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# California Underground Facilities Safe Excavation Board

September 13, 2022

## Agenda Item No. 6 (Information Item) – Staff Report

*Abandoned Lines Standards Development Update*

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### **PRESENTER**

Tony Marino, Executive Officer

### **SUMMARY**

At the Board’s July 2022 meeting, members and the public discussed the need to hear from local agencies regarding requirements they impose on facility operators upon abandonment and their understandings of who owns the abandoned line. In response, the Abandoned Lines Committee held a workshop on July 28. Based on the discussion, further research into the existing abandoned line datasets is needed, with the possibility of consolidating that information into a single source available to excavators. Staff further recommends that the Potholing Committee review what steps an excavator may take during potholing to avoid confusing an abandoned line for an active one.

### **STRATEGIC PLAN**

2021 Strategic Plan Objective: Improve Excavation Safety and Location Practice Safety  
Strategic Activity: Develop Safety Standards

### **BACKGROUND**

Statute requires operators must retain records of abandoned facilities and amend and update that information as it becomes known and requires them to mark the presence of known abandoned underground facilities in the delineated area with an “A in a circle” to notify an excavator of abandoned facilities in the delineated area,<sup>1</sup> though statute does not provide a definition of an abandoned line.

Statute requires the excavator, upon discovering or causing damage to a facility, to contact the one-call center if they do not know who owns the facility. If the discovery of the unknown facility takes place outside the working hours of the one-call center, the excavator can follow

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<sup>1</sup> [Cal. Gov. Code § 4216.3\(a\)](#)

the instructions of the one-call center website or recorded message.<sup>2</sup>

An excavator must presume all buried facilities are active,<sup>3</sup> but the operator can inform the excavator that a facility is abandoned or inactive. However, with an unknown operator, no one can provide the excavator that information. Current law does not specify a process for communication between parties after the one-call centers provides instructions to the excavator, nor does it address the obligations of parties to determine the ownership, identity, and status of a facility.

During a June 2020 meeting, the Board determined that abandoned facilities would be best addressed through Safety Standards.<sup>4</sup> Member Johns held a workshop on April 26, 2022, to hear from excavators about their experiences with the process after they discover an abandoned line and hear from locators and operators about how they respond to questions from excavators about unknown, potentially abandoned lines. Key takeaways were that 1) there is a lack of a standard process to document, identify, and verify the status of possible abandoned facilities which places a burden on excavators working around the facility, 2) some abandoned facilities go unclaimed by any operator once discovered, and 3) the field marking of “A in a circle” required by statute may be insufficient require excavators to seek additional information from the operator.

Additionally, staff released a two-question survey to understand what excavators and operators understand the term “abandoned facility” to mean. Forty-five percent of the 83 survey respondents identified that an abandoned facility as no longer in use and disconnected from other facilities, and another 30% identified that, in addition to the above, the facility is no longer owned by a facility operator.<sup>5</sup>

The Board identified during its July 2022 meeting the need to understand the local government perspectives on how they manage the process of companies abandoning lines in their jurisdictions and who owns those abandoned lines.

## **DISCUSSION**

Abandoned lines pose safety risks, as an excavator discovering a line doesn’t know whether it is active or abandoned. Any potential solution that would provide an excavator information about whether a line is abandoned requires a clear understanding of who owns and is responsible for the location and feature information of an abandoned line.

The Abandoned Lines Committee held a workshop on July 28 seeking local agency perspectives on the following three broad questions:

1. What information does your agency require of utility operators when they seek to install buried facilities in your jurisdiction?

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<sup>2</sup> [Cal. Gov. Code § 4216.4\(c\)\(1\)](#)

<sup>3</sup> [Cal. Gov. Code § 4216.4\(a\)\(3\)](#)

<sup>4</sup> [June 8, 2020, Item No. 5, Abandoned Underground Facilities in California](#)

<sup>5</sup> [July 11-12, 2022, Item No. 14, Abandoned Lines Standards Development Update](#)

2. Does your agency have requirements pertaining to the abandonment of buried facilities? And
3. How do you view the ownership of facilities abandoned in your jurisdiction?

The discussion was not well attended by local agency personnel, but Executive Officer Tony Marino relayed the takeaways from conversations with officials from the Cities of Agoura Hills and Los Angeles that had been conducted in preparation for the workshop. In those discussions, neither city had specific abandonment requirements, and both considered an abandoned line to still to be owned by the entity that abandoned it. The City of Los Angeles nonetheless requires a utility (“U”) permit for abandonment.

### **Installation**

One participant mentioned that they work for a sewer special district with mostly gravity lines that are not subject to the one-call law. The district contracts for installation services, and abandonment of old facilities is generally part of the process of installing new facilities. Tracer wire is not installed with new lines, but locators use “line-of-sight”—using surface indicators, such as manholes. He stated that, when performing locate and mark activities, his crews used to take a field printer to print maps for contractors, but that practice has been discontinued due to contractors not seeing the benefit of it.

### **Abandonment Procedures**

One participant spoke of how some cities have abandonment procedures for pipelines that include requirements to fill a pipeline to ensure that it doesn’t collapse under the weight of soil when the pipeline finally corrodes. This participant also stated that sometimes a municipality may want to install fiber in an abandoned pipe, and that usually someone from the city needs to sign off on the abandonment. He believed that it was only a matter of time before franchise agreements were standardized to address abandoned facilities. Another participant stated that, when his agency abandons a gravity sewer line, the contractor who performs the service will fill it with grout.

### **Ownership**

Participants expressed a similar understanding about ownership as the cities—that ownership remains with the company that abandons the line. One participant stated that the expectation in the telecommunications industry was that the company owns it until the company removes it, and that the Environmental Protection Agency would likely agree to the extent that abandoned lines could present an environmental hazard. This participant also mentioned that a municipality who accepted ownership of an abandoned facility would also assume responsibilities, such as identification of the presence of an abandoned line in the one-call center process.

### **Solutions**

Several participants raised concerns with potential solutions to the abandoned lines problems. One participant stated that, should someone propose a solution that required the locate and mark of abandoned lines, that it would be a significant cost and time, especially given that abandoned lines are more difficult to locate than active lines and locators are having trouble

managing the current volume of active line locates. Another participant mentioned that solutions involving removal of abandoned facilities would be extremely expensive in Los Angeles. Another participant proposed that the state could create a repository of abandoned line information, like a library, though he stated that the one-call centers may not be the appropriate place for the files to reside, as the one-call center function is to manage tickets. Another participant stated the importance of excavator awareness—that the excavator needs to be on guard to the possibility of abandoned lines in their excavation area, and since those people have responsibility for safe excavation, and not make assumptions as to the line’s active status. As such, he stated his believe that the excavator should be provided with whatever information exists.

## **RECOMMENDATION**

Staff recommends further research into the existing sources of abandoned line information and an exploration of how to consolidate that information into a single source available to excavators. Staff further recommends that the Potholing Committee review what steps an excavator may take during potholing to avoid confusing an abandoned line for an active one.