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## California Underground Facilities Safe Excavation Board

April 14–15, 2025

### Agenda Item No. 25 Information Item – Staff Report

*Electronic Positive Response (EPR) Workshop Update and Code Comparison*

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#### **PRESENTER**

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#### **SUMMARY**

This staff report provides an overview of the March 3, 2025, Electronic Positive Response (EPR) Workshop<sup>1</sup> of the California Underground Safety Board (Board), covering stakeholder feedback on EPR code usage, revisions, and categorization. It examines the feedback from operators, locators, excavators, and the Regional Notification Centers (RNC), including misuses of EPR codes, lack of legal clarity, and inconsistencies in EPR code systems.

Additionally, this staff report contains a comparison of staff's proposal on EPR code removals and revisions presented to the Board at the December 2024 Board Meeting<sup>2</sup>, and the RNCs' updated EPR code list implemented January 1, 2025, highlighting areas of alignment and identifying areas requiring further review.

Lastly, the staff report outlines recommendations for refining EPR categorization, improving code clarity, and strengthening collaboration with the RNCs' Ticket Continuity Committee (TCC). These recommendations will help guide future refinements to the EPR system, promoting more efficient, safe, and standardized excavation practices.

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<sup>1</sup> [EPR Workshop: Notice and Agenda](#)

<sup>2</sup> [December 9-10, 2024, Board Meeting](#)

## **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 an 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 access<sup>3</sup>. Additionally, the operator and excavator may agree to a phased marking schedule or a later start date and time<sup>4</sup>. Upon receiving a response from all operators, an excavator is permitted to begin excavation work under the Dig Safe Act<sup>5</sup>, 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 facility<sup>6</sup>.

In 2019, the Legislature passed AB 1166 (Chapter 453, Statutes of 2019) in response to a California Public Utilities Commission investigation into the falsification of locate and mark records<sup>7</sup>. This bill required every operator to provide an EPR through the one-call center before the legal start date and time<sup>8</sup>.

In November 2022<sup>9</sup>, Board members discussed that not all EPR codes were in use and that any redundant codes and inconsistency in the codes should be removed. Board members emphasized that the EPR codes should showcase three things:

1. Are there facilities in the area?

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<sup>3</sup> [Gov. Code § 4216.2\(h\)](#)

<sup>4</sup> [Gov. Code § 4216.3\(a\)\(1\)\(A\)](#)

<sup>5</sup> [Gov. Code § 4216.2\(g\)\(2\)](#)

<sup>6</sup> [Gov. Code § 4216.2\(c\)](#) and [Gov. Code § 4216.10\(c\)\(1\)](#)

<sup>7</sup> [AB 1166 Public Works: Protection of underground infrastructure: regional notification center system: electronic positive response \(2019-20\)](#)

<sup>8</sup> [Gov. Code § 4216.3\(c\)\(1\)](#)

<sup>9</sup> [November 7-8, 2022, Board Meeting](#)

2. Are the facilities marked?
3. And if not marked, when will marking occur?

The Board directed its Ticket Process Committee and staff to develop and present draft revisions to the codes to further the goal of effective communication among utility operators and excavators.

At the December 2024 Board meeting, members discussed EPR code updates from staff regarding revising existing EPR codes. Staff's goal had been to propose EPR changes that provide clear locate and mark status while retaining the familiar description of the original EPR codes. Redundant or ambiguous EPR codes were identified for removal to ensure clarity and effectiveness in excavation communications.

During that Board meeting, staff learned that there was development in EPR code revisions from the RNCs earlier in 2024 and those changes were due to be implemented starting January 1, 2025. Based on the feedback and comments received during the meeting from stakeholders, Board members determined it was essential to gather additional feedback on EPR, and to further align expectations on the shared goal of effective EPR communication. Lastly, the Board directed staff to gather additional feedback, including holding a workshop to obtain stakeholder input on the recently proposed EPR code removals and revisions.

## **DISCUSSION**

The Board's Ticket Process Committee held an EPR Workshop on March 3, 2025, as directed during the December 2024 meeting. Participants included operators, locators, excavators, and the RNCs. The discussion went over topics such as EPR code usage and practices, proposed EPR code categories, and proposed EPR code revisions and removals.

