8-1-26-11 Sec. 11. As used in this chapter, "person" means an individual, a corporation, a partnership, a limited liability company, an association, or other entity organized under the laws of any state. The term includes state, local, and federal agencies. The term does not include the association.

"Pipeline facilities" defined

IC 8-1-26-11.2 Sec. 11.2. As used in this chapter, "pipeline facilities" has the meaning set forth in IC 8-1-22.5-1(d).

"White lining" defined

IC 8-1-26-11.5 Sec. 11.5. As used in this chapter, "white lining" means the act of marking the route or boundary of a proposed excavation or demolition with white paint, flags, or stakes, or a combination of white paint, flags, and stakes.

"Working day" defined

IC 8-1-26-12 Sec. 12. As used in this chapter, "working day" means every day except Saturday, Sunday, and state and national legal holidays.

Permit authorizing excavation or demolition; compliance with chapter

IC 8-1-26-13 Sec. 13. A permit issued in accordance with a law authorizing excavation or demolition operations does not relieve a person from the responsibility of complying with this chapter.

Excavation or demolition of structure served by underground facility; location of affected structures

IC 8-1-26-14 Sec. 14. Except as provided in section 19 of this chapter, a person may not excavate real property or demolish a structure that is served or was previously served by an underground facility without first ascertaining in the manner prescribed by sections 16 and 18 of this chapter the location of all underground facilities in the area affected by the proposed excavation or demolition.

Recording location of underground facilities; updating information; fees; association membership; penalty

IC 8-1-26-15 Sec. 15. (a) An operator that has underground facilities located in Indiana must become a member of the association and shall provide the following information to the association:

- (1) The name of each township and county in which the operator has underground facilities, including those facilities that have been abandoned in place by the operator but not yet physically removed.
- (2) The name of the operator.
- (3) The name, title, address, and telephone number of the operator's representative designated to receive the notice of intent required by section 16 of this chapter.

(b) An operator shall report any changes in the information contained in the list recorded under subsection (a) with the association within thirty (30) calendar days of the change. The document reflecting the changes shall be cross-referenced to the original information reported under subsection (a).

(c) A person other than an operator may be a member of the association.

(d) A person that is required, but fails, to maintain membership in the association after December 31, 2009, may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed one hundred dollars (\$100). Each day that a person that is required, but fails, to maintain membership in the association constitutes a separate violation for purposes of imposing a fine under this subsection.

Notice to excavate or demolish; perform white lining; penalties

IC 8-1-26-16 Sec. 16. (a) Except as provided in section 19 of this chapter, before commencing an excavation or demolition operation described in section 14 of this chapter each person responsible for the excavation or demolition shall:

- (1) serve notice on the association of the person's intent to excavate or demolish; and
- (2) perform white lining at the site of the excavation or demolition if the person responsible for the excavation or demolition is unable to provide to the association the physical location of the proposed excavation or demolition by one (1) of the following means:
 - (A) A street address.
 - (B) A legal description of the location.
 - (C) A highway location using highway mile markers or cross streets.

The notice required under subdivision (1) must be received at least two (2) full working days but not more than twenty (20) calendar days before the commencement of the work. Upon receiving the notice, the association immediately shall notify each operator that has underground facilities located in the proposed area of excavation or demolition. A person responsible for excavation or demolition may commence work before the elapse of two (2) full working days if all affected operators have notified the person that the location of all the affected operators' facilities have been marked or that the affected operators have no facilities in the location of the proposed excavation or demolition.

(b) A county recorder who receives an inquiry from a person seeking to provide notice of an excavation or a demolition under this section shall refer the person to the association. After receiving a notice under this section, the association shall provide notice of the proposed excavation or demolition to each member operator that has underground facilities located in the proposed area of excavation or demolition.

(c) A person responsible for demolition must give an operator a reasonable amount of time, as mutually determined by the operator, the person responsible for demolition, and the project owner, to remove or protect the operator's facilities before demolition of the structure is commenced.

(d) The notice required by subsection (a) must contain the following information:

- (1) The name, address, and telephone number of the person serving the notice, and, if different, the person responsible for the excavation or demolition.
- (2) The starting date, anticipated duration, and type of excavation or demolition operation to be conducted.
- (3) The location of the proposed excavation or demolition.
- (4) Whether or not explosives or blasting are to be used.
- (5) The approximate depth of excavation.
- (6) Whether the person responsible for the proposed excavation or demolition intends to perform white lining at the site of the proposed excavation or demolition.

(e) The person responsible for the excavation or demolition shall submit a separate locate request along with the notice provided under subsection (d)(3) to the association as follows:

- (1) Within an incorporated area, for each one thousand five hundred (1,500) linear feet of proposed excavation or

demolition.

(2) In an unincorporated area, for each two thousand five hundred (2,500) linear feet of proposed excavation or demolition.

(f) The association shall maintain an adequate record of the notice required by this section for seven (7) years to document compliance with this chapter. A copy of the record shall be furnished to the person giving notice to excavate or demolish upon written request.

(g) A person that:

- (1) causes damage to a pipeline facility located in an area of excavation or demolition;
- (2) is required to provide notice under this section for the excavation or demolition; and
- (3) fails to provide the notice;

may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed ten thousand dollars (\$10,000).

(h) A person that:

- (1) causes damage to a pipeline facility located in an area of excavation or demolition;
- (2) is required to perform white lining under subsection (a)(2); and
- (3) fails to perform white lining before an operator of a pipeline facility arrives at the site of the proposed excavation or demolition to mark the operator's pipeline facilities;

may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed ten thousand dollars (\$10,000).

Association membership; notice guidelines

IC 8-1-26-17 Sec. 17. (a) An operator that has underground facilities located in Indiana must be a member of the Indiana Underground Plant Protection Service or its successor organization. The articles of incorporation or the bylaws of the Indiana Underground Plant Protection Service or its successor organization shall do the following:

(1) Provide that the board of directors of the Indiana Underground Plant Protection Service or its successor organization is composed of:

- (A) five (5) members representing electric utilities other than municipal electric utilities, including corporations organized or operating under IC 8-1-13 or corporations organized under IC 23-17, some of whose members are local district corporations (as described in IC 8-1-13-23);
- (B) five (5) members representing investor owned gas utilities, including pipelines;
- (C) five (5) members representing telecommunications providers, at least one (1) of whom is a provider of cable television service;
- (D) five (5) members representing water or sewer utilities other than municipal water or sewer utilities; and
- (E) five (5) members representing political subdivisions, including municipal utilities, which must include the political subdivision that owns the largest waterworks utility in Indiana.

(2) Require the affirmative vote of at least sixty percent (60%) of each category of members appointed under subdivision (1) to approve an increase, a decrease, or any other adjustment to the membership dues, rates, tariffs, locate fees, or any other charges imposed by the Indiana Underground Plant Protection Service or its successor organization.

(b) The association shall provide for mutual receipt of notice of excavation or demolition operations under section 16 of this chapter.

(c) The association shall:

- (1) annually update the association's base map data, including street addresses; and
- (2) make reasonable efforts to reduce incorrect locate requests issued to the association's members.

(d) The association shall develop and implement guidelines to provide that, for purposes of providing notice to an operator under section 16 of this chapter, the time of receipt of a notice of an intent to excavate or demolish is determined as follows:

- (1) For a notice that is received between the hours of 7 a.m. and 6 p.m. on a working day, at the time of receipt.
- (2) For a notice that is received after 6 p.m. on a working day and before 7 a.m. on the following working day, at 7 a.m. on the following working day.

