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## **MEMORANDUM**

Date: September 7, 2023  
To: Tony Marino, Underground Safety Board  
From: Todd Bloomstine, Bloomstine & Bloomstine for SCCA  
Regarding: September 11, USB Education and Outreach Meeting

Please be advised that my client, the Southern California Contractors Association (SCCA), held internal conversations regarding the Underground Safety Board's (USB) Annual Education and Outreach Meeting scheduled for September 11. The following items are offered for the USB's consideration. Unfortunately, I am not able to attend the meeting and present them personally. I trust this memo will serve as an appropriate substitute for my personal attendance.

I asked SCCA for issues that it believes the USB should consider as part of its future education outreach to excavators. The association produced the following topics and appreciates the USB's consideration.

Discovering Damaged Underground Utilities — Excavators should clearly understand the requirements when it discovers, but did not cause, damaged underground utility lines.

Causing Damaged Underground Utilities — Likewise to the above, excavators should clearly understand the requirements when it causes damaged underground utility lines.

Additional Micro-Trenching Procedures — Utility companies have expanded their use of installing underground infrastructure directly into pavement. This process is referred to as micro-trenching. The installed infrastructure is exclusively high-bandwidth communication lines. City and county consideration of micro-trenching is mixed with some authorizing it and others passing moratoriums against it. Despite the mixed reception, micro-trenching approvals have recently skyrocketed. Considering the increased use of microtrenching and the requirements contained in Government Code Section 4216.3(f), the USB should consider educating excavators when they encounter utilities installed in pavement.

"In Conflict with the Excavation" — The USB should inform and educate excavators that "subsurface installations in conflict with the excavation" as referenced in GC Section 4216.4(a)(1) means the excavator must identify any subsurface installations within the planned depth of the excavation for installations within the tolerance zone when seeking to determine its "exact location." Additionally, as a means to express a "best practice" when identifying subsurface installations within the tolerance zone, excavators should be encouraged to excavate at a depth below the planned excavation in order to ensure the protection of subsurface installations that may exist immediately below the planned excavation's depth. Excavators receive mixed messages from operators that they are required to identify underground installations within the tolerance zone area despite depth. In short, excavators have grown frustrated with messages from operators stating "dig until you find it."

Updated Contact Information; Improve Comms. — SCCA members raised a concern regarding utility members not responding to submitted USA tickets. We understand that utility members are burdened with

numerous amounts of tickets that are submitted for locating. However, when trying to make contact to receive a response on a ticket, the contact information submitted to the regional notification center is often out of date. Phone numbers and emails of possible contacts for utility members are not continuously updated to ensure excavators are able to reliably get a proper response on our USA tickets. This issue has cost lost time on job sites and wastes administrative staff resources. SCCA members have reported that hours and even days have been spent trying to contact certain utility members. Updated operator contact information would be extremely helpful in order to best prevent any possible damage to utility lines. SCCA requests some type of explanation to excavators on the proper procedures to follow when they are unable to make contact with operator staff.

Operator Understanding of USA Process — Educating utility member organizations would also be appreciated to improve communication with USA ticket responses. Often when attempting to reach out to utility members it has come to SCCA's attention that operator representatives do not know what "DigAlert" or Underground Service Alert refers to. We would want operators to better educate their representatives about the program and at the very least be able to help in sending our concerns to the appropriate party. The USB should consider education excavators on how to communicate with operator staff when they do not understand the operator's GC 4216 role.

EPR Utilization Lacking — SCCA suggests that all operators start sending electronic positive responses. SCCA members report that they have had numerous times where operators are not marking anything in the delineated area and do not send anything electronically, which they should already be doing. Some operators still suggest that they do not have to do this and are mistaken but have pushed back when asked about this issue. The USB should educate excavators on the proper procedures to follow when operators are not sending electronic positive responses.

Thank you Mr. Marino for your consideration of these excavator education topics. Please do not hesitate to contact me at 916 444-9453 or at [toddb@bblobby.com](mailto:toddb@bblobby.com) if you have any questions or would like to discuss this topics further.