

# Michigan Damage Prevention Board

## Best Practice 2015-04

### Abandoned/Idle Facilities

#### **MDPB Best Practice**

When a facility owner or facility operator (FOO) has records of an abandoned or idle facility within a ticket scope, information should be provided to the excavator regarding characteristics of the live facility (i.e. type, size, color, material, location, and possibly depth). This is intended to help the excavator distinguish abandoned or idle facilities from live facilities. For large projects, the FOO should provide the excavator with any relevant information about abandoned or idle facilities within the project scope.

In the event that an abandoned or idle facility is located and marked, or exposed during excavation, the facility is to be treated as active. If an excavator has reason to suspect the presence of an unmarked facility they are required by law to provide immediate additional notice to the notification system and stop excavation in the immediate vicinity. The FOO is required to provide additional assistance to the excavator.

It is recommended that FOO's maintain a database with the location information of the abandoned or idle facility that is exposed during excavation. The database should be updated as necessary if portions of facilities are permanently removed.

#### **Definitions**

*Abandoned facility: A permanently out-of-service underground facility which the facility owner or facility operator has no intention of placing into service in the future.*

*Idle facility: (a) That portion of an underground facility that is not in use but is still connected to the facility, or to any other facility, that is in use or still carries service. (b) A new underground facility that has not been connected to any portion of an existing facility.*

#### **PA174 Reference**

PA 174 Sect. 3 (o) "Facility" or "underground facility" means an underground or submerged conductor, pipe, or structure, including, but not limited to a conduit, duct, line, pipe, wire, or other device and its appurtenances used to produce, store, transmit, or distribute a utility service, including communications, data, cable television, electricity, heat, natural or manufactured gas, oil, petroleum products, steam, sewage, video, water, and other similar substances, including environmental contaminants or hazardous waste.

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PA 174 Sect. 3 (u) “Mark”, “marks”, or “marking” means the temporary identification on the surface grade of the location of a facility in response to a ticket described in section 7.

PA 174 Sect. 5 (9) An excavator shall provide immediate additional notice to the notification system and stop excavation in the immediate vicinity if the excavator has reason to suspect the present of an unmarked facility due to .....(a) Visible evidence of a facility with no marks visible.

PA 174 Sect. 5 (10) If an excavator contacts or damages a facility, the excavator shall provide immediate notice to the facility owner or facility operator.

PA 174 Sect. 7 (1) A facility owner or facility operator shall respond to a ticket by the start date and time for the excavation or blasting under section 5(1) by marking its facilities in the area of the proposed excavation or blasting in a manner that permits the excavator to employ soft excavation to establish the precise location of the facilities.

PA 174 Sect. 7 (5) If a facility owner or facility operator receives a request under section 5(8) or 5(9), that facility owner or facility operator shall provide additional assistance to an excavator within 3 hours of a request made by the excavator during business hours. An excavator and a facility owner or facility operator may agree to an extension of the time for additional assistance. If a request for additional assistance is made at a time when the additional assistance cannot be provided during normal business hours or assistance is required at a remote rural location, the response time shall be no later than 3 hours after the start of the next business day or a time based on mutual agreement.

### Discussion

It was unclear on whether the definition of “facility” in PA174 included abandoned or idle facilities. If abandoned or idle facilities are intended in the definition, then what are the obligations of the FOO to mark the facility and of the excavator to hand expose?

The first draft of the best practice also covered obligations of FOO and excavator when an unknown (possibly abandoned or idle) line is discovered while excavating. It was decided that PA174, 460.725, Sec 5, 9(a) requires the excavator to call MISS DIG for additional assistance when an unmarked facility is discovered, so there is no need to include this instruction in the best practice.

Any actions taken in response to the request for additional assistance and to resolve any conflict with the facility will likely be impacted by the jurisdiction of the property/ ROW where the facility is located. There is a Best Practice being developed to address expectations for FOO response to requests for additional assistance.

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### References

*MISS DIG 811 Abandoned Member Codes – see MISS DIG 811 website*

CGA Best Practice Reference: CGA Version 12.0 Best Practice 4-11: Abandoned Facilities

R 460.20501(2)(a):

(2) An operator shall maintain all of the following additional records:

(a) Maps and records showing the locations of pipelines and service lines, including lines that have been abandoned but not removed.

Submission Date 1/26/17

Adoption Date 2/23/17

Revision 1 (adding reference to MISS DIG 811 member codes) Submitted Date 9/20/2018

Revision 2 Date 12/05/2019

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