

# Louisiana



2022 Issue 2



Enforcement



# DON'T ignore me.

What? You don't think that you should pay attention to a little yellow flag? Well, I'm the best thing to keep your crew safe. Call 811 before digging, and Atmos Energy will plant me and my pals wherever natural gas lines are buried. Trust me, you'd rather have us get your attention than a natural gas line.



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



[atmosenergy.com/call811](http://atmosenergy.com/call811)



from the desk of

# Brent Saltzman



## Enforcement..Does It Work?

Does enforcement really work? And if so, is it fair and equitable as it pertains to the Dig Law? Is it necessary? I'll do my best to address these questions since this issue of our magazine is devoted to Enforcement.

I don't think anyone would argue that having enforcement of ANY law is a bad thing. For years, we had virtually no enforcement for violators of the Dig Law so it was welcoming to see the Louisiana Office of Conservation – Pipeline Division authorized to enforce this statute back a few years ago as it pertains to pipelines. They have proven through statistical data that damages are down in Louisiana because of their efforts so the answer to the first question is unequivocally "YES", enforcement works! I know that this agency proactively looks for the "bad" players out there and their intent isn't to punish anyone or issue citations. Their purpose, in my opinion, is

to educate excavators and curtail poor behavior. The bottom line is they have the same intent as we do at the end of the day, get excavators home safely!

The next question addresses the fairness of enforcement. I think without question that this organization wants nothing more than to hear from those presumed to be guilty of violating the Dig Law. Listening to all parties involved, gathering the facts, and taking into account the circumstances is paramount to making an equitable decision and I feel confident each of these points are covered by the Pipeline Division.

Finally, do I feel enforcement is necessary? I think the better question is what if we didn't have enforcement? It would be like the Wild West out there if we didn't and I'm confident that damages to vital underground and submerged infrastructure would skyrocket resulting in more utility outages and perhaps more injuries or even deaths. If I'm being perfectly honest, I'd like to see enforcement across the board for ALL utilities – not just pipelines. Perhaps we'll get there one day but for now, I'm happy that this state agency has enforcement capabilities and they're doing fantastic work out there.

In closing, let me say THANKS to all the other folks that proactively work to make us all safer. We all have a role to play in promoting the health and well-being of our communities.

Brent Saltzman  
Executive Director  
Louisiana 811

# Louisiana 811



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Roger Cox, Publisher

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Contact Louisiana 811 for specifics in their dig law.

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Louisiana 811

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# Did you make that call?



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Call before you dig.

Boardwalk Pipelines is committed to operating pipeline assets in a safe, reliable and compliant manner and providing the highest level of customer service.



## 2022 Louisiana Convention Schedule

### Louisiana Gas Association (LGA) Pipeline Safety Conference

July 18-21; New Orleans  
[www.louisianagasassociation.org](http://www.louisianagasassociation.org)

### Louisiana Rural Water Association (LRWA) Annual Conference

July 18-21; Lake Charles  
[www.lrwa.org](http://www.lrwa.org)

### Plumbing-Heating-Cooling Contractors of Louisiana Annual Convention & Trade Show

July 21-23; Crowne Plaza Baton Rouge  
[www.laphcc.org](http://www.laphcc.org)

### Louisiana Municipal Association Annual Convention

July 28-30; Cajundome, Lafayette

### Louisiana Forestry Association Annual Convention

August 30-September 1; Golden Nugget, Lake Charles  
[www.laforestry.com](http://www.laforestry.com)

### Operations Report

#### Incoming Locate Requests:

2021 thru May – 318,769

2022 thru May – 364,146

#### Outgoing Notifications:

2021 thru May – 1,497,768

2022 thru May – 1,763,006

#### Call Ratio (Incoming notifications to Outgoing Members)

2021 thru May – 1: 4.70

2022 thru May – 1: 4.84

#### On-Line Ticket Entry

2021 thru May – 81.25%

2022 thru May – 87.69%

#### Homeowner Ticket Volume

2021 thru May – 20,245

2022 thru May – 18,968

### Welcome New Members

Atlanta Water System

CAMS Midstream Services

City of Baton Rouge/Parish of East Baton Rouge,  
Department of Transportation & Drainage, Traffic  
Engineering Division

Cullen, Town of

Dome de Sel LLC

Epic Learning Center – Keithville

Hall Summit, Village of

International-Matex Tank Terminals LLC

Paloma Natural Gas, LLC

Sikes, Village of

St. Landry Sewer District # 1

U. S. Air Force – AFCEC

Vivian, Town of

# Terrebonne Parish Permit Asks Did You Call 811 Before You Started the Project



(left to right) Marcus Comeaux, Gordon E. Dove, Matthew Pregeant

**M**et Matt Pregeant, 16-year Shell employee and Gordon Dove, Terrebonne Parish President. Two different perspectives and experiences but one common bond... public safety. Here's the story.

Matt's role with Shell is a right of way (ROW) technician. In that role, he is focused on damages to Shell Pipeline's assets. He would naturally see someone digging on a right of way and he would want to know if the excavator had made the call to 811. His familiarity with the process would cause him to notice things others might not.

Matt said, "One day, a contractor installing a fence a few houses down from my father in law's residence had a near fatal incident. The contractor was using an auger attached to a skid steer to dig holes for the post on the new fence when his machine struck a main underground electrical feed.

I found out a one call was not placed before digging started, however a Parish permit was issued. In my role as a ROW Tech, we encounter unauthorized encroachments from contractors installing culverts or excavation for any number of reasons, all of which require Parish

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# Do you know what lies beneath?



