
California Underground Facilities Safe Excavation Board

July 14–15, 2025

Agenda Item No. 28 Information Item – Staff Report

Electronic Positive Response (EPR) Update

PRESENTER

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AUTHOR

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SUMMARY

This staff report provides an overview of continued efforts to improve Electronic Positive Response (EPR) codes. It summarizes outreach and collaboration with the Regional Notification Centers (RNCs) to evaluate the six remaining EPR codes under review and explore the use of standardized code categorization. The report outlines stakeholder feedback, legal concerns about codes that imply obligations not supported by statute, and proposed refinements to the EPR code list and the introduction of categories (*Clear*, *Marked*, and *Unmarked*) to improve clarity and compliance. Staff request Board direction on finalizing code removals and revisions, and code categories, and continuing work with the RNCs to prepare a revised EPR code proposal for future Board consideration.

STRATEGIC PLAN

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

2024 Strategic Activity: Develop Broadly Useable Electronic Positive Response

BACKGROUND

At the December 2024 Board meeting, members discussed EPR code updates from staff regarding revising existing EPR codes¹. Staff's goal had been to propose EPR changes that provide clear locate and mark statuses while retaining the familiar description of the original EPR codes. Redundant or ambiguous EPR codes were identified for removal to ensure clarity

¹ [December 2024 Board Meeting](#) (Item 13: Electronic Positive Response (EPR) Codes Revisions and Two-Way EPR Development Update)

and effectiveness in excavation communications. During that Board meeting, staff learned there was development in EPR code revisions from the RNCs earlier in 2024 and those changes were due to be implemented starting January 1, 2025². Based on the feedback and comments received during the meeting, 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.

The Board's Ticket Process Committee held an EPR Workshop on March 3, 2025³. Participants included operators, locators, excavators, and the RNCs. The discussion included topics such as EPR code usage and practices, proposed EPR code categories, and proposed EPR code revisions and removals.

The April 2025 Board Meeting provided an overview of the EPR workshop and summarized the stakeholder feedback on EPR code usage, revisions, and categorization⁴. It also included feedback on the misuse of EPR codes, lack of legal clarity and compliance, and inconsistencies in EPR codes interpretation.

Staff met with RNC representatives on May 22, 2025, to gain additional insights in evaluating whether specific codes should be retained, revised, or removed. Additionally, the meeting explored the use of EPR code categorization, such as *Marked*, *Unmarked*, and *Clear*, to improve field usability and effective communications.

DISCUSSION

EPR Code Removal

Not all existing EPR codes are used consistently or reflect legal requirements under California law. Some provide useful information to excavators, even if not legally mandated, by clarifying the status of marking efforts. Others are redundant, offering overlapping information that can be streamlined to reduce confusion. Several codes imply obligations on excavators, such as requiring standby, field meetings unrelated to high priority lines, or additional actions, that are not supported by statute or regulation, which can create misunderstandings about legal responsibilities. In some cases, codes introduce ambiguity by providing incomplete or unclear status updates, making it difficult for excavators to accurately interpret the information. Simplifying the set of codes by removing redundant, misleading, or ambiguous codes would improve clarity and better align the system with its intended purpose as a communication and compliance tool.

² [EPR codes as defined by DigAlert \(Underground Service Alert of Southern California\) effective January 1, 2025](#)

³ [March 3, 2025, Electronic Positive Response \(EPR\) Workshop](#)

⁴ [April 2025 Board Meeting](#) (Item 25: Electronic Positive Response (EPR) Workshop Update and Code Comparison)

Table 1 provides a brief description followed by the rationale for removal, for EPR codes 31, 34, 40, 41, 51, and 53.

Table 1: Codes Suggested for Removal

Code	Description	Reason for Removal
31	Requires stand by at time of excavation - Contact facility owner	Imposes unlawful obligation to standby; does not provide status of locate and mark.
34	Field meet required - Contact facility owner to schedule	Impose unlawful obligation suggesting a mandatory meeting; when meeting is legally required, code is redundant with Code 33 and does not provide status of locate and mark.
40	Excavator completed work prior to due date	Unclear locate and mark status.
41	Excavator no show for meet	Implies a failure on the part of the excavator to fulfill obligations; unclear locate and mark status.
51	Mutually agreed to a later start date and time (4216.3(a)(1)(A))	Redundant with Code 50; unclear locate and mark status.
53	Scheduled meet with excavator at requested date and time	Rarely used; unclear locate and mark status.

EPR Code Categorization – Clear, Marked, or Unmarked

Staff also propose code categories for EPR codes. These EPR codes categories offer a clear indication of the status of locate and mark while retaining the familiar description of the existing EPR codes, which will help with clarity and ease of use amongst operators. Additionally, the revised codes should make it easier for operators to choose the most appropriate option and excavators to clearly understand the locate and mark status. Each category name at the start of EPR code will convey the status of locate and mark with an additional description following if necessary.

- **Clear:** The area delineated for excavation has no subsurface installation⁵.
- **Marked:** The area of delineation has been marked completely⁶.

⁵ The area of delineation is either cleared or has been marked completely. The excavator may proceed with determining the exact location of subsurface installations using hand tools pursuant to [Gov. Code section 4216.4](#).

⁶ *Ibid.*

- **Unmarked:** The area of delineation has not been marked and thus not ready for excavation.

Table 2 provides an overview of the proposed categories (*Clear*, *Marked*, and *Unmarked*) for EPR codes as proposed by staff.