Notice contents; alteration of facility locate markings; penalties

IC 8-1-26-18 Sec. 18. (a) Each operator notified under section 16 of this chapter shall, in two (2) full working days after receiving the notice of intent provided in section 16 of this chapter, supply to the person responsible for the

excavation or demolition the following information, using maps when appropriate:

- (1) The approximate location and description of all the operator's underground facilities that may be damaged as a result of the excavation or demolition.
 - (2) The location and description of all facility markers indicating the approximate location of the underground facilities.
 - (3) Any other information that would assist that person in locating and avoiding damage to the underground facilities, including providing adequate temporary markings indicating the approximate location of the underground facility and locations where permanent facility markers do not exist.
- (b) Facility locate markings must consist of paint, flags, or stakes or any combination that mark the approximate location of the underground facilities. The method of marking must be appropriate for the location of the underground facilities.
- (c) Color coding of facility locate markings indicating the type of underground facility must conform to the following color coding:

Facility and Type of Product	Specific Group	Identifying Color
(1) Electric power distribution and transmission		Safety red
(2) Municipal electric systems		Safety red
(3) Gas distribution and transmission		High visibility safety yellow
(4) Oil distribution and transmission		High visibility safety yellow
(5) Dangerous materials, product lines, steam lines		High visibility safety yellow
(6) Telephone and telegraph systems		Safety alert orange
(7) Cable television		Safety alert orange
(8) Police and fire communications		Safety alert orange
(9) Water systems		Safety precaution blue
(10) Sewer systems		Safety green
(11) Proposed excavation		White

(d) Each operator notified under section 16 of this chapter shall, within two (2) full working days of receiving the notice of intent provided in section 16 of this chapter, make a reasonable attempt to provide notification to the person responsible for the excavation or demolition if the operator has no facilities in the location of the proposed excavation or demolition.

(e) This section does not apply to an operator making an emergency repair to its own underground facility.

(f) This subsection applies if all of the following occur:

- (1) An operator of a pipeline facility is required to supply information, including facility locate markings, under subsection (a) to a person responsible for an excavation or demolition.
- (2) The operator of the pipeline facility fails to supply the information described in subdivision (1) or provides incorrect facility locate markings.
- (3) The operator's pipeline facility is damaged during the excavation or demolition for which the operator was required to supply the information described in subdivision (1).

The operator of the pipeline facility may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed one thousand dollars (\$1,000).

(g) Subsection (f) does not apply to an operator that:

- (1) is repairing its own underground facilities; or
- (2) fails to supply required information or provide facility locate markings due to factors beyond the control of the operator.

(h) A person that knowingly moves, removes, damages, or otherwise alters a facility locate marking supplied under this section may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed ten thousand dollars (\$10,000). This subsection does not apply to a person that moves, removes, damages, or otherwise alters a facility locate marking as part of the excavation or demolition for which the facility locate markings were supplied.

Emergency excavation or demolition; notice requirements; penalties

IC 8-1-26-19 Sec. 19. (a) A person responsible for emergency excavation or demolition to ameliorate an imminent danger to life, health, property, or loss of service is not required to comply with the notice requirements of section 16 of this chapter. However, that person shall:

- (1) give, as soon as practicable, oral notice of the emergency excavation or demolition to the association; and
 - (2) request emergency assistance from each operator identified by the association as having underground facilities located in the area of the emergency excavation or demolition in locating and providing immediate protection to the operator's underground facilities.
- (b) This section applies to an operator making an emergency repair to its own underground facility.
- (c) A person that knowingly provides false notice of an emergency excavation or demolition to the association under subsection (a) may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed one thousand dollars (\$1,000).

Duties of persons responsible for excavation or demolition; penalties

IC 8-1-26-20 Sec. 20. (a) In addition to the notice required in section 16 of this chapter, a person responsible for an excavation or demolition operation under section 14 of this chapter shall do all of the following:

- (1) Plan the excavation or demolition to avoid damage to or minimize interference with underground facilities in and near the construction area.
 - (2) Maintain a clearance between an underground facility, as marked by the operator, and the cutting edge or point of mechanized equipment. The clearance must be not less than two (2) feet on either side of the outer limits of the physical plant. However, if the clearance is less than two (2) feet, exposure of the underground facility may be accomplished only by the use of hand excavation, air cutting, or vacuum excavation.
 - (3) Notify the association if:
 - (A) there is evidence of an unmarked pipeline facility in the area of the excavation or demolition; or
 - (B) the markings indicating the location of an underground facility have become illegible.
- (b) A person who:
- (1) violates subsection (a); and
 - (2) causes damage to a pipeline facility in the area of the excavation or demolition;
- may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed ten thousand dollars (\$10,000).

Demolition or excavation resulting in damage to underground facility; escape of flammable, toxic, or corrosive gas or liquid; duties of operator

IC 8-1-26-21 Sec. 21. (a) Except as provided in subsection (b), a person responsible for an excavation or a demolition operation under section 14 of this chapter that results in damage to an underground facility shall:

- (1) immediately upon discovery of the damage, notify the operator of the facility and the association of the location and nature of the damage; and
 - (2) allow the operator of the facility reasonable time to accomplish necessary repairs before completing the excavation or demolition in the immediate area of the facility.
- (b) A person responsible for an excavation or a demolition operation under section 14 of this chapter that results in damage to an underground facility permitting the escape of flammable, toxic, or corrosive gas or liquid shall:
- (1) immediately upon discovery of the damage, notify the operator and the association and local police and fire departments having jurisdiction; and
 - (2) take other action necessary to protect persons and property and to minimize the hazards until arrival of the operator's personnel or police and fire personnel.

Pecuniary loss suffered by operator; civil action; damages; defenses; injunction

IC 8-1-26-22 Sec. 22. (a) If an operator suffers a pecuniary loss as a result of a violation of this chapter, the operator may bring a civil action against the person who caused the loss for the following:

- (1) An amount equal to the operator's actual damage to the facility.
 - (2) The costs of the action.
 - (3) A reasonable attorney's fee.
- (b) At the court's discretion, a court having jurisdiction may award punitive damages up to three (3) times the operator's actual damage.
- (c) It is a defense to an action brought under this chapter if an operator fails to comply with the duties imposed under this chapter.
- (d) In addition to the remedies described in subsection (a), an operator may bring an action to enjoin a person

excavating or demolishing a structure in an area that includes the operator's facilities until that person complies with this chapter.

Underground plant protection advisory committee established; membership; duties and powers

IC 8-1-26-23 Sec. 23. (a) The underground plant protection advisory committee is established.

(b) The advisory committee consists of the following seven (7) members appointed by the governor:

- (1) One (1) member representing the association.
- (2) One (1) member representing investor owned gas utilities.
- (3) One (1) member representing operators of pipeline facilities or pipelines.
- (4) One (1) member representing municipal gas utilities.
- (5) Two (2) members representing commercial excavators.
- (6) One (1) member representing providers of facility locate marking services.

(c) The term of a member is four (4) years. A member of the advisory committee serves at the pleasure of the governor. The governor shall fill a vacancy in the membership of the advisory committee for the unexpired term of the vacating member.

(d) The association and the commission shall provide staff support and meeting space to the advisory committee.

(e) The members of the advisory committee shall elect a chairperson. The advisory committee shall meet at the call of the chairperson.

(f) The affirmative vote of a majority of members appointed under subsection (b) is required to take action.