**At Entergy, safety is our number one priority. Make it yours! Whether you are a homeowner, field worker or excavator, always call 811 before you dig.**

From installing a new pool to something as simple as planting a tree, digging without knowing what's beneath the surface can harm or possibly kill you or someone you love. You could disrupt utility services to your neighborhood and be responsible for expensive repairs and steep fines.

When you call **811** before you dig, all utilities, including Entergy, are required to respond within two business days to locate and mark the underground utility lines. (The two business days start the morning of the day **after** you called in for a locate ticket).

And if you suspect a gas leak, leave the area immediately and call **1-800-ENTERGY (368-3749)** or **911**. A gas leak could be happening if you smell the distinctive natural gas odor, hear a hissing or whistling sound near a gas appliance or see dead vegetation or bubbles near a gas line.

We're committed to keeping you safe. Together, we power life.



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



A message from Entergy New Orleans, Inc. and Entergy Louisiana, LLC  
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WE POWER LIFE®



# Dig Law Amendment



By Cole Vanderlick  
Manager - Damage Prevention  
Louisiana 811



The Louisiana Underground Utilities and Facilities Damage Prevention Law, aka Dig Law, revises its language regarding emergency dig tickets, effective August 1, 2022.

## §1749.12 Definitions

(6) “Emergency” means any crisis situation which poses an imminent threat or danger to life, health, or property, *or the situation is the result of an unplanned utility outage*, requires immediate action, and immediate action is taken.

## §1749.15 Emergency excavation; notice required; penalty

A. The notice required pursuant to R.S. 40:1749.13 shall not apply to any person conducting an emergency excavation. Oral *or electronic* notice of the emergency excavation shall be given as soon as practicable to the regional notification center or each operator having underground utilities and facilities located in the area and, if necessary, emergency assistance shall be requested from each operator in locating and providing immediate protection to its underground utilities and facilities.

B. The excavator shall certify in the notice required in Subsection A of this Section that the situation poses an imminent threat or danger to life, health, or property *or is the result of an unplanned utility outage* and requires immediate action and that the excavator or *owner/operator* has a crew on site.

C. There is a rebuttable presumption that the excavator failed to give notice as required pursuant to this Section if the excavator failed to give any notice to the regional notification center within the following time periods:


*(1) Within two hours from the discovery of the need for an emergency excavation.*

*(2) In the case of a gubernatorially declared state of emergency due to a weather or homeland security related event, within twelve hours of the beginning of the emergency excavation within the parishes to which the emergency declaration applies.*

*D. The owner/operator of the underground utilities or facilities or submerged infrastructure shall respond to an emergency notice as soon as practical under the circumstances.*

*E. Emergency excavation notices are valid for as long as the emergency situation exists. The type of work and location must remain consistent with the work described in the emergency excavation notice. If the type of work and location become inconsistent with the emergency excavation notice, then a new excavation notice is required.*

## §1749.13 Excavation and demolition; prohibitions

B. (1)...Holidays shall consist of the following: New Year’s Day; *Martin Luther King, Jr. Day*; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Eve; and Christmas Day. 

**\*\*Amendments are in red italics\*\***



# Board Member Spotlight




***Every job, every time.***

CenterPoint Energy training is focused on making sure your leadership and field personnel understand the 811 state laws, safe digging best practices, and other tips to help your projects be completed damage free without the delays and expenses of cutting a natural gas line. Most importantly, it is critical we cover how to stay safe in the event of a cut natural gas line.



*Louisiana 811 Board Member, Taylor Creech, CLECO*

**A**s a Lead Distribution Engineer for Cleco Power LLC it is my responsibility to ensure that my fellow employees and Cleco's contractors have everything they need to dig safely. At Cleco we want all of our fellow employees and contractors to go home to their families at the end of the day in the same condition they came to work. As a member of the Northlake Utility Council since it was restarted in 2016, I have helped spread the Damage Prevention message in St. Tammany Parish. As a member of Louisiana 811's Board of Directors, I will work hard to help spread the Damage Prevention message across the state. Together and with the power of Louisiana 811, we can dig safely, keep the lights on, and get everyone home safely. 



Our training also covers the steps to prevent natural gas ignition, explosion, and inherent risks should blowing gas from a damaged pipeline occur in your community.

To schedule your training session, email [PublicAwareness@CenterPointEnergy.com](mailto:PublicAwareness@CenterPointEnergy.com)





# Sustaining Member Spotlight



Since its founding in 1987, Baton Rouge Green has been ever-present in the Capital Region: planting and maintaining thousands of trees along major roadways and interstates, educating kids, helping underserved neighborhoods with community greening, and cultivating urban orchards to provide citrus to all citizens. Over the past 35 years the evolving and impactful staff and volunteers have planted at least 100,000 trees in the area. And not one tree in recent years has been sited and planted without a call to 811, Louisiana One Call.

“Right Tree, Right Place’ is our ultimate mantra for choosing how, what and where to plant every tree. And inherent in this idea is awareness of built infrastructure and utilities, both above and below grade. We are grateful to have an asset like 811, whose team responds quickly and effectively to our requests for information, and never

impedes our ability to do our work,” says Executive Director Sage Foley.

Baton Rouge Green, now with a full-time staff of five, seeks to move forward with more major roadway plantings in the next 10 years, as well as to take a larger role in maintenance of these and other public green spaces. The group also has high aspirations for its City Citrus program and intends to further expand and establish more open-source citrus trees in underused urban green spaces, thereby promoting not only arboriculture, but agroforestry and independent food production by citizens.

Find out how to get involved at [batonrougegreen.com](http://batonrougegreen.com).