### **EPR Code Usage and Practices**

Stakeholders provided insights on the challenges and opportunities for improving the clarity and effectiveness of the current EPR system. The following is a summary of key points discussed during the workshop on EPR code usage, practices, and prior development:

- An RNC representative highlighted that the original EPR codes were developed by the RNCs' Ticket Continuity Committee (TCC), consisting of board members from both RNCs (operators, excavators, and other industry experts). The California Underground Safety Board was not initially involved as it had yet to be created.
- Comments from RNC representatives during the workshop reiterated that the codes were not created arbitrarily but were carefully researched and discussed for several months, with insight from other states that had long-standing EPR systems.
- Excavators often face delays due to EPR codes lacking clear legal backing, raising concerns about whether utility operators can lawfully postpone work. RNC

representatives highlighted that they support efforts of the Board to establish standardized EPR codes that clearly indicate when excavation can proceed, for example, codes with clear indication of locate and mark status. A broader national discussion on "excavation readiness" is emerging and was highlighted by a stakeholder during the workshop. This effort focuses on tracking when tickets are truly ready for excavation versus when delays occur. Improved clarity and collaboration between excavators and utility operators will help ensure efficient, safe, and damage-free excavation work.

- The discussion highlighted challenges faced by operators when adapting their internal systems to align with standardized EPR codes, as many have internal system codes tailored to their specific business operations. Some utilities, particularly major operators, already use internal emergency response codes for regulatory reporting and intercompany coordination. Introducing new or modified EPR codes could require significant system updates and reprogramming, creating operational burdens. Additionally, some industry-specific codes may not align fully with the current standardized EPR codes, leading to potential conflicts and confusion. As a result, utility operators prefer to keep their coding systems as simple as possible, while balancing compliance with broader EPR standardization efforts.
- Some large utility operators use only a limited set of EPR codes that align with their internal policies and procedures for ticket responses. While the RNCs provide a wide range of EPR codes, some large utility operators restrict the number of codes used to ensure consistency and compliance within their operations. Some EPR codes, such as those related to extenuating circumstances or natural disasters, are not incorporated into those systems, as they are not part of the utility's standardized response process. According to a participant, such companies annually review and update internal response codes, ensuring they correctly align with available EPR codes, and collaborate with RNCs to maintain alignment.
- When EPR codes are changed or updates are made, it can cause issues between the RNC's and the utility operator's internal ticket management systems, leading to communication delays. An example is when a locator marks a ticket closed, but the locate and mark status doesn't properly update in the utility's ticket system as it is using different system codes. This results in the ticket appearing overdue. Utility companies often send ticket status updates to the RNCs after processing them through their own system. If the codes don't match correctly, the update is not sent to the RNC, causing a delay. These issues may be noticed during audits, and once identified, they can be tracked and resolved.
- Some stakeholders emphasized that excavators need clearer EPR codes, for example, a

“flag” to indicate whether an excavation is complete, and clarity on the status of tasks. They also want to improve communications and need help with operator follow-ups.

### **Proposed EPR Code Categories**

During the workshop, participants discussed the potential benefits and challenges of adopting a similar EPR code categorization system like those used in Florida<sup>10</sup>, Utah<sup>11</sup>, and Indiana<sup>12</sup>. These states have codes grouped into categories such as Marked, Unmarked, and Clear. The Board’s Ticket Process Committee sought feedback from workshop participants on whether this approach could improve communications and efficiencies in California. Stakeholders were asked how such a categorization system might impact the efficiency of the current EPR system, if additional categories should be considered, and whether these groupings would aid excavators in better understanding the status of locate and marks on excavation sites.

There were no objections from workshop participants to the suggested categories and no additional code categories were suggested. Attendees generally agreed that simplifying and clarifying the existing code structure would improve excavation communication.