(g) The pipeline safety division shall investigate alleged violations of this chapter. If the pipeline safety division finds that a person has violated this chapter, the pipeline safety division shall forward its finding to the advisory committee.

(h) The advisory committee shall act in an advisory capacity to the commission concerning the implementation and enforcement of this chapter. In this capacity, and subject to subsections (i) and (j), the advisory committee may recommend the following penalties with respect to persons that the pipeline safety division has found to violate this chapter:

- (1) Civil penalties consistent with this chapter.
- (2) Participation in education or training programs developed and implemented by the commission.
- (3) Warning letters.
- (4) Development of a plan to avoid future violations of this chapter.

Before making a recommendation under this subsection, the advisory committee shall provide notice to the person found to be in violation of this chapter of an opportunity to appear before the advisory committee with respect to the violation.

(i) The advisory board may consider the following when making a recommendation under subsection (h):

- (1) Whether the person found to be in violation of this chapter is a first time or repeat violator.
- (2) Whether the person found to be in violation of this chapter is:
 - (A) a homeowner or tenant performing excavation or demolition:
 - (i) on the homeowner's or tenant's residential property; and
 - (ii) outside an operator's easement or right of way; or
 - (B) a business entity.

(3) The severity of the violation.

(j) If the advisory committee determines that:

- (1) the person found to be in violation of this chapter is a first time violator described in subsection (i)(2)(A); and
- (2) the violation did not result in physical harm to a person;

the advisory committee may not recommend a penalty described in subsection (h)(1) or (h)(4).

(k) Upon receiving a recommendation from the advisory committee under subsection (h), and after notice and opportunity for a public hearing, the commission shall do the following as applicable:

- (1) Uphold or reverse the finding of a violation by the pipeline safety division under subsection (g).
- (2) Approve or disapprove each recommendation of the advisory committee.
- (3) Collect any civil penalties and deposit the penalties in the underground plant protection account.

Underground plant protection account

IC 8-1-26-24 Sec. 24. (a) The underground plant protection account is established to provide funding for the

following programs established and administered by the commission:

- (1) Public awareness programs concerning underground plant protection.
 - (2) Training and educational programs for contractors, excavators, locators, operators, and other persons involved in underground plant protection.
 - (3) Incentive programs for contractors, excavators, locators, operators, and other persons involved in underground plant protection to reduce the number of violations of this chapter.
- (b) The commission shall administer the account.
 - (c) The treasurer of state shall invest money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.
 - (d) Money in the account at the end of a state fiscal year does not revert to the state general fund.
 - (e) The expenses of administering the account shall be paid from money in the account.
 - (f) The account consists of penalties deposited under section 23(i) of this chapter.

Penalties under IC 8-1-22.5 for pipeline operators

IC 8-1-26-25 Sec. 25. An operator of a pipeline facility that violates this chapter may be subject to a civil penalty imposed by the commission under IC 8-1-22.5 in addition to a penalty or fine imposed under this chapter.

Authority of commission to adopt rules

IC 8-1-26-26 Sec. 26. The commission shall adopt rules under IC 4-22-2 to carry out its responsibilities under this chapter.

ATTACHMENT B

SDPP ON-LINE TRAINING

TASKS & TIMELINE

- Content Survey to all stakeholders week of 12/21/09 & 1/4/10
- Survey Evaluation week of 1/11/10
- Content Plan week of 1/18/10
- In-House Wire Frame (Matt) week of 1/18/10
- Celeritas visit and evaluation week of 1/18/10 or 1/25/10
- Content and Web Development weeks of 2/1/10 thru 3/1/10
- Testing & De-Bugging weeks of 3/1/10 thru /31/10
- Implementation & Roll-out week of 4/5/10

PROPOSED TRAINING MODULES

- Module 1 – 10 Basic questions related to submitting a locate request. Who do you call to submit a request? How long do you have to wait after submitting the request? What are the ticket types? What info do they need to provide to us when they call and why? Just the basic information, etc.
- Module 2 – 10 Questions What do the marks mean? What is the safe digging zone? What if the lines aren't marked when it's time to dig or you don't think all of the lines have been marked? Questions related to dig site safety, etc.
- Module 3 – 10 Questions – Questions specific to the changes that were just made in the law (e.g. white lining, emergency locates, etc.)?
- Module 4 – 10 Questions – More advanced questions on digging?
- Module 5 – 10 Questions – What do I do if I hit a gas line when digging? Maybe the last module would be related to how to handle an emergency situation (e.g. call 911, get away from area, etc.)?

Note: Results of survey will provide guidance on topics. Resource materials for training can be items such as the Indiana 811 Contractor Handbook and Indiana dig law, safe digging videos, CGA handbook, etc.



October 2, 2009

Greetings:

Since June of 2008, Indiana 811 has been conducting a Quality Control pilot program with money received under the PHMSA State Damage Prevention Program. The main objective of this program was to follow the life of a locate request from start to finish, and to document the results. This pilot program has focused on visiting dig sites located in eight (8) central Indiana counties.

However, another important objective of this program is the establishment of two to three active Regional CGA Damage Prevention Councils in various parts of the State of Indiana. With this goal in mind, I would like to invite stakeholders and excavators in the pilot program area to an organizational meeting of the Regional CGA Damage Prevention Council. This meeting will be held on Wednesday November 4th at 9:00 am at the Indiana 811 facility in Greenwood, IN. Attached you will find a registration form, as well as a tentative agenda for this meeting.

With the combined resources of the Common Ground Alliance, Indiana 811 and its member utilities, NUCA and the excavators in the area, I am sure we can get this Council off to a great start and more importantly that it will become a long term player in damage prevention in the Central Indiana area.

Please plan on attending this important meeting and help get the Regional CGA Damage Prevention Council off to a good start! Also, you can obtain more information on Indiana 811 (www.indiana811.org), the Common Ground Alliance (www.commongroundalliance.com) and NUCA (www.nuca.com) by visiting their websites.

Thanks & Dig Safely,

Aaron Holeman
Quality Control/Training/Special Projects Indiana 811



INDIANA DAMAGE PREVENTION COUNCIL

REGISTRATION FORM

NOVEMBER 4th, 2009

9:00 am – 11:00 am

**INDIANA 811 CALL CENTER
1433 Holey Moley Way
Greenwood, IN 46142**

RSVP

Please provide the following information:

Company Name: _____

Names of Individuals Who Will Be Attending from Your Company

Name: _____

Name: _____

Name: _____

Name: _____

Note: A continental breakfast will be served.

Please fax or email your RSVP to Michelle Shoemaker. If you have any questions, she can be reached at 317-893-1410.

