
California Underground Facilities Safe Excavation Board

February 10–11, 2025

Agenda Item No. 11 (Information Item) – Staff Report

Electronic Positive Response (EPR) Workshop

PRESENTER

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SUMMARY

Electronic positive response (EPR) was implemented in California through the Dig Safe Act of 2016 (SB 661, Chapter 809, Statutes of 2016). While EPR usage was voluntary initially, utility operators were required to use it in 2021 pursuant to AB 1166 (Chapter 453, Statutes of 2019).

During the December 2024 meeting, the Board discussed the effectiveness of the existing EPR codes and directed staff to conduct a workshop and engage in further stakeholder outreach to ensure alignment over EPR code revisions and expectations from relevant stakeholders. This staff report provides an update on an upcoming EPR workshop which aims to gather more feedback and promote discussion around EPR policy revisions.

STRATEGIC PLAN

2020 Strategic Plan Objective: Improve Compliance by Reaching Parties in Effective Ways

2024 Strategic Activity: Develop Broadly Useable Electronic Positive Response

BACKGROUND

Government Code section 4216.3(a)(1)(A) requires a utility operator to respond to an excavation notification in one of three ways:

- 1) Locate and mark.
- 2) Provide facility location information.
- 3) Advise the excavator that no facilities exist in the area.

The operator must respond by the legal start date and time, with limited exceptions. For example, if the site requires special access, the excavator must either provide the operator with the necessary information to assist in accessing the site or contact the operator to arrange

access¹. Additionally, the operator and excavator may agree to a phased marking schedule or a later start date and time². Upon receiving a response from all operators, an excavator is permitted to begin excavation work under the Dig Safe Act³, except if the excavation is within 10 feet of a high priority facility, in which case the excavator and operator must have an on-site meeting. The operator is obligated to notify the excavator of the presence of the high priority facility⁴.

In November 2022, Board members discussed that not all EPR codes were in use and that any redundant codes and inconsistency in the codes should be removed⁵. The Board emphasized that the EPR codes should showcase three things: Are there facilities in the area? Are the facilities marked? And if not marked, when will marking occur? The Board directed the Ticket Process Committee and staff to review the existing EPR codes and revise as necessary to further the goal of effective communication between utility operators and excavators.

At the December 2024 Board meeting, members discussed updates regarding revising existing EPR codes, which aimed at addressing the earlier concerns discussed⁶. The proposed EPR changes aim to provide clear indication of locate and mark while retaining the familiar description of original EPR codes. The EPR codes which were redundant or ambiguous were proposed for removal to ensure clarity and effectiveness in excavation communication.

Based on the feedback and comments received during the meeting, it was considered vital to include other stakeholders, such as regional notification centers, operators, and excavators, to further align expectations on the shared goal of effective EPR communication. During the December 2024 Board meeting, comments highlighted that regional notification centers had made progress on EPR code revisions earlier in 2024. Staff seek to collaborate more closely with stakeholders to ensure a coordinated and effective approach to EPR revisions. Lastly, the Board directed staff to gather additional feedback, via a workshop, to obtain stakeholder input on proposed EPR code revisions.

DISCUSSION

The ongoing efforts to revise EPR codes is a critical step toward achieving the Board's strategic objectives of enhancing compliance and improving communication between utility operators and excavators. Therefore, following the Board's recommendations from the December 2024 Board Meeting, staff will be holding a workshop in collaboration with Ticket Process Committee and performing stakeholder outreach to understand questions and seek feedback

¹ [Gov. Code § 4216.2\(h\)](#).

² [Gov Code § 4216.3\(a\)\(1\)\(A\)](#).

³ [Gov. Code § 4216.2\(g\)\(2\)](#)

⁴ [Gov. Code § 4216.2\(c\)](#) and [Gov. Code § 4216.10\(c\)\(1\)](#)

⁵ [November 2022 Board Meeting](#)

⁶ [December 2024 Board Meeting](#)

around EPR code revisions. The following represents next steps:

1. EPR Workshop

An EPR workshop has been scheduled to take place in Sacramento on Monday, March 3, 2025, from 10:00 AM to 12:30 PM. The workshop will provide an opportunity for stakeholders to engage in meaningful discussions on EPR codes. Specifically, it will help gather feedback on the proposed EPR code revisions presented during the December 2024 Board meeting and help identify redundancies or ambiguities in the current EPR codes and explore opportunities for refinement.

A summary of workshop objectives includes the following:

- Understanding current practices and gain insights into:
 - How utility operators use the codes and their intended purpose.
 - How excavators interact with the codes and the information they require.
 - What training has been provided to operators and excavators regarding the effective use of these codes.
- EPR Code Revisions
 - Discuss proposed changes and potential removals of redundant or unclear codes.

2. Stakeholder Outreach

To support EPR codes revisions effort, in coordination with the Ticket Process Committee, staff will focus on promoting the workshop and stakeholder outreach will be prioritized, targeting key groups that are relevant to EPR code usage.

Recognizing the importance of aligning efforts, staff has initiated email communication with the regional notification centers' Ticket Continuity Committee, proposing a meeting to further collaborate on EPR code revisions. The collaboration seeks to exchange insights, discuss shared goals and expectations from EPR policy initiatives, and to encourage a more coordinated effort on EPR revisions and improvements in 2025.

RECOMMENDATIONS

Staff recommends that the Board provide any additional feedback or insights on the proposed EPR workshop and its objectives, and the planned stakeholder outreach activities.