Table 2: Proposed Categories for EPR Codes

Code	Description	Proposed Change
Clear		
1	Clear – no conflict	Clear – no conflict
4	No markings requested	Clear – no markings requested
Marked		
3	Existing markings adequate	Marked – site visited and existing markings adequate
10	Locate area marked	Marked
16	Operator has located and marked all subsurface installations known to be embedded in the pavement	Marked – including known facilities embedded in the pavement – operator contacted excavator to determine a plan of action
33	High priority line in area – on-site meeting required	Marked – high priority line present requires onsite meeting - operator proposed onsite meeting schedule
Unmarked		
14	Partially marked – more time is needed	Unmarked – site is partially marked, do not start excavation
15	Provided facility location information to excavator (4216.3(a)(1)(A)(ii))	Unmarked – provided facility information to the excavator (4216.3(a)(1)(A)(ii))
20	Bad address/incorrect street/location info – resend ticket requested	Unmarked – incorrect location info – resend ticket requested
21	No access to locate area – resend ticket requested	Unmarked – no access to locate area – resend ticket requested

Code	Description	Proposed Change
22	No delineation – resend ticket requested	Unmarked – no or unclear delineation – resend ticket requested
50	Negotiated marking schedule	Unmarked – negotiated marking schedule
80	Extraordinary circumstances exist – no locate due to weather/emergency/safety conditions	Unmarked – extraordinary circumstances exist - operator contacted excavator to determine a plan of action
999	Member did not respond by required time (system use only)	No Change

RNC Outreach and Meeting Update

Key takeaways from the May 22, 2025, meeting include:

1. While some of the remaining codes are considered useful for communication, they also contribute to confusion about the locate and mark status.
2. RNCs emphasized that EPR is intended as a communication tool and should not be relied upon as a definitive indicator of compliance or site readiness.
3. Sometimes operators interpret code selection as fulfilling compliance obligations, which leads to inconsistent use and potential misuse.
4. Both RNCs confirmed that they can revise EPR code descriptions to include category labels (e.g., *Clear*, *Marked*, and *Unmarked*).
5. There was general support for the use of standardized categories to simplify communication, as long as the responsibility did not fall to the RNCs for authorizing locate status.
6. Participants agreed that codes should clearly indicate when further action, such as a required meeting, is necessary before excavation.
7. The RNCs recommended Underground Safety Board staff formally communicate these concerns to the RNCs' Ticket Continuity Committee (TCC), reinforcing the evolving role of EPR and the proposed path forward through EPR code revisions and categorization.

Letter to the RNCs' TCC

Following the May 22, 2025, meeting with the RNCs, the Underground Safety Board's Ticket Process Committee sent a letter to the RNCs' TCC summarizing the discussion and clarifying the Underground Safety Board's position on EPR code revisions and are awaiting response.

The letter (see Attachment) acknowledges that the recent EPR code changes that were implemented by the RNCs in January 2025 were reviewed and approved by the TCC, and it outlines the Underground Safety Board's concerns with six codes under consideration for removal (see Table 1). It requests the TCC reevaluate the remaining codes through the lens of compliance, with a focus on ensuring EPR responses are consistent with statute.

Additionally, the letter supports the use of EPR code categorization (Clear, *Marked*, and *Unmarked*) to help distinguish code intent while working within current RNC administrative limitations to add categories to their system. Categorization would provide a clearer framework for communication without misrepresenting the legal status of a locate site.

Finally, the letter includes a formal request for Underground Safety Board Staff to join the TCC to strengthen alignment on compliance, improve coordination, and support continued system improvements through shared dialogue and collaboration.

RECOMMENDATIONS

Staff are awaiting a formal response from the RNCs' TCC regarding the proposed revisions to the EPR codes and the introduction of a standardized categorization framework. Staff recommends that the Board direct staff to:

1. Follow up with the TCC if no response is received by September 1, 2025, and report back at the next board meeting.
2. Include a placeholder on the next board meeting agenda for possible action should a response be received.
3. Explore alternative solutions to ensure that EPR codes are consistent with statute and provide clear, lawful communication to all parties involved in the excavation process.

Attachment:

Letter to the Regional Notification Centers' Ticket Continuity Committee



State of California – A Natural Resources Agency

Gavin Newsom, Governor

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July 3, 2025

Dear Ticket Continuity Committee,

On behalf of the California Underground Safety Board's Ticket Process Committee, thank you for your continued partnership and commitment to improving excavation safety across the state. We appreciate the open dialogue and collaboration that has taken place during recent discussions, including the May 22, 2025, meeting with Board staff and representatives from both regional notification centers (RNCs).

As you are aware, the Board has been engaged in a stakeholder-driven effort to review and refine Electronic Positive Response (EPR) codes, aligning them more closely with the intent of Government Code section 4216 and supporting clear communication throughout the excavation process. These discussions have included extensive input from operators, excavators, locators, and other industry partners. The feedback shared with the Board highlighted a strong desire for EPR codes that are easy to understand, compliant with statute, and consistent in their application.

During our meeting in May, your leadership expressed appreciation for the goals of this effort and recommended that Board staff formally share our perspective with the Ticket Continuity Committee (TCC), particularly as the Committee considers the next steps. We are pleased to do so through this letter, and we have attached our summary of proposed refinements, which include the removal of six EPR codes and the use of standard categories — Clear, Marked, and Unmarked — to help distinguish the locate and mark status.

We are writing to better understand the TCC's perspective and intended path forward. Now that the Board's position and the concerns raised by stakeholders have been shared, we are hopeful that this can help inform the Committee's deliberations. We recognize and respect the TCC's role in guiding operational decisions for the RNCs and remain committed to a cooperative and respectful dialogue as this work continues.

We also reiterate our standing request for Board staff to participate in TCC meetings in an observatory and collaborative capacity. This will further support alignment and strengthen our collective efforts to improve communication, safety, and compliance.

Thank you again for your time, expertise, and continued dedication to this shared work. We look forward to hearing from you at your convenience and continuing our productive partnership.

Sincerely,

Ticket Process Committee
Underground Safety Board