Fax: 877-230-0496
Email: mshoemaker@indiana811.org



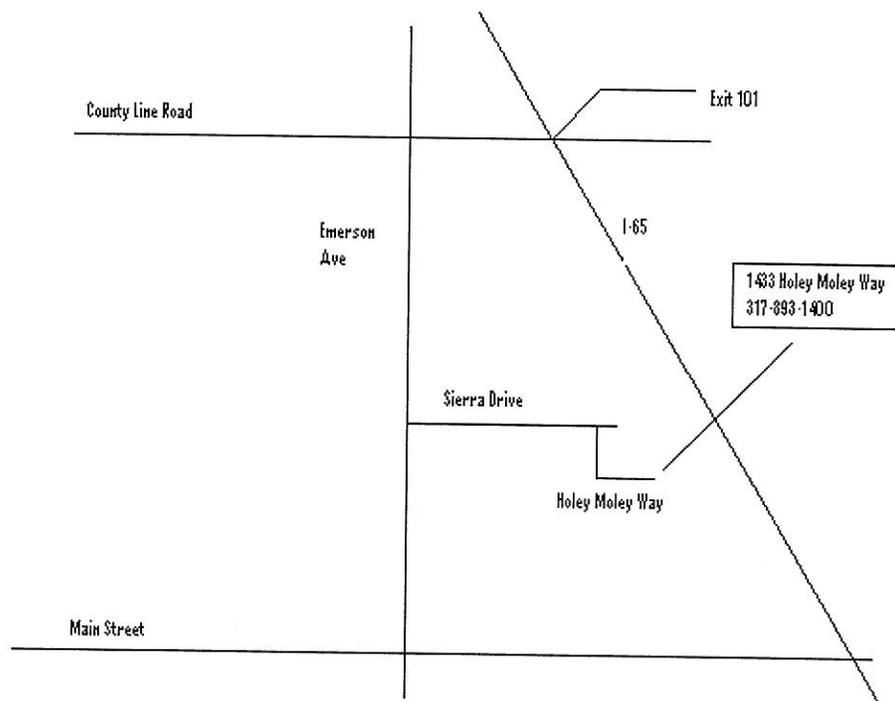
AGENDA

- Introduction
- Goals of the Indiana Damage Prevention Council
- Guest Speaker from SWOUSC
- Discussion on the importance of communication between stakeholders and excavators.
- Questions and Answers
- Future Meeting Information

Directions

From Indianapolis

- Follow I-65 South to the County Line Road Exit (Exit 101)
- Turn West (Right) at the light and go to the first stop light (Emerson Ave)
- Turn South (Left) on Emerson follow it to Sierra Drive
- Turn East (Left) on Sierra Drive passing the old office and South (Right) onto Holey Moley Way
- Parking and entrance on the buildings south side



Meeting Title

MINUTES

11/04/09

9:00 AM

INDIANA 811 BOARD ROOM

MEETING CALLED BY	Aaron Holeman
TYPE OF MEETING	Damage Prevention Council
FACILITATOR	Aaron Holeman
NOTE TAKER	Michelle Shoemaker
TIMEKEEPER	
ATTENDEES	See Attached

Agenda topics

INTRODUCTION

AARON HOLEMAN

DISCUSSION	Aaron goes out a follows a dig ticket from inception to completion, makes notes weather or not marked	
	Marked right – all this was first step in this project. The second step is creating the Damage Prevention Council – looking	
	At one in Northern Indiana and one in Southern Indiana. Communication is important	
CONCLUSIONS	Goal is to get a Damage Prevention Council up and running, discussing the structure of the monthly	
	Meetings. Have the Council become a self sustaining entity.	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

GUEST SPEAKER

FRANK WARD

DISCUSSION	Has been on a Damage Prevention Council for 12 years, 7 of them with SWOUCS. Their group is made	
	Up of Contractors, Excavators, Contact Locators, Utilities/Municipalities. Being on the Council has allowed networking,	
	Open eyes to unforeseen problems, and everyone is there because they want to do it right. During the meetings they	
	Discuss damages, but do not allow finger pointing, it is about learning from the situation.	
CONCLUSIONS	Q&A Answers: Keeping attendance up is hard, just call people and tell them we need you here.	
	Structure: Chair, Vice Chair, Secretary, Treasurer, CGA Regional Partner. Raise money through fundraisers (golf, etc.)	
	Have the Contractor Association there, get information to CGA of possible best practice updates. By Laws were	
	Developed. Trying to advance industry practices and feedback to CGA. They have liaisons go to locations to hand out	
	Literature. Build partnerships – it goes 2 ways – damage prevention is a partnership	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

CHANGES TO THE LAW

CHUCK MULLER

DISCUSSION	New law effects 3 groups – excavators, pipelines or LDCs, and non member underground facility owners.	
	No more exemption for hand excavation unless you are digging on our own property and less then 12 inches. Added Exemption for probing for gas migration. Better defined who needs to be a member, after 12/31/09 non members can be Fined up \$100 per day. Added white line requirement to the excavation site it a street address, legal description of Location or highway location using mile markers or cross streets can't be given. 2,500 ft – 1,500 ft rule.	
CONCLUSIONS	Advisory Committee appointed to hears violation and recommend penalties – warning letter, mandatory Participation in training or civil penalties. Monies collected to into a fund for training and public awareness Now only accept initial notice tickets of emergencies and normal notice (2 full working days)	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

CONCLUSION/FUTURE MEETINGS

AARON HOLEMEN

DISCUSSION	Will compile email list of all attendees and distribute meeting minutes. Also forward information on to Anyone you think would be interested in attending.	
CONCLUSIONS	Next meeting is December 2 nd , 9 am, at Indiana 811.	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

OBSERVERS	
RESOURCE PERSONS	
SPECIAL NOTES	

Meeting Title

MINUTES

12/02/09

9:00 AM

INDIANA 811 BOARD ROOM

MEETING CALLED BY	Aaron Holeman
TYPE OF MEETING	Damage Prevention Meeting
FACILITATOR	Aaron Holeman
NOTE TAKER	Michelle Shoemaker
TIMEKEEPER	
ATTENDEES	See attached

Agenda topics

STRUCTURE OF COUNCIL

AARON HOLEMAN

DISCUSSION	Would like to see 3 councils set up in Indiana – North, Central and South. Most agreed Ohio bylaws and Guidelines looked good. Would like to do elections at the next meeting, feel people should have 30 days notice. What are State requirements/mandates on entities? Would like to see participation in events like "Safe Digging Month", safety fairs, Get involved with technical colleges that educate in construction. Most projects will be done with grant money, work to Become financially independent. CGA Regional Partner Representative at this time will be Chuck Muller.	
CONCLUSIONS	Put in place a committee to look into state requirement/mandates on entities, have them also review Bylaws and amendments of Ohio and draw up ones for Indiana Committee members: Paul Fowler, Lynn Murray, Chuck Muller, Kevin Roberts, and Jim Bryant	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Bylaws and amendments		January 2010
Election guidelines		January 2010

MEETINGS

AARON HOLEMAN

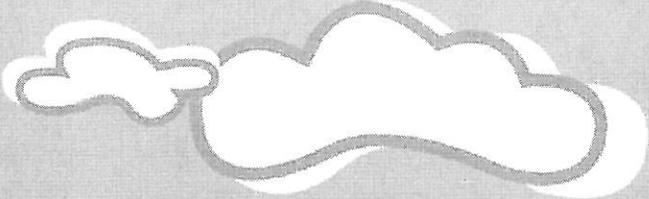
DISCUSSION	Will have meetings 1 st Wednesday of every month, at Indiana 811, at 9 am **January meeting will be a committee meeting – if you want to attend that is fine – but next Council meeting will be February 3 rd , 9 am. Nominations for elections will be done at that time.
CONCLUSIONS	Emails and email invite, post cards will go out as a reminder, will also give the conference bridge for ones Who cannot attend. Topic for February meeting will be the STPP project and look at examples of damages

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

OBSERVERS	
RESOURCE PERSONS	
SPECIAL NOTES	Meeting adjourned at 10:18 am, Committee will be meeting 01/06/09, Council meeting 02/03/09,