The Plumbing-Heating-Cooling Contractors of Louisiana (PHCCLA) is celebrating 100 years of service to our industry. With a new strategic plan in place, PHCCLA is focused on our mission to protect the health, safety, and welfare of the public through advocacy, education, and workforce development. We have programs throughout the state to offer continuing education and networking opportunities and invite p-h-c contractors to join! Our next event is in Baton Rouge from July 21-23, 2022 at the Crowne Plaza. We will be hosting our Annual Convention and Trade Show. Come get the latest updates on multiple topics in the field, as well as connect with vendors and service providers. We are pleased to include our partner, Louisiana 811 in this event, as we appreciate our joint efforts to protect the safety of the public and our industry professionals.



Founded in 1953, SJB Group has evolved into one of the most respected

and diversified consulting firms in its class, separating itself from competitors through its personnel, breadth of disciplines, technology and attention to service. From civil and subsurface utility engineering, landscape architecture and planning to all types of surveying, SJB Group can act as a single source to work with their clients through every stage of project development and completion.

SJB has been a supporter and member of Louisiana 811 since its founding. From keeping survey crews safe while excavating for property corners and assisting our subsurface utility and civil engineers with valuable data on existing utilities, SJB finds the services that Louisiana 811 provides invaluable. Whether you're a professional excavator or homeowner, you need to know what is below. We consistently emphasize the Louisiana 811 well-known slogan, "Know What's Below. Call before you dig." SJB Group believes that any job worth doing must be done safely.

Contact: Karen Kennedy, PE (225) 769-3400  
[Karen.Kennedy@SJBgroup.com](mailto:Karen.Kennedy@SJBgroup.com)

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Paradigm is a one stop solution for public awareness and damage prevention programs. Our comprehensive approach to public awareness programs takes advantage of modern technology, software applications, and trusted experience to effectively identify and engage with your stakeholders. Plan, implement, review, revise, regardless of what stage of public awareness you need assistance in, we are here to help!

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Louisiana AGC is the only statewide full-service construction trade association representing more than 1,000 general contractors, subcontractors, suppliers and service firms throughout the state. We are now the seventh-largest AGC chapter in the nation. Formed in 1949, LAGC is one of the 96 chapters of the 25,000-member AGCA headquartered in Washington, D.C. LAGC works for its members in areas such as legislation, governmental relations, workforce development, safety and training, human resources, and liaisons with awarding authorities and design professionals. We serve as the voice of the construction industry and are constantly striving to protect and preserve the livelihood of our members.

Together with our members, LAGC promotes skill, responsibility and integrity through construction and services that enhance the quality of life for those who live, work or travel in Louisiana. We provide members and their employees with opportunities to learn through seminars and professional development training courses and network with industry peers through meetings, conferences and social

events. We also collectively influence public officials and private-sector owners through our longstanding relationships as well as help members develop business growth. LAGC is the voice of the Louisiana construction industry, helping our members to stay informed in areas that will directly impact their bottom lines.

LAGC has four occupational divisions: Building, Highway, Utility Infrastructure, and Flood Protection and Coastal Restoration. Each of these four occupational divisions are composed of members performing similar types of construction with mutual concerns. All of our members benefit from the long-standing relationship that LAGC has with local, state and federal authorities, which dictate day-to-day construction life, either as owners or as regulatory bodies.

LAGC makes a concerted effort to build and maintain relationships with other associations/ similar organizations that align with our mission. We have partnered with Louisiana One Call for over 30 years now, and they played a key role in passing legislation regarding markings, benefiting our members greatly. We attend their conferences & events and are proud not only that they are an LAGC Member, but also to have such an incredible working relationship with an organization of such stature. 

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#### CONTINUED FROM PAGE 5

permits. When these are investigated, I sometimes found that a permit was placed but not a one call.

It seemed most all people knew to abide by the permit requirement but failed to call 811 before they dug. Being familiar with the requirements needed to get a permit in Terrebonne Parish, I knew that an 811 call was not in the list of steps. I knew that if we could combine the two requirements it could help eliminate damage to all underground utilities and help protect the safety of contractors as well as the homeowners involved in weekend projects.”

With the idea fresh on Matt’s mind, he made a call to the Terrebonne Parish President Gordon Dove. Matt and Gordon had met before at different benefits and local public awareness events supported by Shell. When Matt pitched the idea to the Parish President, Gordon said, “My first reaction to the idea was, how is it that we don’t already do this? I told Matt, I thought it was a great idea and anything we can do to improve safety and reduce incidents, we

are onboard.” From there Gordon put Matt in touch with Chris Pulaski, Head of the Planning and Zoning Department and the process of getting the permit changed was just a matter of time.


Terrebonne Parish had required a permit for all building and most excavation such as sewage treatment, plant installs, culvert installs, electrical services, plumbing, fence construction and those kinds of projects, but there was not a requirement to specifically call 811 tied to the permit. That changed recently as the new look permit rolled out at the beginning of April.

As a matter of curiosity, the Parish President was asked “were there residents who wanted to know who or what is 811?” Gordon responded, “Unfortunately, we do have several that aren’t all that familiar with 811 and the process, so this is a good chance to educate anyone who has questions when filling out the permit.” Additionally, he said, “for now, we’ve made it a suggestion that the resident makes the call and when they get to the

question that asks was the call made and they say no, then the Louisiana 811 law is presented along with a link to access the call center. We think for now that is the best way to educate the user the need to make the call. So, we’ll test it and see the results and decide later whether or not to make it a requirement.”

Matt said that based on the interest in Terrebonne Parish and the support he’s received, he wants to work with the neighboring parishes and continue to build the program from there.

We salute Terrebonne Parish President Gordon Dove and his staff along with Matt Pregeant, Shell Pipeline for working together to implement perhaps the first of its kind of permit in Louisiana. Thank you gentlemen... We just needed somebody to blaze the trail... we’ll be close behind!

