



# MD/DC Damage Prevention Committee

Kevin Woolbright, Chairman  
Mark Hamrick, Vice Chairman  
Susan Sullivan, Secretary

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Minutes of the meeting for September 28, 2021  
Hybrid Meeting hosted by Miss Utility in Hanover, MD  
Prepared by Susan Sullivan

## CALL TO ORDER AND INTRODUCTIONS

Chairman Kevin Woolbright called the regular monthly meeting to order at 9:31 a.m. via Zoom. There were 50 virtual attendees and 8 onsite attendees.

## APPROVAL OF MINUTES

A motion to approve the August 24, 2021, minutes was made by David Wilkins (WSSC) and seconded by Jack Ellison (WGL). The motion carried by approval.

*The approved meeting minutes will be posted at <https://www.missutility.net/excavators/>.*

## OLD BUSINESS

No old business to report.

## NEW BUSINESS

No new business to report.

## OPEN DISCUSSION

Mitzi Ambush (PEPCO) opened the discussion by complimenting Utiliquest, DCI and OCCLS for their joint support and assistance to herself and PEPCO after a facility damage occurred near the grounds of the White House which required entrance into the White House itself. She reminded everyone that excavating near any federal building requires (as does any excavation) a locate ticket. Additionally, she thanked Scott Brown (WGL) for his assistance during another situation in which she reached out and appreciates the support and collaboration of other members when critical situations arise involving multiple stakeholders. Mitzi ended by calling on landscapers to call in and work under valid tickets.

David Shifflet (Precision Utility) asked if hiring a private locator to mark out a member facility was allowed under Title XII Law when tickets are not otherwise getting cleared by them or their contract locators. Jim Barron (MD Authority) stated that under Title XII, Miss Utility tickets must be cleared by affected owner members. Mark Hamrick (Verizon) added that private locators should not be opening their plants or facilities under any condition. At this, Jim Barron shared 12-127 (E):

*(e) (1) If a person knows or has reason to know that an underground facility in the area of a planned or ongoing excavation or demolition is not marked as required by this subtitle, the person may not begin or continue the excavation or demolition unless the person:*

*(i) has repeated the notification as required under § 12–125 of this subtitle; and*

*(ii) receives notification from the underground facilities information exchange system of the one–call system confirming that all applicable owner–members that have underground facilities in the vicinity of the excavation or demolition have marked:*

*1. the underground facilities in accordance with § 12–126(c) of this subtitle; or*

*2. the applicable portion of the underground facilities in accordance with 12–126(d) of this subtitle.*

*(2) If the underground facility is not marked as required by this subtitle after the person receives notification from the underground facilities information exchange system under paragraph (1) of this subsection, the person may proceed with the excavation or demolition.*

Jim continued by stating that under 12-120:

*(a) Except as provided in subsections (b) and (c) of this section, a person that obtains the information required under this subtitle is not excused from:*

*(1) performing an excavation or demolition in a careful and prudent manner; and*

*(2) liability for financial damages or injury that results from the excavation or demolition.*

Mike Burns (Utiliquest) shared with attendees that Utiliquest continues to hire, facilitate training classes (with 33 currently in training), work weekends and holidays, and bring in locators from other areas to better meet demand. He stated that volume is slightly down and that they have made good efficiency gains. He stated appreciation for the professionalism of most excavators and encouraged ongoing, direct communication with him as necessary.

David Shifflet (Precision Utility) stated that his company has assisted locators with vacuum excavation in locating lines. He asked that if a damage were to occur during this assistance, who would be a fault. Jim Barron replied that it would be up to the facility owner member as to whether a complaint would be filed, or a contractor held liable.

Jo Ellen Sines (M Luis Construction) shared that continued delays with locates is causing great disruption within her company and finds it very frustrating that they are not being done on time. Mike Burns reiterated that he and his company are doing everything possible to resolve the back log issue and encouraged direct contact with him when delays demand immediate attention.

## **MISS UTILITY CALL CENTER**

### **➤ ITICnxt Presentation: Other Tool**

- ITICnxt is Miss Utility's new ticketing platform system.
- The Other Tool should be used to define an excavation area that cannot otherwise be accurately mapped using the Radius, Route, Street or Property Tool.
- When using the Other Tool, it is very important to ensure the entire excavation area is captured by the polygon as this is used for member notification.

