

OHIO UNDERGROUND DAMAGE PREVENTION COALITION UPDATE AND NEXT STEPS

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March 27, 2014

Overview

Ohio Underground Damage Prevention Coalition (OUDPC)

- Formed in February of 2011
- 95 stakeholders – Utility and Contractor Chairs

Purpose

- Modernize Ohio's underground damage prevention laws (ORC 3781.25 - .32 & 153.64)
- Move closer to a true one-call system
- Improve safety

HB 458

Major Contribution to Safety

- Design Tickets (3781.27)
- Pre-marking in White (3781.29)
- Universal Marking Standards (3781.29)
- Positive Response (3781.26)
- True One-Call/Limited Basis Participants (“LBP”) (3781.271)
- Trenchless Technologies (3781.30)
- Excavator Training (3781.261)
- Large Projects (3781.28)

Enforcement

Next Step for the Coalition

- Pipeline Hazardous Material Administration Engaged
- Unanimous support for enforcement and data reporting
- OUDPC Enforcement Subcommittee

Coalition Focus

Enforcement
Agent

Industry
Participation

Process

Penalties

Despite Agreement – Details Very Contentious

Enforcement

Enforcement Agent

- Public Utilities Commission of Ohio (PUCO)
- Other state agencies considered
- Only certain agencies can levy fines

Industry Participation

- Underground Technical Committee (UTC)
- UTC makeup: Agreement on general structure
- Actual Composition = Unresolved Issue

Enforcement

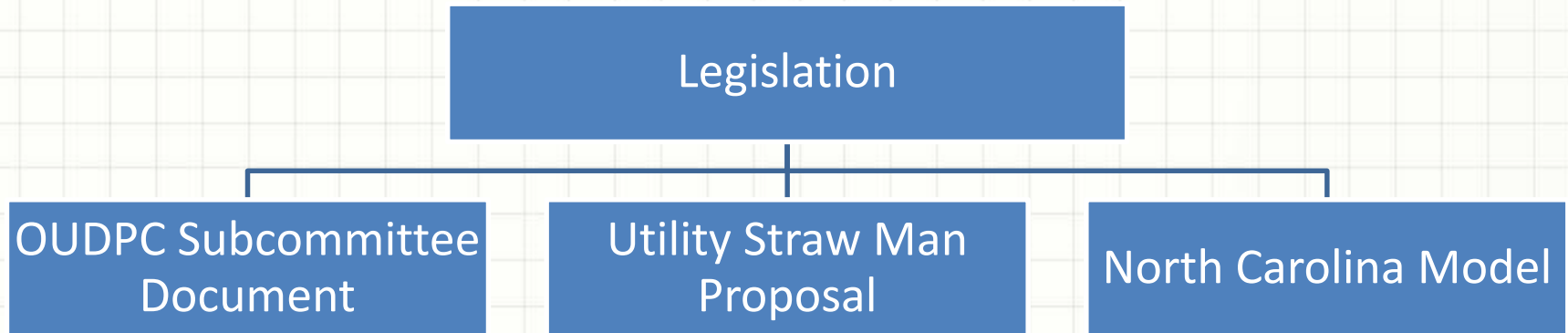
Process

- UTC or PUCO as initial entry point?
- Proactive or Reactive?
- Limitations on PUCO scope and authority?

Penalties

- Amount for initial and subsequent violations?
- What should be considered by the UTC/PUCO?
- Which sections of the law should initially be enforced.

Enforcement



Legislative Process

- Senator Coley and Representative Sprague
- Interested Party Meetings - Upcoming
- Committee and Hearing Process – To Follow

Very Tight Legislative Timeline

Next Steps

Enforcement Passes

- Allow the law to work for a while, then measure progress
- When we get there:
 - Improved training
 - Refinement of definitions
 - Large projects and defined limits for scope of tickets
 - Ultimately enforce the entire law

Enforcement Does Not Pass

- Back to the drawing board



QUESTIONS?