Make that call to 811 before you dig! 



## Enforcement: C

**E**nforcement is not a new concept. It is not even a new concept in underground utility industry. To be sure, it has been the foundation for pipeline safety for generations. The first statute regulating pipeline safety was the Natural Gas Pipeline Safety Act of 1968, which Congress then amended in 1976. Early on, the focus was on the operators and the safe operation of pipelines. The U.S. Congress, reacting to national tragedies involving underground utilities and armed with statistics showing more than 30% of all damages to underground facilities were caused by third parties, and consequently made protecting our underground utilities a higher priority.

As a result of this congressional interest, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a directive that stakeholders come together to create a measurable and more effective damage prevention program in each state - and one that is based on accountability.

Everyone understands and endorses the principle of accountability. For example, it's not the fine that causes us to drive within the speed limit; it's the threat of the fine. If it were not there, most of us

would drive much faster. The threat of the fine, speed limit signs, the patrol car on the side of the highway, billboards and other advertisements remind us to drive safely. Most do but what to do with the drivers who routinely refuse to abide by the established rules of the road?

No one wants to fine us; they simply want us to slow down. Effective enforcement is not now, nor has it ever been about fines. It's a change in our behavior that is expected and if we slow down, then the law is working. Fines are for those who refuse to change their poor behavior.

The objective of enforcement on our state's highways is to keep the public safe. We don't want our families placed in harm's way by reckless behavior, whether it's excessive speeding or driving under the influence. We have certain expectations that those who disregard these laws will be held accountable for their decisions.

There should be the same expectations when it comes to protecting our underground infrastructure. This is also about public safety. The objective of enforcement is damage prevention, and damage prevention benefits everyone. Fining someone for making a mistake just makes them

angry and is neither effective nor fair. Effective enforcement is designed to change behaviors. And behaviors are changed through education - by educating all stakeholders. On the other hand, behaviors can be changed, when necessary, by enforcement, so in that regard enforcement plays a very important role in damage prevention.

It's not unreasonable to have higher expectations for those involved in the construction industry. Things were a lot different twenty years ago. People didn't know to call. There weren't as many underground facilities carrying the kinds or amounts of emergency information as there are today. It's critical that all stakeholders view their role as the vital link to public safety.

Every state has its own unique excavation damage prevention law commonly referred to as the "One Call" or "Dig" law that establishes requirements for both excavators and operators of underground infrastructure. The specific requirements vary considerably from state to state. Requiring all underground utility owner/operators to be a member of 811, mandatory white lining, mandatory damage reporting and defining when a violation occurs is viewed differently.





# Choose Wisely!

*By Roger Cox  
President  
ACTS Now, Inc.*

Should you be held accountable when you excavate around a water line without contacting 811? Or is it only a violation when you excavate around a gas line without contacting 811? If a damage does not occur in either case, then what makes it a violation? Is it excavating without a ticket or is it excavating without a ticket in the vicinity of a gas line? Obviously, the same is true when discussing locating your underground facility. The excavator should have the same expectation for the locate marks for a communication line as he does for a gas line. It should be marked within the time frame and within the tolerance zone outlined in the Dig Law.

As the result of the questions above many states are now amending their Dig Laws to provide enforcement provisions for violations of the Dig Law without respect for the utility type. The thinking is by requiring all stakeholders (regardless of utility type) to abide by the state's Dig Law, it will strengthen their damage prevention program and improve pipeline safety by focusing on enforcing public safety and minimizing disruptions to the vital underground utilities that we've learned to rely on.

Enforcement has long had a crucial role to play in the criminal and civil justice

systems of our society; therefore, there must be ways to enforce the rules.

Imagine if there were no means of collecting property taxes, child support debts or enforcing traffic laws, such as speeding or driving under the influence. People ordered to pay a court judgment, civil penalties, and compensation awards, or to comply with the terms of a community sentence, will have little or no incentive to do so if they know there is no effective means of enforcing it. Unless there is prompt and effective enforcement, penalties and public confidence in the justice system will be undermined.

It only seems logical and reasonable that stakeholders, concerned for the best interests of our citizens would find a way to develop a similar standard by protecting all our underground infrastructure. It should be easier than it is, but it can be done and when it is done, it will be because we're able to put aside our personal agendas and commit ourselves to changing stakeholders' behaviors and minimizing damages through education and if necessary, enforcement.

I'm confident that all of you in this industry remember the nine elements of effective damage prevention programs as outlined in the 2006 PIPES Act.

Element number (7) seven, "Fair and consistent enforcement of the law," has identified in part these characteristics of good enforcement programs:

Enforcement is applied consistently.

Enforcement is seen as fair and equitable to all stakeholders.


The enforcement process is accountable to ensure its credibility.

The enforcement program is transparent to all stakeholders.

Application of the appropriate level of enforcement is based on a number of things including: the severity of the violations, the significance of the events, past behavior of the at-fault parties and their willingness to change behavior.

Don't you think it's about time for accountability to be part of the formula for damage prevention? We need for those of you who try to get it right to be heard. There's probably never been a better time to embrace the ten most powerful two-letter words in the universe: "If it is to be it is up to me." You have the ability to make it happen and you have the ability to stop it from happening...

Your move...

Choose wisely! 

# Hydro-X at Work During Storm Recovery

In late August of 2021, Hurricane Ida made landfall as the second most damaging hurricane on record to impact the state of Louisiana, following only Hurricane Katrina. For days prior, the team at Hydro-X was watching the storm's progression closely and in close communication with our customer, ready to deploy if needed.