### **Proposed EPR Code Removals and Revisions**

As part of the ongoing evaluation of EPR codes, stakeholders discussed staff’s proposed EPR code revisions and removals. Below is a summary of the key points:

- Some stakeholders expressed dissatisfaction with the removal of Code 23 (Delineated area does not match location request - Resend ticket requested) in the RNCs’ new update, as they now must use Code 22 (No Delineation) which doesn’t accurately describe the issue. This leads to confusion and requires additional communication, as Code 22’s description doesn’t specify that the delineations are incorrect, just that they are missing. There is a desire for more accurate codes to describe field issues, but stakeholders also emphasized the need for a limited number of options to avoid overwhelming field staff with too many choices.
- A participant emphasized Code 31 (Requires standby at excavation for high priority facilities) should not be removed as proposed during December Board Meeting, as it remains relevant, especially in cases of federal and state regulations for gas and oil.

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<sup>10</sup> [Florida EPR Codes](#)

<sup>11</sup> [Utah EPR Codes](#)

<sup>12</sup> [Indiana EPR Codes](#)

They highlighted Code 33 (High priority line, site meeting required) and Code 34 (Field meet required, contact facility owner) instead, explaining that a field meet may be required even for non-high priority facilities for safety reasons, such as a gas system over-pressurization. They stated this is crucial for maintaining safety standards, preventing fatalities, and ensuring public safety.

- An attendee expressed disagreement with the interpretation of Code 40 (Excavator completed work prior to due date) implying a failure on the part of the excavator. Instead, it is used to document the completion of work, verifying with the excavator that the task is finished. An example given was emergency response work, such as setting a stop sign or utility pole. If the work is completed before the locator arrives, Code 40 is used to document that the work was no longer needed. The attendee emphasized that this code is not intended to place blame on the excavator but rather to ensure clear communication about the completion of tasks.
- An attendee commented on Code 41 (Excavator no-show for meet), which they believe is not meant to imply fault on the excavator's part for unmarked facilities. The attendee highlighted that this code is used when a scheduled field meet is missed by the excavator, and the locator needs to communicate that the person did not show. However, other participants expressed how such codes can be misused by operators, can lead to unnecessary delays, and hold excavators accountable for issues that weren't their fault. For example, there have been instances where an excavator arrived for a scheduled meet, but the operator did not, only to later discover that Code 41 was applied to claim the excavator did not attend. In this example, the meeting did not happen, but it was because the operator did not attend.
- For Code 50 (Negotiated marking schedule), a participant mentioned how, in some cases, excavators are presented with a code implying that a marking schedule was negotiated when no such agreement was made. This can lead to confusion and delays, especially when the excavator is ready to proceed with the work and has the necessary equipment on site. The participant suggested that a "*dispute*" button in the ticketing system or a more efficient way of resolving such issues would be helpful for better communication.
- Although Code 51 (Mutually agreed to a later start date and time (4216.3(a)(1)(A))) was proposed for removal by staff at the December 2024 Board Meeting, a participant highlighted the differences between Code 50 (Negotiated marking schedule) and Code 51 and how they serve very different purposes in excavation communication. This participant proposed that while Code 50 was related to phasing plans for large projects where the work was split over multiple stages, Code 51 pertained to situations where the start date was initially set, work hasn't begun, and the operator and excavator agree

to a later start date.

The workshop highlighted several key challenges and opportunities for improving the EPR codes. The need for clearer and more precise codes was a recurring theme, with stakeholders repeatedly advocating for better communication, reduced confusion, and a more efficient EPR system. The discussions also revealed concerns about code misuse, misapplications, and discrepancies in ticket management systems. As the EPR system evolves, it is crucial to balance standardization with the practical needs of utilities and excavators to ensure the safety and efficiency of excavation operations. Ongoing collaboration, careful review, and the incorporation of stakeholder feedback will be essential in addressing these challenges and refining the EPR system.

### **EPR Code Revision and Removal – A Comparison**

The RNCs were working on EPR code changes and their TCC met in early October 2024 to discuss updates aimed at improving consistency across operators and excavators. The focus was on removing and revising codes instead of introducing new codes. The proposed changes took effect on January 1, 2025. The RNCs' updated EPR codes are available on their websites<sup>13</sup>.