- After identifying the excavation area during step 1 of ticket processing, and selecting the Other Tool, a pop-up appears requiring the user to enter polygon information. This includes dig site location information, marking instructions and driving directions.
  - Once complete and moving into step 2, the user is required to enter all additional ticket information including a job description. During this step, additional comments and attachments can be included.
  - Step 3 allows for final ticket review and submission.
  - Multiple locate requests, using multiple tools, can be created during one mapping session.
  - November's topic: Filing a Dispute and Discrepancy
- Dashboard Reporting: Jennifer Arroyo (Miss Utility) provided ticket volume data for the month of August 2021.
- Inbound ticket volume: 93,209 a monthly increase of 19.125% compared to 2020
  - Outbound volume: 593,383 a year-to-date increase of 35.535% compared to 2020
- Damage Reporting: Susan Sullivan provided YTD data through August 2021 of reported damages in MD/DC.
- 578 utility damages (148 mains and 430 services)
  - 29.41% due to no call or valid ticket
  - 33.56% due to hitting a marked line
  - 29.07% due to incorrect locate marks
  - 7.96% due to other root causes

**MARYLAND AUTHORITY** Jim Barron, Executive Director

The Authority held a Closed Executive Session on Zoom, September 1, 2021.

- The Authority reviewed nine (9) NPVs; all for marking violations.
  - All nine (9) NPVs were adjudicated under the new statute.
- The Authority currently has fifty (50) NPVs to investigate.
- The Authority Executive Director and Deputy Director will be attending the CGA Conference in Orlando Florida, October 12 – 15, 2021.
- The Authority will have booth at the Greater Chesapeake Damage Prevention Training Conference in Ocean City, October 26 - 29, 2021. Jim Barron will have a one-hour presentation on the New Title XII Law on Thursday, October 28, 2021, 11:30 AM to 12:30 PM.

The next meeting of the Authority will be an Open Meeting and Closed Executive Session on Wednesday, October 6, 2021, at 9:00 AM on Zoom.

**MD TITLE 12/CHAPTER 18** Presented by Jim Barron, Executive Director MD Authority Presentation: Owner Member Responsibilities and 12-126. The following information was shared via a slide and discussion followed.

## Owner Responsibilities

### Who is an Owner?

§12-101 (t) (1) "Owner" means a **person** that (i) owns or operates an underground facility: and has the right to bury an underground facility.

§12-101 (t) (v) (1) "Person" as the meaning stated in §1-101 of this article. (2) "Person" includes: (i) a municipal corporation; (ii) the State; (iii) a political subdivision of the State; and (iv) any governmental unit, department or agency.

§1-101 (u) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

§12-101 (u) "Owner-Member" means an owner that participates as a member in a one-call system.

§12-123 (a) (1) An owner **shall** be a member of a one-call system.

### §12-126. Marking Requirements

§12-126 (a) An owner–member or its contract locator **shall** mark its underground facility if a proposed excavation or demolition that is specified in the extent of work contained in the ticket (1) is within 5 feet of the horizontal plane of the underground facility; or (2) because of planned blasting, is so near to the underground facility that the underground facility may be damaged or disturbed.

§12-101 (n) "Extent of work" means a clear and concise description of work to be done at a property, including the property address or specific distance and direction from a specified point, not to exceed 1320 feet that completely depicts the scope of work and that the excavator can complete within the designated life of the ticket.

**Note:** The polygon on the ticket does not identify the specific area to be marked but is used to identify the Owner-Members that may have underground facilities in the area of the planned excavation or demolition and will receive notification from the One-Call Center of the planned excavation or demolition.

§12-126 (b) (1) An owner–member or its contract locator **shall** mark the location of its underground facility by marking on the ground within 18 inches on a horizontal plane on either side of the underground facility.

§12-126 (c) Except as provided in subsection (d) of this section, within 2 business days after the day on which a ticket is transferred to an owner–member, the owner–member or its contractor locator **shall**: (1) mark the location of the owner–member’s underground facility and report to the underground facilities information exchange system that the underground facility has been marked; or (2) report to the underground facilities information exchange system that the owner–member has no underground facilities in the vicinity of the planned excavation or demolition.