RPDC Meeting Attendance Tracking

MEMBER NAME	CONTACT NAME	EMAIL ADDRESS	Nov	Dec
INDIANA 811	Chuck Muller	cmuller@indiana811.org	X	X
BROWNSBURG, TOWN OF	Gary Pontius	locates@brownsburg.org	X	X
BROWNSBURG, TOWN OF	Aaron J. Kaytar	akaytar@brownsburg.org	X	X
SWOUSC	Frank Ward	frank.ward@twcable.com	X	
INDIANA 811	Connie Geiger	cgeiger@indiana811.org	X	
KENTUCKY 811	Mark Kern	mkern@kentucky811.org	X	
MARATHON PIPE LINE CO. - CLERMONT	Mark Ritter	MARITTER@MAPLLC.COM	X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	Kevin Rubush	krubush@sbcglobal.net	X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	Jake Sizemore		X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	David Rakes		X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	Robert Ross		X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	Dustin Sayeser		X	
EDINBURGH-MUNCIPAL UTIL., TOWN OF	John VanSwerhgen		X	
VERIZON NORTH INC.	Otis Morgan	otis.f.morgan@verizon.com	X	
TELECOM PLACEMENT	Paul Fisher	paintgun@att.net	X	
EMERGENCY RADIO SERVICE	Jim Laverdiere	jim@ers2way.com	X	
IMPERIAL FENCE COMPANY	Kevin Roberts	kroberts@imperialfenceco.com	X	X
HRP CONSTRUCTION	Paul Fallon	paulf@hrpconstruction.com	X	X
DREWRY SIMMONS VORNEHM, LLP	David Vornehm	DVORNEHM@DREWRYSIMMONS.COM	X	
SAMCO	Amber Boulianne	aboulianne@samcoinc.us	X	
M.D. WESSLER & ASSOC.	Ronald Nolan	ronnolan@mdwessler.com	X	X
INDY RENTAL & SALES	Kelley Bowling	kbowling@indyrents.net	X	X
HANCOCK TELECOM	Terry McDonnell	tmcdonnell@teamhancock.com	X	
HANCOCK TELECOM	David McCord	dmccord@teamhancock.com	X	
WESTFIEL, CITY OF	Bryan Forkner	bforkner@westfield.in.gov	X	
BLOOD HOUND LOCATING SERVICE	Jim Bryant	jbryant@bhug.com	X	X
WHITELAND WATER	Randy Weathers	rweathers@townofwhiteland.com	X	X
WHITELAND WATER	Jason Clayman	jclayman@GMail.com	X	
ONE SOURCE UNDERGROUND	Charles Mahurin	c.mahurin@sbcglobal.net	X	
MAHURN BORE PRO INC.	Dustin Mahurn	borepro@sbcglobal.net	X	
MIDWEST FORM COMTRACTORS	Craig Stevens	corncobicus@peoplepcc.com	X	
USIC	Blaine Walters	BlaineWlaters@usicinc.com	X	
TW TELECOM	Tanny Triplitt	tanny.triplitt@twtelecom.com	X	
AT&T - DISTRIBUTION	Len Murray	lm2582@att.com	X	X
ELLIS INC.	George Ellis	317-783-5416	X	X
IURC	Bill Boyd	wboyd@urc.in.gov	X	
IURC	Michael Orr	morr@urc.in.gov	X	X
PHMSA	Annmarie Robertson	annmarie.robertson@dot.gov	X	
BP PIPELINE CO	Matthew Smith	smithmw@bp.com	X	
NUCA	Chris Price	cprice@nucaofindiana.com		
FIBERTECH	David McDonald	dmcDonald@fibertech.com		
ICA	Paul Berebitsky	pberebitsky@inconstruction.org		X
AGC	Jim Brown	jbrown@agcin.org	X	
INPAA	Mark Steele	msteele@inpaa.org		X
TW TELECOM	Glen Hudson	glen.hudson@twtelecom.com		X



The Dirt

The Latest

Indiana will announce new law changes regarding digging and excavation practices on July 1, 2009. Click [here](#) to learn more about how this affects you.

411 on 811

Krylon® Products Group has officially partnered with CGA to promote 811 and the call-before-you-dig process. [Learn more](#) about this partnership.

In the News

Visit Holey Moley's Facebook [page](#) to read about his latest antics and view photos of all he's been up to, or [request him](#) at an event.

Your Source for Indiana 811 Damage Prevention News

Spotlight 811

Welcome to the first edition of The Dirt, Indiana 811's new source of information for your marketing communications efforts! This bi-monthly newsletter is only one of the many tools we are launching today to empower members to help us spread the word about Indiana 811. As you are well aware, safe digging is a shared responsibility, and therefore we ask that you help promote Indiana 811 by downloading and distributing the new and improved [marketing materials](#) to support your existing marketing efforts and bolster new outreach. Please [read](#) on to learn more about the tools at your disposal. – Dan Meiners, Executive Director, Indiana 811.

On The Calendar

Summer is prime digging season, and Indiana 811 has plans to be out across the state promoting the safe digging message. Click [here](#) for an events calendar, or contact [Chuck Muller](#) to volunteer.

Holey Moley

April was National Safe Digging Month, and Indiana secured media coverage in the top outlets in the state. Click [here](#) to view TV coverage and newspaper articles about Indiana 811.

Toolkit

NIPSCO members took an active role in supporting Indiana 811 during National Safe Digging Month. [Read](#) about their involvement and the resulting media coverage. Be sure to contact [Chuck Muller](#) to tell us about your promotion of Indiana 811 for consideration in a future edition of The Dirt.



The Dirt

The Latest

Indiana recently announced new law changes regarding digging and excavation practices. Click [here](#) for a list of FAQs and to learn more about how this affects you.

Due to the recent changes in the Indiana Call Before you Dig Law Indiana 811 has instituted the following procedural changes. Click [here](#) to find out more.

411 on 811

Help promote Indiana 811 by downloading and distributing the new and improved [marketing materials](#). For questions regarding any marketing materials or their purpose, please contact Chuck Muller at cmuller@indiana811.org.

In the News

Your Source for Indiana 811 Damage Prevention News

Spotlight 811

On August 12, we at Indiana 811 hosted an open house for members at our new one-call center in Greenwood. The open house included a building dedication, ribbon cutting ceremony, guided tour and remarks from myself, Ken Cochran and board members. In addition, Big Brothers Big Sisters of Central Indiana planted a tree in front of the Indiana 811 building to signify Indiana 811's commitment to protecting the environment. The event was a huge success and we were excited to have more than 100 members attend the celebration. For those of you who were unable to attend the open house we've got you covered. You can see pictures of all the festivities or take a virtual tour of the one-call center with Chuck Muller by clicking [here](#). - Dan Meiners, Executive Director, Indiana 811.

On The Calendar

Come out and see us! Last month we attended the Indiana State Fair, and with the help of member volunteers we were able to reach thousands of Indiana residents. Click [here](#) for an events calendar, or contact [Chuck Muller](#) to volunteer for future events.

Holey Moley

Indiana's most famous mole has recently been on the move. Holey Moley visited the Agriculture Safety Days in Middleton on July 24th and Decatur on August 1, to teach children and adults about the importance of calling 811 before digging. Agriculture Safety Day is a one-day, hands-on workshop to teach farm children and their parents about safe farming practices.