The storm created severe damage along the coastline and farther inland. With close to 1.2 million residents without power, some power outages were expected to last up to a month. The category 4 storm brought 150 mph winds to the coast of Louisiana, leaving communities without essential utilities for what would be months and some areas rendered uninhabitable. There were an estimated \$18 billion in insured damages in Louisiana alone.

With utility infrastructure destroyed or severely damaged, Hydro-X mobilized quickly alongside utility workers and contractors to begin the restoration process. The company, based in Conyers, Georgia with locations across the Southeast, sent hydrovac trucks from Georgia, Florida, Mississippi, Texas, and North Carolina to help with storm recovery.



## PIPELINE

## SAFETY

## IS NO ACCIDENT

### LOUISIANA 2022 MEETINGS

7-25-22	New Orleans East CoRE-EX, 11:30AM	8-18-22	Jennings
7-26-22	Gretna	8-23-22	Lake Charles
7-27-22	New Orleans West	8-24-22	De Ridder
7-28-22	Mandeville	8-25-22	Natchitoches
8-2-22	Houma	8-29-22	Alexandria
8-3-22	Morgan City	8-30-22	Jena
8-4-22	Prairieville	8-31-22	Monroe
8-9-22	St. Francisville	9-1-22	Bastrop
8-10-22	Baton Rouge	9-6-22	Ruston
8-11-22	Plaquemine	9-7-22	Minden
8-16-22	Opelousas	9-8-22	Bossier City
8-17-22	Lafayette		

■ All meetings begin at 6PM unless otherwise noted

#### Excavator Training Opportunity

Please join local pipeline operators in your area to discuss the mutual responsibilities of safe excavation practices and the potential consequences of unsafe digging. At the training you will:

- **LEARN** Responsibilities and Best Practices
- **IDENTIFY** Pipeline types and product characteristics
- **ACQUAINT** Pipeline Personnel during a roundtable discussion and meal

For additional safety resources, please visit [la.pipeline-awareness.com](http://la.pipeline-awareness.com)

SCAN  
HERE  
register to  
attend a  
meeting  
near you.



**EXCAVATOR**  
PIPELINE SAFETY PROGRAM



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Unable to attend in-person? Please join us online at: [trainingcenter.pdigm.com](http://trainingcenter.pdigm.com)



With a temporary mobile command unit established, they quickly began coordinating with their customer to accompany each utility repair crew with a hydro vac truck.

The historic storm had wreaked havoc on the power infrastructure of local communities. More than 30,500 distribution poles and 6,000 transformers were damaged. Hydro excavation, which moves dirt or soil with pressurized water and then removes it with a vacuum to a debris tank, was a critical part of the restoration process.

Each power pole that was damaged or knocked down had to be reinstalled. With powerlines down and destruction covering the ground, each hole had to be carefully and precisely dug using hydro excavation in order to get the pole back in the ground.

The 811 Emergency Response System in Louisiana was at full capacity during the storm recovery process, making hydro excavation even more essential. By using the "soft dig" technology, operators could avoid hitting underground utilities that weren't easily identifiable in the aftermath of the storm.

Hydro-X was able to dig each hole 7 to 8 feet deep and 20 inches in diameter. Traditionally, an auger would have been used in the process, which is often responsible for utility line strikes further adding to the destruction and unsafe conditions. Today, many utility companies are incorporating hydro excavation as an integral part of their storm recovery plans.

The Hydro-X team worked round the clock to help with the restoration process and stayed for nearly 90 days continuing to support infrastructure repair work. Their efforts, alongside their customer, helped restore much-needed power to communities impacted by the storm.

Interested in incorporating hydro excavation into your next utility construction project? Here is some important information to keep in mind.


### What is hydro excavation?

Hydro excavation is an environmentally protective process that injects highly pressurized water into a target area followed by extraction of soil and other objects with a customized, industrial strength vacuum. The vacuum transports the debris into a truck mounted tank for safe transport to a designated disposal site.

Why do you need hydro-excavation as part of your emergency response?

Unmarked utilities are one of the greatest threats to any job site. Striking a utility can have catastrophic consequences including significant collateral damage, safety risks, environmental effects, schedule impact, repair costs, community backlash, and property damage. Those risks are even greater during storm recovery.

### When should I try it?

It's best not to wait until an emergency to build hydro excavation into your project plan. Ensuring your utility locates are accurate before beginning any underground construction project can keep people safe, lower your costs, protect the environment, and help ensure your project is completed on time. Non-destructive excavation helps you do just that. 

To learn more about HydroExcavators, LLC go to [www.hydroexcavators.com](http://www.hydroexcavators.com).

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Subsurface Utility Services




# Louisiana 811 Inaugural Scholarship

In the fall of 2021, the LA811 Board of Directors approved the implementation of a scholarship for graduating Louisiana high school seniors. In its inaugural year, the LA811 Scholarship awarded four \$811 scholarships to members of the class of 2022. Two of the scholarships were awarded to seniors who would attend academic institutions and two were awarded to students moving on to a technical or trade schools. The Board of Directors wanted to recognize and reward students regardless of where their post high school educational path took them.

The scholarship application process included submitting their high school transcripts; answering a series of questions that gave insight to their character and personality; and completing a 350-word essay to illustrate their understanding of the 811 message and how they would communicate to others about the program. Over 90 students applied for the four scholarships. Members of the Board of Directors and the LA811 staff spent several days reviewing and meeting to discuss the applications. The quality of the applicants was at an extremely high level and made the final decision process very difficult.