Several of the codes recommended for removal by staff at the December 2024 Board meeting have already been removed by the RNCs. The ongoing discussion now centers on the comparison of the remaining codes that were proposed by staff during the December Board Meeting and the 2025 RNC codes. The following section highlights areas of alignment and identifies areas requiring further review.

Before the 2025 RNC codes were implemented, the EPR code list contained 32 codes. After the RNCs' update and removal of EPR codes, the list contains 21 EPR codes. Among the changes:

- 11 codes were removed
- 2 codes were proposed for redrafting in the upcoming months (Code 16 and 20)
- Code 42 has been designated for "System Use" only by the RNCs

During the December Board meeting, staff proposed the removal of 14 EPR codes. Many of the RNCs' implemented changes align with these recommendations. Of the 14 codes proposed for removal by staff:

- 7 were also removed by the RNCs' recent update
- Code 42, initially recommended for removal by staff, has instead been designated for system use only by the 2025 RNC codes update

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<sup>13</sup> [Dig Alert EPR Codes](#)

Despite the significant alignment between staff's proposed changes and the RNCs' implemented updates, some codes still require further discussion and alignment and can be seen below in Table 1.

**Table 1: Comparison of EPR Codes**

Code	Description	Proposed Removal by Board Staff in December	Effective January 1 RNC Code Revisions	Needs Further Discussion
1	Clear - No conflict			
2	Clear - No conflict but privately owned utility on property - Contact private utility owner for locate		Removed	
3	Existing markings adequate			
4	No markings requested			
10	Locate area marked			
11	Locate area marked but abandoned facilities may be in the area	Remove	Removed	
12	Locate area marked up to private owned utility - Contact private utility owner for locate		Removed	
13	Locate area marked up to private property	Remove	Removed	
14	Partially marked - More time is needed			
15	Provided facility location information to excavator (4216.3(a)(1)(A)(ii))			
16	Operator has located and marked all subsurface installations known to be embedded in the pavement		Re-worded	
20	Bad address/incorrect street/location info - Resend ticket requested		Re-worded	
21	No access to locate area - Resend ticket requested			
22	No delineation - Resend ticket requested			
23	Delineated area does not match location request - Resend ticket requested		Removed	
30	Contact facility owner for further info	Remove	Removed	
31	Requires stand by at time of excavation - Contact facility owner	Remove		Yes
32	Visible or exposed facility - Contact facility owner if crossing	Remove	Removed	
33	High priority line in area - On site meeting required			
34	Field meet required - Contact facility owner to schedule	Remove		Yes
35	Traffic control required to mark facilities		Removed	
40	Excavator completed work prior to due date	Remove		Yes
41	Excavator no show for meet	Remove		Yes
42	Excavator canceled request	Remove	System use only	



Code	Description	Proposed Removal by Board Staff in December	Effective January 1 RNC Code Revisions	Needs Further Discussion
43	Excavator not digging within 14 calendar days (preplanning)	Remove	Removed	
50	Negotiated marking schedule			
51	Mutually agreed to a later start date and time (4216.3(a)(1)(A))	Remove		Yes
52	Unable to locate using standard locating techniques	Remove	Removed	
53	Scheduled meet with excavator at requested date and time	Remove		Yes
80	Extraordinary circumstances exist - No locate due to weather/emergency/safety conditions			
990	Member has been granted an extension from the EPR requirement by the Board as defined in 4216 through 12/31/2021	Remove	Removed	
999	Member did not respond by required time (system use only)	System use only		

## RECOMMENDATIONS

Staff requests the Board provide feedback on the proposed EPR code removals and revisions, and EPR categorization efforts based on the workshop findings and recent changes of the RNCs. Staff recommends the Board direct staff to work with the RNCs to:

- Finalize the code discussions for Codes 31, 34, 40, 41, 51, and 53 by determining whether they should be retained, revised, or removed.
- Finalize a proposal for refining EPR code categorization.

Lastly, staff recommends that the Board direct staff to provide a revised proposal on EPR code revision and removal, and categorization to be presented at a future Board meeting.