[Read More...](#)

In an effort to remind potential diggers the importance of calling 811 prior to

Be sure to check out all of the recent media coverage Indiana 811 has secured in the top outlets across the state. [Click here](#) to view TV coverage and newspaper articles about Indiana 811.

digging, CGA members nationwide promoted August 11, 2009 as "8-11 Day." A group of 20 stakeholders visited New York City to attend the live tapings of the CBS Early Show and NBC Today Show to gain national exposure, which benefited us here in Indiana. Volunteers wore black T-shirts that read "Call 811" while standing in the audience in hopes of earning priceless on-air camera time. [Click](#) to read more about the successful expedition and to watch a live interview promoting the importance of calling 811.

Did you know?

That Atlas Energy Indiana, LLC, is our newest member? [Click here](#) for a full list of members.



Indiana 811

Know what's below.
Call before you dig.



The Dirt

The Latest

Check out the latest feature in "The Dirt," as Indiana 811 Director of Member and Public Relations Chuck Muller presents a video update on the latest in Indiana damage prevention news. This video includes additional information covered in this newsletter, as well as an interview with the president and owner of *The Planet Underground*. To view the video now, please click [here](#).

411 on 811

The fifth annual CGA Excavation Safety Conference and Expo will be held March 2-4, 2010 at the San Diego Convention Center in San Diego, Calif. The conference and expo is the largest and most widely attended show that deals with damage prevention and safe excavation in the underground utility industry. Click [here](#) to learn more about March's conference.

In the News

Your Source for Indiana 811 Damage Prevention News

Spotlight 811

Indiana recently announced new law changes regarding digging and excavation practices. Click [here](#) for a list of FAQs and to learn more about how this affects you.

The member toolkit now offers a template of an incident letter you can download and send to involved parties when damage caused by excavation occurs to your underground facilities.

Under the new call-before-you-dig law, all utility owners must become members of Indiana 811. If you know of utilities that have not become a member, please have them contact [Chuck Muller](#) to avoid potential fines in the future.

On The Calendar

Come out and see us! Last month Holey Moley and member volunteers attended the Brooklyn Fall Festival and the Sugar Creek Township Fire Safety Day.

Friends of Holey Moley on Facebook ([facebook.com/holey.moley](#)) can click [here](#) to view pictures of the fun Hoosier State events. Click [here](#) for an events calendar, or contact Chuck Muller to volunteer for future events.

Holey Moley

Happy 28th birthday Holey Moley! Holey Moley's birthday is a symbolic remembrance of the very first call received from the Indianapolis Water Company at Indiana 811's call center back in 1981.

Click [here](#) to see how we celebrated.

Indiana 811 introduces a new communications tool for members – a

Be sure to check out all of the media coverage Indiana 811 has secured across the state this year. Click [here](#) and click on the boxes labeled "other media" on the left-hand side of the One Call Maps site to view TV coverage and newspaper articles about Indiana 811.

newsletter article that reminds excavators, including your organization and your organization's contractors, that submitting a locate request at Indiana811.org is even faster and more convenient than a phone call. If you don't communicate with excavators through a newsletter, this tool can also be used as an email.

Especially with flu season upon us, the potential exists for staffing concerns for all companies, including excavators, putting increased efficiency of healthy workers at a premium. To download this new communications tool, please click [here](#).

Did you know?

Holey Moley has shaken hands and given hugs to approximately 2,000 people this year at events throughout Indiana.



Indiana 811

Know what's below.
Call before you dig.



Volume 4/December 2009
Indiana811.org

The Dirt

The Latest

The member toolkit now offers a template newsletter article or email alert for you to distribute to your customers when winter weather strikes your area. This template will provide information about the proper way take action during those dreaded ice and snow storms, along with other pertinent storm recovery messages. Click [here](#) to download this tool and other media relations documents.

411 on 811

The fifth annual CGA Excavation Safety Conference and Expo will be held March 2-4, 2010 at the San Diego Convention Center in San Diego, Calif. The conference and expo is the largest and most widely attended show that deals with damage prevention and safe excavation in the underground utility industry. [Read more.](#)

In the News

Your Source for Indiana 811 Damage Prevention News

Spotlight 811

The final race of the NASCAR season occurred Sunday, November 22, 2009 at the Homestead-Miami Speedway near Miami, Fla. Thanks to CGA Platinum Sponsor, Shell Pipeline, the 811 logo was featured on Kevin Harvick's No. 29 Shell-Pennzoil deck lid. Kevin promoted the deck lid logo on his twitter page (@KevinHarvick) during the weekend as well. Here was the tweet:

[@KevinHarvick](#): Cool deck lid on my Shell/Pennzoil car this week. Keep your community and environment safe call 811 before you dig. www.call811.com As a result of his third place finish, Kevin Harvick was interviewed by ABC, ESPN and SPEED while wearing an 811 hat. Partnering with Kevin Harvick allowed CGA to increase the visibility and public awareness of 811 to an audience of more than 75 million race fans. For more information about CGA's partnership with Kevin Harvick, please click [here](#).

On The Calendar

Holey Moley will be making his way to the Indiana State Fair Grounds on December 17 to participate in the 9th Annual "Santa Comes to Town" event for the less fortunate Latino families in the Indianapolis area. Click [here](#) for a complete events calendar. Contact [Chuck Muller](#) to volunteer for future events or [invite Holey Moley to your event.](#)

Holey Moley

Happy Holidays from Holey Moley! Holey Moley has gotten an early start on celebrating the holidays by participating in the Noblesville Holiday Parade on Nov. 29 and visiting with 400 fourth graders at the State House on Dec. 11. Friends of Holey Moley on [Facebook](#) can click [here](#) to view pictures of Holey Moley and see how much fun he has been having across the Hoosier State.

Be sure to check out all of the media coverage Indiana 811 has secured across the state this year. Click [here](#) and click on the boxes labeled "other media" on the left-hand side of the One Call Maps site to view TV coverage and newspaper articles about Indiana 811.

Toolkit

Since the first issue of this newsletter was distributed in early July, Indiana 811 has provided members with tools that help them communicate with their customers, employees and the media about the importance of calling Indiana 811. Indiana 811 wants to your feedback on what tools have been useful, what tools you'd like to see offered and any additional feedback you can provide on our goal to better communicate with you, the members, this year. Please click [here](#) to fill out a brief survey about "The Dirt" and the member tools that are posted at <http://www.indiana811.org/toolkit.php>. By completing the survey you will automatically be entered into a drawing for a \$50 Gift Card!

Did you know?

Under the new call-before-you-dig law, all utility owners must become members of Indiana 811 or face potential fines, starting in January 2010. If you know of utilities that have not become a member, please have them contact [Chuck Muller](#) at 317-893-1404 to avoid potential fines in the future.



Indiana 811

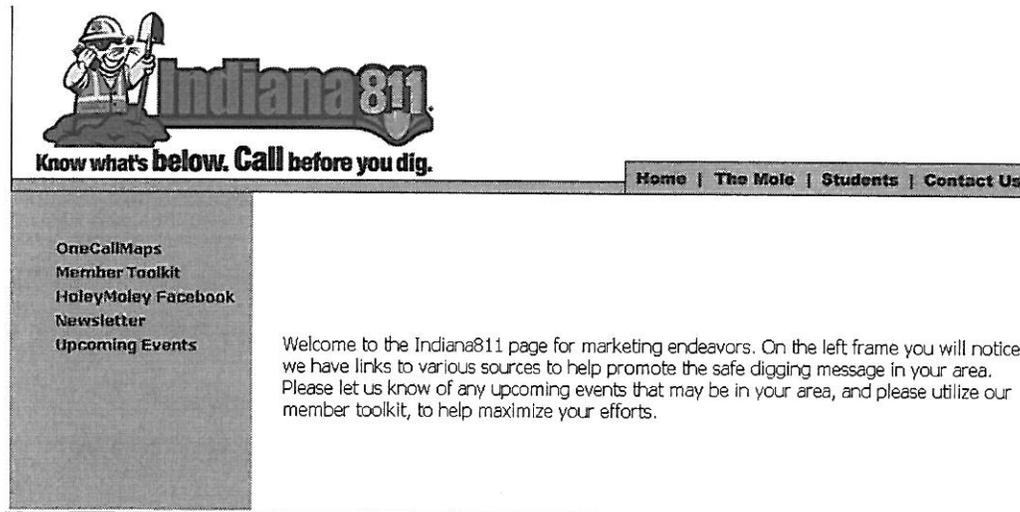
Know what's below.
Call before you dig.