In the end, four applicants did stand above the rest and in April they were notified of their selection as the first group of LA811 Scholarship recipients. The two academic scholarships were awarded to Miss Mia Martin of Mandeville and Miss Sadie McManus of Baton Rouge. The scholarships for the trade schools were awarded to Mr. Caleb Barton of Dodson and Mr. Charlie McNabb of Welsh. Each of the winners were presented with a large \$811 check and a gift basket of LA811 swag. The entire LA811 family wishes all of them the best of luck in their future endeavors.

In July of 2022, the Board of Directors will meet to review the LA811 Scholarship program with hopes and plans of making it a Louisiana tradition for years to come. 










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# 811 Emergency Report

## *\$61 Billion Lost to Waste, Inefficiency in System to Protect Underground Utilities*

The 811 Emergency Report has created much discussion across the country. In this issue, 811 Magazines shares the national 811 Emergency Report and in the next issue, attention will be given to the report as it relates to Louisiana.

The report was commissioned by a group identified as the Infrastructure Protection Coalition (IPC). The IPC is a coalition of industry groups who represent regular users and stakeholders in the 811 system and who want to see it run safely and efficiently. Members include: the American Pipeline Contractors

Association (APCA); Distribution Contractors Association (DCA); National Utility Contractors Association (NUCA); Nulca – representing utility locating professionals; and Power & Communications Contractors Association (PCCA).

This study was conducted by Continuum Capital. To learn more about Continuum, go to [www.continuumcapital.net](http://www.continuumcapital.net). To learn more about IPC and to access the full report go to [www.ipcweb.org](http://www.ipcweb.org). ©2021 Infrastructure Protection Coalition.

**Publisher's note:** Recently, I attended the Common Ground Alliance

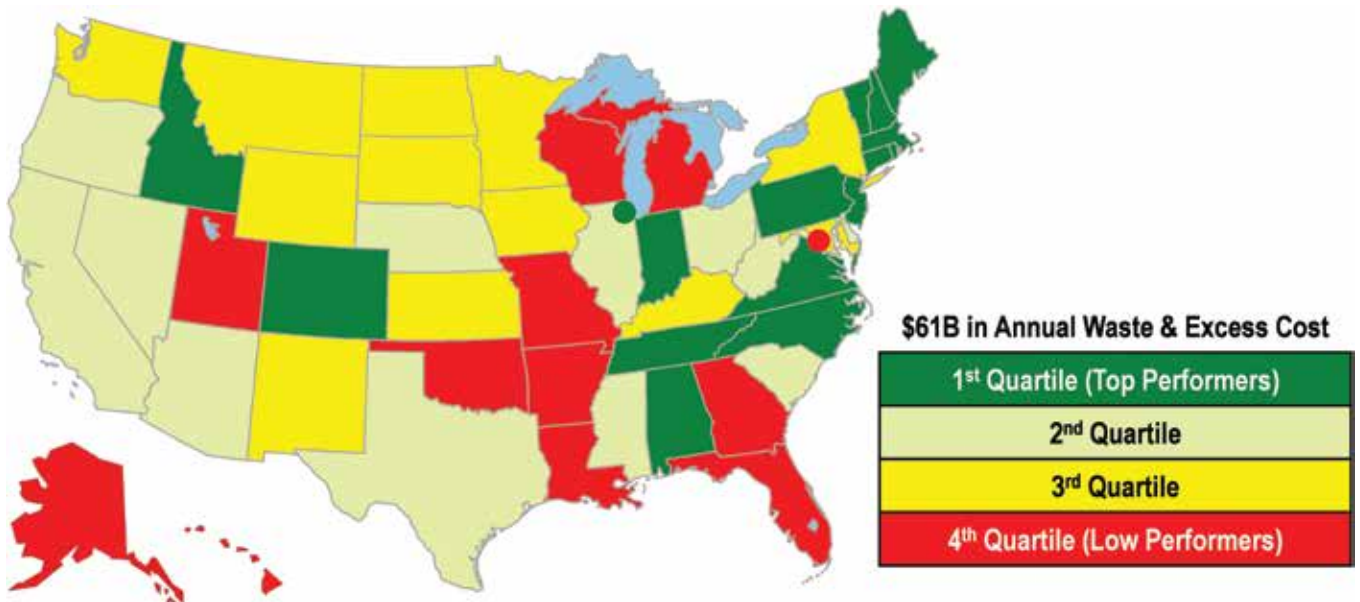
(CGA) Conference in Anaheim and attended an excellent panel presentation facilitated by Mark Bridgers, Continuum Capital. Mr. Bridgers noted that Arizona was incorrectly identified in the initial report as a 3rd Quartile state, when they should have been listed as a 2nd Quartile performer. And he noted that the error would be corrected in an update to the report near the end of April or May.

Additionally, there were concerns from some of the 811 Center attendees that the report reflected poorly on the Center itself. John Fluharty, representing excavators on the CGA Board and serving on the panel stated that as an

### **811 Failure: \$61 Billion Lost to Waste, Inefficiency in System to Protect Underground Utilities**

Failures in the nation's 811 system used to prevent damage to underground utility lines are costing \$61 billion a year in waste and excess costs and creating unnecessary hazards for public safety, particularly in states where the implementation and accountability are most lax.

### State Quartile Ranking of 811 System Performance



This comprehensive, independent review of the nation's 811 system – including an in-depth examination of its operations in every state, Washington, D.C., and the city of Chicago – shows that these costs and the increased risk to public safety could be substantially reduced if states with the worst records adopted more effective practices and procedures already in use in other parts of the country. Stakeholders, including utility and other asset owner/operators, locators, 811 system operators, and excavators, have strong opinions on which states are high performers in regard to their dig law, regulation, and 811 center operation and practice.



excavator, one thing was certain. The 811 Centers across the country were consistently the best ally the excavators had. That the intent of the study was to focus on things that were beyond the control of the 811 Centers.

