



**Know what's below.  
Call before you dig.**

# **Tennessee Underground Utility Damage Prevention Act**

**2009**

Presented by:  
Bill Turner  
Executive Director



# History of Tennessee One Call System, Inc.

- Original Underground Utility Damage Prevention Act passed in 1978
- Tennessee One Call started in 1983
- Began in Nashville and now serves 540 member utilities statewide
- Process over 500,000 location requests per year and over 2.5 million notifications to members to protect underground facilities from damage
- A 24 x 7 operation



# Participation

- Gas utilities are mandated to belong
- Non member utilities cannot recoup damages if they don't participate
- Anyone Excavating is required to give three working days notice to **TN811** before excavating



**Know what's below.  
Call before you dig.**

**IT'S THE LAW!!**



# 811 “Call Before You Dig”

- The Nationwide three digit dial number
- Available Statewide and Nationwide
- Federal Government assigned the number to “Call Before You Dig” in April 2007
- TRA Authorized Tennessee One Call System ownership in November 2006
- 811 vs. 911

# How it works

- Excavator must notify **TN811** three working days prior to excavating
- Utilities receiving notice must locate their underground facilities prior to the excavation using markings or flags to indicate the approximate location
- Excavator may begin excavation after required time maintaining a clearance (safety zone 2 feet on either side) from the marks



# Penalties

- Citation (class A misdemeanor) by law enforcement officer
- Punishable by up to \$2500 and/or 48 hours in jail



# Cost to Participate

- Notification of Excavation = FREE
- Utility Membership to receive notification of excavation = \$1.15 per notification
- 40% of Membership pays less than \$1000 per year
- 10.5% of Membership considered Minimal member, pays less than \$200 per year
- Public safety = Priceless



# Proposed Changes

- With the interest of “Public Safety”



# Membership

- All Stakeholders must participate in excavation damage prevention process
  - Phase in Mandatory Membership for Underground Facility owners over 2 or 3 years
  - Utilities that don't participate are a danger to excavators and the citizens of Tennessee

# Notification Requirements

- Excavation damage poses, by far, the single greatest threat to underground facilities
- Anyone excavating in the State of Tennessee must notify **TN811** of the intent to excavate no less than three working days prior to excavating

**NO EXEMPTIONS, NO EXCEPTIONS**

- The service is:
  - FREE
  - Easy To Use
  - The Right Thing To Do

# Enforcement & Penalties

- States with comprehensive damage prevention programs, that include effective enforcement, have a substantially lower probability of excavation damage to facilities than states that do not
- The Plan
  - Create an Advisory Committee made up of stakeholders to review violations brought before the TRA
  - Turn enforcement over to TRA
  - Promote education in lieu of fines
  - The current penalty structure is not working



# Damage Prevention

- In 2007, there were **2836** reported damages to underground facilities in Tennessee
- Estimated value of damages exceeds \$5,000,000
- Estimated customers affected by outage exceeds 2.5 million



# Why are these changes necessary?

- **Damage Prevention:** Underground Facilities are being damaged constantly
- **Public Safety:** People *will* get injured and hopefully there will be no fatalities
- **Protection:** Hospitals, 911, schools, businesses all rely on these services to operate
- **Lives:** Lives are being threatened when failing to call before digging
- **Federal Funding:** Funding will be reduced for non-compliance

# COMMON EXCUSES?

- “I know where the lines are”
- “I’m not digging deep enough to hit a line”
- “Go ahead...take one more scoop...”
- “I can’t wait 3 days for it to be located”
- “My print shows all of the buried lines”