Indiana 811 Member Toolkit

Items available in the Member Toolkit area:

- Indiana 811 Artwork – High Resolution pdf and eps files for you to reproduce Indiana 811 logos and printed materials.
- Press Releases – pre written press releases articles and PSA's that you can add your company information to.
- Media Relations – Tips on how to communicate with the media. These tools are to help promote a consistent message about Safe Digging in Indiana.

The following are screenshots of the Member Toolkit and it can also be accessed on-line at <http://www.indiana811.org/toolkit.php>.





Know what's below. Call before you dig.

[Home](#) | [The Mole](#) | [Students](#) | [Contact Us](#)

Indiana811 Artwork
Press Releases
Media Relations

Welcome to the Indiana 811 Member Tool Kit Page. On the Left are 3 links to access the Indiana 811 marketing tools.

- Indiana 811 Artwork - High Resolution pdf and eps files for you to reproduce Indiana 811 logos and printed materials.
- Press Releases - pre written press releases articles and PSA's that you can add your company information to.
- Media Relations - Tips on how to communicate with the media.

These tools are to help promote a consistent message about Safe Digging in Indiana.

To download the materials you will need to fill out a form to help us track how these materials are being used.



Know what's below. Call before you dig.

Indiana811 Artwork
Press Releases
Media Relations



Graphic Standards



Door Hanger 2



Large Ad



Brochure



Bumper Sticker



Know what's below. Call before you dig.

Home | The Mole | Students | Co

Indiana811 Artwork
Press Releases
Media Relations


Web Entry


Incident Letter

[Company Logo]

[Company Name]
[Mailing Address]
[Phone Number Fax Number]

CERTIFIED MAIL WITH RETURN RECEIPT

[Internal Tracking Number]

[Date]

[Company Name]
[Attn: Name]
[Address]

Re: Failure to use State One-Call Notification Center Prior to Excavation



Know what's below. Call before you dig.

Home | The Mole | Students | Conta

Indiana811 Artwork
Press Releases
Media Relations


Media Relations


Talking Points


Fact Sheet

Indiana 811 Fact Sheet

What is Indiana 811?

811 is the FCC-designated national three-digit number created to eliminate the confusion of multiple "Call Before You Dig" numbers across the country. The quick and efficient one-call service will notify the subscribing local utilities, which then send locating technicians to the requested site to mark the approximate locations of underground lines. The call is free of charge in Indiana.

How long before 811 will I see it?

- Call Indiana 811 at least two full working days, but no more than 20 calendar days before you dig in Indiana.
- Indiana 811 will notify subscribing underground facility operators to investigate underground lines on your project site.
- The subscribing utilities will mark their underground facilities with paint or flags where appropriate.
- After the lines have been marked, do not dig until you have received the return call (RCN).
- For more information, visit www.in811.com.

What information will I need to call Indiana 811?

- Your name and phone number
- Contactor name, address and phone number, when applicable
- County where excavation will occur
- Township where excavation will occur
- Street address where excavation will occur
- Nearest cross street to your site
- Type of work you will be doing
- How deep you will be digging

Law Change FAQ

1. Is hand digging still exempt from calling before you dig?
 - Yes, but only if you are digging under 12" deep on your own property. But, if you damage an underground facility you are still responsible for the damages. Indiana 811 recommends that you always "Know What's Below" and call 811 before you Dig.

2. I see that an exemption has been added for probing to determine the extent of gas migration. Does this include all probing?
 - No, the exemption is only allowed for determining where a gas leak is occurring. It does not exempt them from damages that they may cause to other buried facilities during the probing.

3. Who needs to be a member of Indiana 811?
 - All operators of underground facilities with the exception of those facility owners whose facilities are on their property and are used solely for their own benefit, are required to be members of Indiana 811

4. If I do not become a member of Indiana 811 what are the consequences?
 - In addition to not being able to collect damages from an excavator that strikes your facility, penalties have been added that can reach up to \$100 per each day of non-compliance. Penalties can start to be assessed on January 1, 2010.

5. What is this white lining I am hearing about?
 - White lining is the process that an excavator uses to identify the location of their excavation using white flags or paint marks. It is also a Common Ground Alliance best practice.

6. When am I required to white line my excavation site?
 - White lining is required when an excavator cannot accurately identify where they will be digging on the locate request. The following are the minimum requirements for a locate request. Street Address, Legal Description of the location, A highway location using highway mile markers or cross streets.

7. What is the maximum size of an excavation site that may be included on a single locate request?
 - The longstanding Indiana 811 policy on this is now included in the Law. Within an incorporated area an excavator may put 1,500 linear feet on each request. In an unincorporated area they may put 2,500 linear feet.

8. What happens if I call in a false emergency locate request?

- The law in Indiana defines a person performing an emergency excavation or demolition as one who is involved with repairs or improvements that involve an imminent danger to life, health, property or loss of service. After July 1st 2009 a person that calls in a false emergency locate request could be fined up to \$1,000.

9. Who can be fined?

- Anyone in violation can be fined if there is a gas or pipeline damage.

10. How will the fines be levied?

- The governor will appoint an advisory committee to create and oversee the new penalty section of the law. A rule making process will be started to set up the rules guiding the committee.

11. As an excavator what can I be fined for?

- Fining is the last option given to the Advisory Committee. Warning letters and education are at the fore front of the tools given to them. With the exception of the fines for not being a member of Indiana 811 and for calling in false emergencies the fines will be restricted to only violations to the law when a pipeline or local gas distribution company's lines are involved. Most fines have a maximum of \$10,000 per occurrence.

12. Where does the money from fines go?

- The money collected from fines will go into an account to pay for training and public awareness activities.

SDPP Program Review

Slide 1



Indiana 811
Know what's below.

Statewide Damage Prevention Program

First year recap and second year goals

Slide 2

SDPP Program Review

- ▶ Started on June 1st 2008 to help bring Indiana into compliance with the 9 elements of the PIPES act.



Indiana 811
Know what's below.

Slide 3

SDPP Program Review

- ▶ 1st year of the grant received with the assistance of the IURC.



Slide 4

SDPP Program Review

- ▶ The program is currently visiting job sites in Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan and Shelby Counties



Slide 5

SDPP Program Review

- ▶ The program is designed to follow a locate request beginning with the call to the Call Center to its expiration date



▶

Slide 6

SDPP Program Review

- ▶ The current average is 40 1st time jobsite visits per week along with 12 2nd visits per week



▶

Slide 9

SDPP Program Review

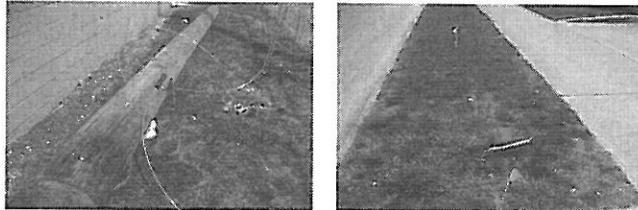
- ▶ Contact made with the Contractor/Homeowner on the jobsite if possible to discuss the request and answer any questions or concerns with the process.
- ▶ The call can be listened to and used for coaching Call Center agents if necessary and also to address any problems the caller is having.