While there are clearly differences of opinions as to the value of the report, there is no denying that folks are talking about the findings and recommendations. Feedback was received from some individual stakeholders in states that will then be factored in the final report as an update. Those updates should be completed by the time you receive the next issue. In the meantime, look over this national report, then compare it with your individual state report and get involved in the process.

### **The Report**

A handful of states – Arkansas, Florida, Georgia, Michigan, Missouri, Wisconsin, and the District of Columbia – account for more than 20 percent of the national waste, a combined \$13 billion, because of 811 policies that lack teeth and, in some cases, do not require mandatory reporting of damage to utility lines. This waste is on top of the \$30 billion in annual damages to underground utilities, estimated by the Common Ground Alliance (CGA) in 2019.

This 2021 study was commissioned by the Infrastructure Protection Coalition (IPC), a group of associations representing broadband, electric, natural gas, pipelines, transportation, sewer, and water industries who design, construct, maintain or locate these underground systems, with both union and non-union workforces. These are regular users and stakeholders of the 811 system who want to see them run safely and efficiently.

The reasons for the waste and cost overruns found in this study include: utilities and third-party locators needlessly sent to locate lines for construction projects that then do not happen; poor instructions given to locators, causing wasted time or additional work; locate marks destroyed by construction and then requiring reinstallation and contractor wait time when location efforts exceed the legal notice period. These costs amount to an additional \$61 billion in waste, inefficiency, and excess cost that is

imbedded in the system and largely invisible. It sits on top of the \$30 billion in annual and out-of-pocket cost to the system calculated in 2019 by Common Ground Alliance (CGA).

Regardless from whom or where these costs originate, they migrate over a 3- to 5-year timeline toward the most professional excavators and locators and by default to their utility customers, who are primarily the highly regulated electric and gas utilities, and ultimately their rate payers.

*This can serve as a guide to regulators, legislators, and stakeholders as they explore the development and implementation of an 811 system that is safe and efficient.*

Once known and visible, these costs can be eliminated and mitigated. The 13 national recommendations proposed for selected implementation on a state-by-state basis can be implemented for an approximate \$1.2 billion cost nationwide and will eliminate \$30 billion in damage and waste over a 3- to 5-year timeline. The recommendation value outweighs the cost by a factor of 33x over the 3- to 5-year implementation timeline. These savings represent both damage frequency and waste embedded in the system. Severe damage reduction

and public safety or societal benefits are not calculated and are on top of these figures.

This study comes at a critical time for the nation's infrastructure. Pacific Gas & Electric (PG&E) has announced plans to underground 10,000 miles of power lines. Dominion Energy's system reliability improvement efforts undergrounded 1,500 miles of electric lines with thousands of miles remaining. Lead pipe replacement for U.S. water systems is just beginning. Broadband systems are placing tens of thousands of miles of high-speed fiber optic cable underground for improved Internet access. And the passage of the national infrastructure bill will result in tens of thousands of miles of highway, bridge, road, broadband, and water & sewer infrastructure construction, all of which will be near existing underground utilities.

Can a trillion dollars in excavation be completed without damaging existing infrastructure and exposing the public to severe safety concerns?

The Infrastructure Protection Coalition believes it is possible to dramatically improve the system with a combination of law, regulation, practice, and process changes mirroring what the best-performing states are already accomplishing. That would:

- Eliminate all of the damages associated with legal excavation;
- Reduce public exposure to severe safety concerns; and
- Return to utility ratepayers, through lower rates, a significant portion of the \$61 billion in waste, inefficiency, and excess cost that is within the system and largely invisible.

A separate state-specific report was crafted for every state, Washington, D.C., and the city of Chicago. The national and state-specific reports provide an exhaustive, independent review of each of the state's systems to highlight specific areas where each state should focus for improvement. This can serve as a guide to regulators, legislators, and stakeholders as they explore the development and implementation of an 811 system that is safe and efficient.

**CONTINUED ON PAGE 18**

**National Recommendations**

Overall, Continuum developed a set of 13 national recommendations that are demanded frequently among the 50 states, Washington, D.C., and the city of Chicago. A subset of these recommendations is applied to each state based upon the state’s performance and characteristics. In addition, there are multiple unique conditions where a state-specific recommendation was appropriate and made by Continuum. National opportunities to improve include the following:

1. **No Exemptions:** Require all asset owners and operators, including municipalities and departments of transportation (DOT), to join and participate in the 811 system.
2. **Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages to all underground utility types to support effective data collection, process improvement, damage adjudication, and enforcement.
3. **Balanced Enforcement:** Cause enforcement authority to weigh involvement of all primary participants in a damage and in a fair and balanced fashion hold the asset owner, excavator, and locator appropriately responsible in the damage adjudication process.
4. **Third-Party Enforcement Board:** Develop or enhance third-party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
5. **Standardize Minimum Notification Time:** Standardize the ticket notification time to a minimum of two full business days after the day/date of a call.
6. **Ineffective Penalty Structure:** Bring balance to the penalty structure or amount so that asset owners, excavators, and locators each face similar risks and responsibility.
7. **Effective Metrics:** Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Mandatory reporting is necessary to accomplish this effort.
  - a. Develop and track metrics that support behavioral change in addition to

metrics designed to track violations of the law.