# 3rd Party Damage in Indiana





**Water Main  
Next To  
Power Pole**



**Water Main Damaged By Backhoe  
No Markings**

# Installing A Mailbox

Hit Electric Cable – No Markings





**A Phone Company Worker responds to  
a severed 900 Pair cable**



**Trencher Hit Gas Line...No Markings**





833

ACE  
RENTAL  
PLACE

MAY 9 2007



MAY 9 2007









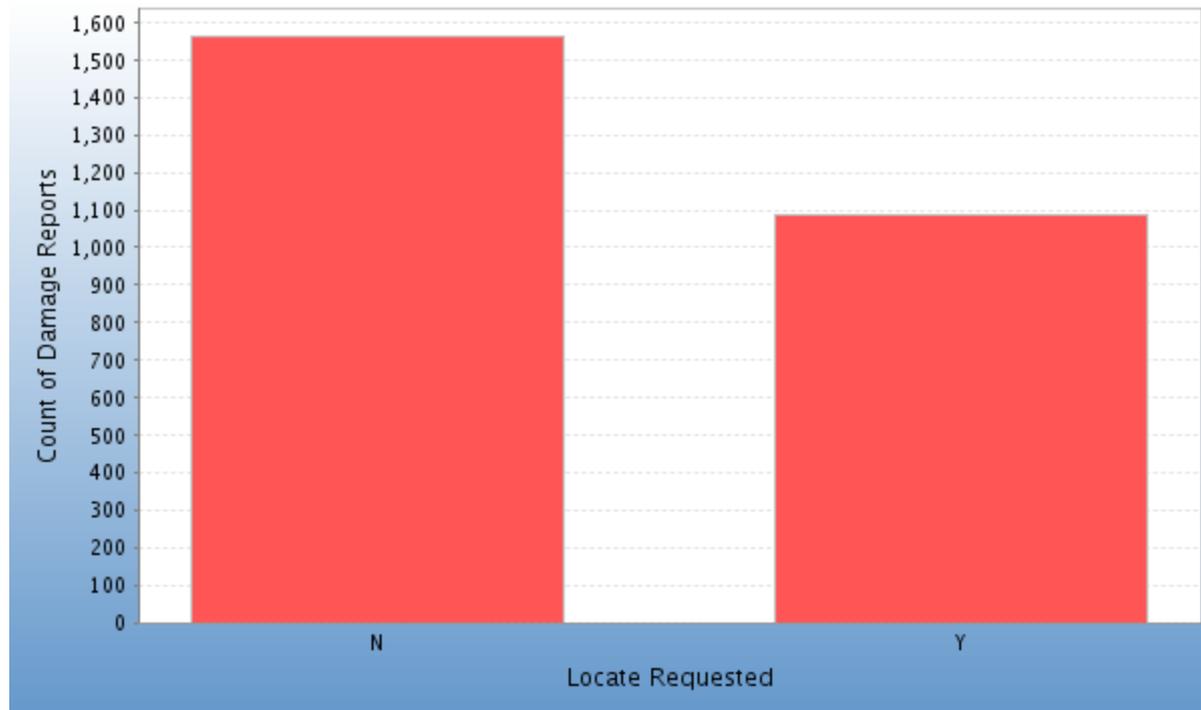




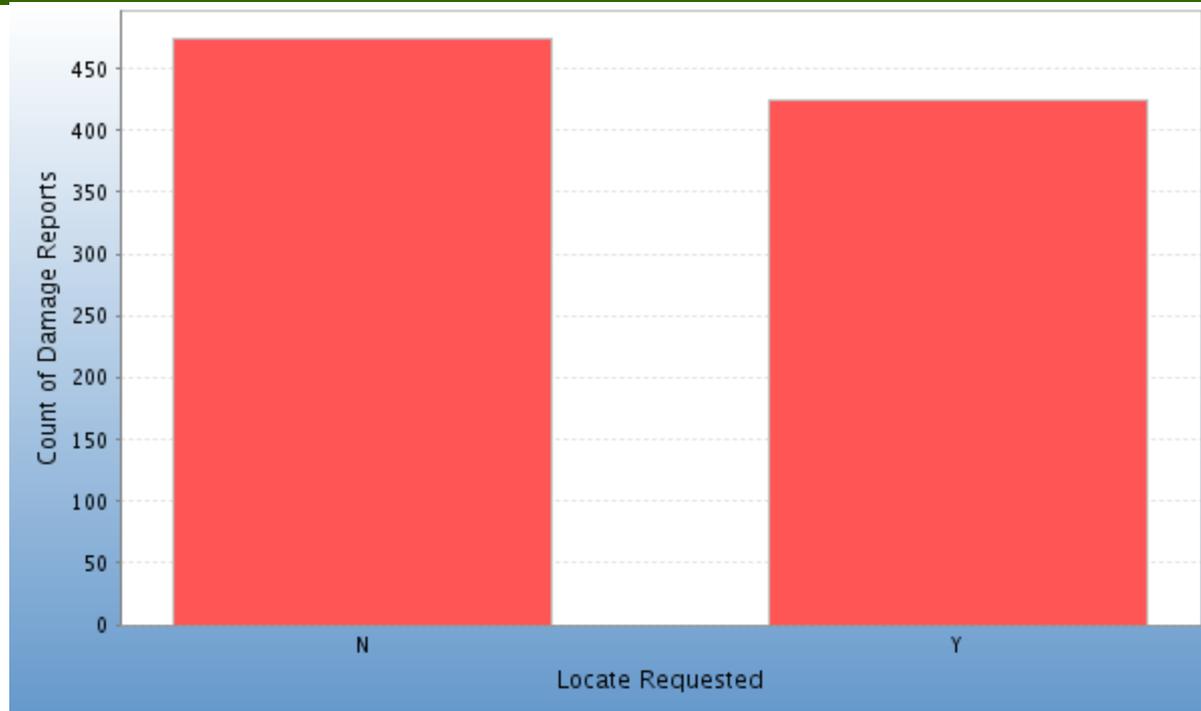
Sometimes we just get lucky.....







ABBR	LOCATE_REQUESTED	COUNT	PERCENT
N	No	1562	59.01
Y	Yes	1085	40.98



ABBR	LOCATE_REQUESTED	COUNT	PERCENT
N	No	474	52.72
Y	Yes	425	47.27

**It's hard to change behavior without a penalty!**



# Georgia

- Georgia has a successful Damage Prevention Law and a good enforcement program

*“It only took us 3 years and 3 deaths to get it”*

*-Georgia Public Service Commission Chairman*



*Thank You*