#### **Code 5 – Not Complete/In Progress**

§12-126 (d) (1) If an owner-member or its contractor locator is unable to mark the location of the owner-member’s underground facility within the time period prescribed in subsection (c) of this section **because of the scope** of the proposed excavation or demolition, the owner-member shall: (i) promptly notify the underground facilities information exchange system and the person that intends to perform the excavation or demolition, and (ii) work with the person that intends to perform and excavation or demolition to develop a **DOCUMENTED AGREEMENT** for marking the underground facility.

§12-126 (d) (2) If the owner-member or its contract locator and the person that intends to perform the excavation or demolition cannot reach a mutually **DOCUMENTED AGREEMENT** for marking under paragraph (1) of this subsection, the owner-member or its contractor locator **shall** mark that portion of the site where excavation or demolition will first occur, and the owner-member or its contract locator **shall** mark the remainder of the site within a reasonable time.

#### **Code 3: 24-hour delay & Code 4: 48-hour delay**

§12-126 (d) (3) If, due to circumstances beyond the control of the owner-member or its contract locator and for reasons other than those specified in paragraph (1) of this subsection, an owner-member or its contract locator is unable to mark the location of the owner-member’s underground facility within the time period prescribed in subsection (c) of this section, the owner-member or its contract locator **shall** report to the underground facilities information exchange system that an extension is required.

#### **Extensive or Contiguous Projects**

§12-126 (d) (4) In connection with extensive or contiguous excavation or demolition projects, the person performing the excavation or demolition and the owner–member or its contract locator **may** establish a working agreement regarding the time periods for marking the underground facility.

Next month’s topic: Excavator Responsibilities and the Ticket 12-124

## **2021 GREATER CHESAPEAKE DAMAGE PREVENTION TRAINING CONFERENCE**

Matt Ruddo, Chairman (OCC)

- Dates: October 26-29
- Location: Clarion Resort Fontainebleau Hotel in Ocean City, MD
- Keynote Speaker: Dr. Bertice Berry
- The Exhibit Hall has sold out!
- Networking Events: Construction Angels' Cornhole Tournament, Golf Event and new this year, the Paint and Sip Event.
- Regular registration rates are now in effect.
- There are approximately 250 registered attendees to date.
- For more information, please visit [www.missutilityconference.com](http://www.missutilityconference.com)

The final 2021 planning committee meeting is scheduled to meet today, September 28, 2021.

### **DAMAGE PREVENTION AND SAFETY**

- Training - Coordinator, Susan Sullivan (Miss Utility)
  - DPT Completed:
    - August 27 – Baltimore Tree Trust
    - September 7 – L. S. Lee, INC
    - September 8 – Charles County DPW
    - September 15 – American Society of Civil Engineers: Susan Sullivan, guest speaker
  - DPT Upcoming:
    - October 5 - Maryland Transportation Authority
    - October 12-14 & 18-20: Virtual Paradigm CoRE-EX
- National Conference
  - CGA Conference & Expo
    - October 12-15 at the Renaissance, Orlando at Sea World
    - OCC and the MD/DC BOD will be represented.
    - The OCC Booth and key representatives, notably Mrs. Dora Parks, will be unveiling the much anticipated "Utility Defenders" campaign. This children's damage prevention educational and outreach campaign was created to capture the attention of youngsters who can then become mini-ambassadors of the 811 dig safe message.
    - Attendance is open to all.
    - For more information, please visit <https://cgaconference.com/>
- Miss Utility Facebook
  - Please visit [www.facebook.com/missutilityofmd/](http://www.facebook.com/missutilityofmd/) for upcoming shows, holiday announcements, and call center notices/information.



- Carvertise Marketing Metrics reported by Susan Sullivan, Miss Utility
  - Nine wrapped cars currently travel throughout Montgomery, Prince George, Charles, Allegany, Garrett and Baltimore Counties, Baltimore City and Washington D.C.
  - Quantitative Performance Data for the month of August:
    - Miles traveled by fleet: 15,183 (7,083 above expectation)
    - Impressions per fleet: 2,216,718 (1,034,118 above expectation)

**2021 AWARDS COMMITTEE** Mark Hamrick, Chairman

The Dig Smart Awards committee met on September 14<sup>th</sup> to review the 16 entries and select the winners representing Maryland and the District of Columbia. After careful review, the following organizations were selected as the 2020-2021 Dig Smart awardees. Congratulations!