8. **Annual Reporting to CGA and DIRT:** Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc., to submit data to the Common Ground Alliance (CGA) to support preparation of the annual DIRT Report.
9. **Positive Response Requirement:** A web-based electronic positive response requirement by all asset owners / locators through the 811 system.
  - a. Ticket holders can choose how to receive positive response from this electronic system.
10. **Excavation Site Accurate Description:**
  - a. **Premark / White-line Requirement:** Require pre-mark or white-lining of any proposed excavation area that includes traditional reference to intersecting streets/roadways paired with one or more of the following options: GPS coordinates, electronic white-line using aerial image(s), or physical white-lining.
  - b. **GIS System Adoption by Asset Owners:** By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.
11. **Continuous Improvement:** Develop a culture of continuous improvement within the 811 system and more broadly through stakeholder education and public outreach programs.
12. **Standardize Ticket Size, Distance, Duration, and Life:** Standardize the ticket size, distance, duration, and life to the described characteristics.
13. **Educational Resources:** Develop and publish electronically an excavator’s manual that is updated and republished every 5 years or when an update to the law takes place, whichever is more frequent. 🛠️

*Study conducted by Continuum Capital  
913-345-0403  
www.continuumcapital.net*

<b>Exhibit 3 National Utility Locate System Cost Impacts</b>				
<b>System Cost Category</b>	<b>Current Conditions</b>	<b>Recommendation Cost (Millions)</b>	<b>Damage &amp; Waste Reduction %</b>	<b>Damage &amp; Waste Reduction \$ (Millions)</b>
2019 Damage Frequency	450,000	\$1,200.00	40%	(\$11,000.00)
Damage Severity	nc		nc	nc
Unneeded Locates	Often (10%)		45%	(\$250.00)
Poor Instruction to Locator	Daily (>10%)		45%	(\$200.00)
Destroyed Marks	Often (8%)		45%	(\$200.00)
Contractor Wait Time	Often (8%)		51%	(\$29,000.00)
			<b>Total Reduction</b>	<b>(\$40,650.00)</b>

Source: Proprietary Continuum analysis.

As previously noted, the 2019 estimated national total damage cost is approximately \$30 billion to annual and out-of-pocket cost to the system. An additional \$60 billion in waste, inefficiency, and excess cost is imbedded in the system and largely invisible. The 13 recommendations proposed, would eliminate \$40 billion of the combined \$90 billion in damage and waste cost over a 3-5-year timeline, where these benefits exceed the implementation cost of \$1.2 billion by a factor of 33x over the 3-5-year implementation timeline (Exhibit 3 – National Utility Locate Systems Cost Impacts).



# Steven Giambrone Talks Enforcement

Recently, 811 Magazines sat down with Steven Giambrone, Pipeline Division Director with the Department of Natural Resources to get his thoughts on Louisiana's damage prevention program and the effectiveness of enforcement.

When asked about the overall state of the damage prevention program in Louisiana, Steven responded, "I'd say we're doing good. The damages per thousand (a measurement of damages to number of tickets) is trending in the right direction. We seem to have buy-in from our stakeholders, which of course is essential to a healthy program. While we certainly haven't reached our goal of no damages, we are moving in the right direction."

The enforcement process is complaint driven but one of the more proactive approaches to driving down damages is that his department will routinely make stops at places where digging is taking place to see if a ticket has been called in. If no one is working there, they'll check to see if they can see marks on the ground. Steven pointed out, "This past year our 23 agents made over 980 visits to job sites that resulted in more than 200 violations and 185 citations."

Steven said, "I would say that complaints have decreased somewhat, but that's not necessarily a bad thing. Perhaps it means there are fewer damages or less repeat offenders. We have started getting a little more aggressive in that if you are digging without a ticket and hit a line, we are no longer giving warnings. Initially, we did. The program was relatively new and we wanted to give everyone some time to get familiar with it as well as the importance of their responsibility in the field." He continued, "Last year we saw an increase in damages due to digging without contacting 811, so we determined it was time to quit warning folks and fine them in an effort to change their behaviors."

When asked to identify the top violation in the state that resulted in

damages, Steven said his data (from complaints and from gas operators who are required to file reports annually) indicates that the top violation continues to be digging without a ticket. Common Ground Alliance (CGA) data suggests that when the call is made to 811 before digging, damages occur less than one percent of the time.




Steven reminds us that if anyone is found digging without a ticket (even if no damage occurs) enforcement action will be taken.

Can you give us a general breakdown of complaints? He said, "Good question. Most complaints come from the utility operators themselves. It is also interesting that about 30% of the complaints will come from the public. Neighbors reporting something they believe is not right. And finally, the smallest number come from the excavators. Many of them are hesitant to report against a utility they may

be working for or will be working for in the future. While Louisiana's enforcement program is directed at the gas and pipeline industry only, we do receive complaints from time to time stating that a water line or electric line has not been located. Of course, we do not have jurisdiction in those cases, but we do log in the complaint because we received it but does not fall within our authority to create any kind of enforcement action."

When violations occur that requires training, Steven says, "It is important to note that we haven't mandated a specific type of training. There is a lot of good training (either online or face to face) available. Louisiana 811 has some really good training programs available, and I'm encouraged that many take advantage of it. Additionally, organizations have excellent inhouse training. We're good with that."

In closing, what do you think is the next step in strengthening Louisiana's damage prevention program? He said, "Working through the dig law committee to identify specific issues that can be supported has worked well in the past. I think we have to continue to look at getting better at doing what we can already do. In either case, whether legislation is required or not, it will always require a commitment to work together."

Any last thoughts, Steven? He said, "The damage prevention program is really about preventing damages. Enforcement of the law is just a tool we use. Education is also a tool. Both are designed to prevent damages. For the same reason, (preventing damages) we recently convened a first meeting with utilities to discuss how to have a more coordinated emergency response effort. The impact of hurricanes or tornadoes can be devastating, so how can we work together to get things back to normal without creating unnecessary frustration and delays? Because at the core of everything we do, it is about keeping the public safe and preventing damages." 

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