Slide 10

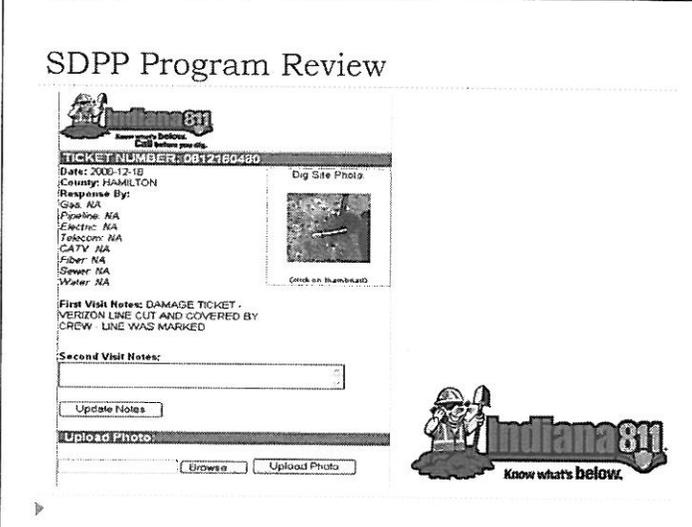
SDPP Program Review

- ▶ The jobsite is reviewed and pictures taken of the locates.



Slide 13

SDPP Program Review



Indiana 811
Know what's below.

TICKET NUMBER: 0012180480

Date: 2000-12-12
County: HAMILTON

Response By:
Gas: NA
Pipeline: NA
Electric: NA
Telecom: NA
CATV: NA
Fiber: NA
Sewer: NA
Water: NA

Dig Site Photo

Click on thumbnail

First Visit Notes: DAMAGE TICKET -
VERIZON LINE CUT AND COVERED BY
CREW. LINE WAS MARKED

Second Visit Notes:

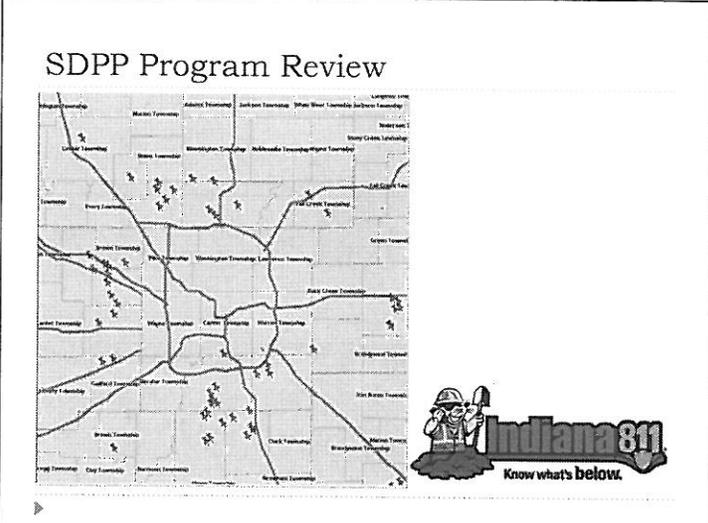
Upload Photo:



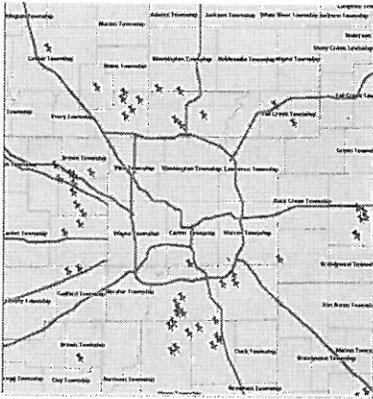
Indiana 811
Know what's below.

Slide 14

SDPP Program Review



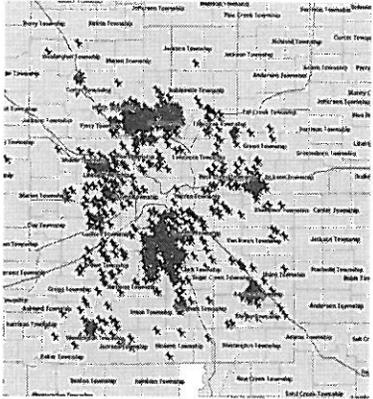
Indiana 811
Know what's below.



Indiana 811
Know what's below.

Slide 15

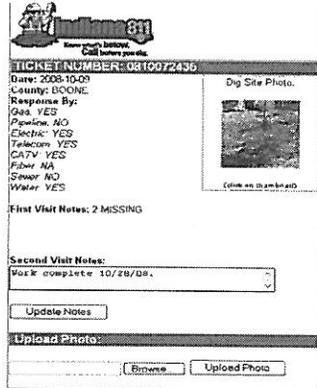
SDPP Program Review



The slide displays a map of Indiana with a grid overlay, indicating the locations of SDPP (Statewide Dig Protection Program) program reviews. The map shows various counties and their respective townships. A small icon of a person with a shovel is positioned next to the Indiana 811 logo, which includes the slogan "Know what's below."

Slide 16

SDPP Program Review



The slide shows a screenshot of the Indiana 811 SDPP Program Review form. The form includes the following information:

- TICKET NUMBER:** 0810072436
- Date:** 2008-10-09
- County:** BOONE
- Response By:**
- Gas:** YES
- Pipeline:** NO
- Cable:** YES
- Telecom:** YES
- CA TV:** YES
- Fiber:** NA
- Sewer:** NO
- Water:** YES

First Visit Notes: 2 MISSING

Second Visit Notes: Work complete 10/29/08.

Upload Photo: [Remove] [Upload Photo]

The form also features a "Dig Site Photo" section with a small image placeholder and the text "(click on the photo to enlarge)". The Indiana 811 logo with the slogan "Know what's below." is visible in the bottom right corner.

Slide 17

SDPP Program Review

Ticket Number	County	Date	First Visit Notes	Second Visit Notes	Gas	Pipeline	Electric	Telecom	CATV	Fiber	Sewer	Water
080814208	MARION	8/16/2008			YES	NO	YES	YES	YES	NO	NO	NO
080814281	MARION	8/16/2008			YES	NO	YES	YES	YES	NA	NO	YES
080814297	MARION	8/16/2008			YES	NA	YES	YES	YES	NA	NO	NO
080815040	BOONE	8/16/2008			YES	NO	YES	YES	YES	NA	NO	NO
080815032	BOONE	8/16/2008			YES	NA	YES	YES	YES	NA	NO	YES
080815047	BOONE	8/16/2008			YES	NA	YES	YES	YES	NA	NO	YES
080815071	BOONE	8/16/2008			NO	NO	YES	YES	YES	NA	NO	NO



Slide 18

SDPP Program Review

- ▶ 4 presentations made on program to date
- ▶ Monthly visits to SWODPC
- ▶ 3 Indiana DPC's planned for set up



SDPP Program Goals

- ▶ Expansion into more counties
- ▶ Monthly distribution of results to Members
- ▶ Growth of Indiana DPC's