- Excellence Award: **BF Joy, LLC**
- Maryland Award: **Flippo Construction Company, Inc.**
- Washington, D.C. Award: **Anchor Construction Corporation**
- Honorable Mention: **M Luis Construction Company, Inc.**

The 2019-2020 and 2020-2021 Dig Smart Award winners will be recognized at the 2021 GCDPTC in Ocean City next month.

**MGH MARKETING & OUTREACH TEAM UPDATE**

Reported by Gaby Tancona

- Trade Show Updates
  - Miss Utility will be participating in these upcoming events:
    - Chesapeake Region Safety Council Conference & Expo (Oct. 7)
    - Orchard Beach Volunteer Fire Department Annual Fire Prevention Open House (Oct. 9)

- CGA 811 Excavation Safety Conference & Expo (Oct. 12-15)
- Digital Marketing Campaign
  - Ads on Facebook, Instagram, YouTube, NextDoor and Google Search are reaching homeowners, contractors, and Spanish-speaking contractors through the end of September.

**CONSTRUCTION ANGELS**

Kevin Woolbright, CA Board Representative for MD/DC

- The Miss Utility of Delmarva third annual 811 5K fundraiser was held August 15th in Lewes, Delaware, where approximately 65 children and adults participated.
- The event raised \$2,000. All proceeds will be donated to local Construction Angels chapters where funds can be used locally to assist families of construction workers who have lost their lives while on the jobsite.
- Kevin sends a special thank you to Jason Lyons, Eric Cimo and Steven Kiser for their tireless efforts in bringing the 5K to fruition.
- A special thank you to all event sponsors and supporters as well.
- The GCDPTC will offer a Tuesday night networking cornhole tournament. Join other attendees on the Clarion's Beach Front Deck for drink specials and snacks. This tournament raises money for Construction Angels, and all are welcome.
- CA fund-raising initiatives are always welcome. Please contact Kevin at [bright.67@verizon.net](mailto:bright.67@verizon.net) with ideas or questions.

There being no further business brought before the committee, the meeting adjourned at 11:19 a.m.

**Upcoming 2021-2022 MD/DC Damage Prevention & Safety Meetings via Zoom**

- October - **No meeting.**
- November 23
- December - **No meeting.**
- January 25, 2022

MEETING ATTENDEES: This was a hybrid meeting. Onsite attendance is below. Accurate Zoom attendance is not available.

On-Site Attendees

Construction Angels	<b>Kevin Woolbright DPC Chairman CA Board Representative for MD/DC</b>	(301) 806-8745	bright.67@verizon.net
MGH	Gabriella Lothamer Public Relations	(410) 902-5025	gtancona@mghus.com
Miss Utility of Delmarva	Dora Parks USPCD Board Member		
One Call Concepts/ Miss Utility	Jennifer Arroyo General Manager		jennifer@occinc.com



One Call Concepts/ Miss Utility	Susan Sullivan ITIC Coordinator	(410) 782-2030	<a href="mailto:ssullivan@missutility.net">ssullivan@missutility.net</a>
Verizon	<b>Mark Hamrick</b> <b>DPC Vice Chairman</b> <b>Damage Investigator</b>	(410) 610-1371	<a href="mailto:mark.a.hamrick@verizon.com">mark.a.hamrick@verizon.com</a>
Washington Gas	<b>Scott Brown</b> <b>BOD President, Gas Rep</b>	(703) 750-4388	<a href="mailto:ssbrown@washgas.com">ssbrown@washgas.com</a>
Washington Gas	Jack Ellison Senior Specialist	(703) 750-5128	<a href="mailto:JohnEllison@washgas.com">JohnEllison@washgas.com</a>
WSSC	<b>David Wilkins</b> <b>BOD, Water/Sewer Rep</b> <b>Customer Advocate</b>	(301) 648-6953	<a href="mailto:david.wilkins@wsscwater.com">david.wilkins@wsscwater.com</a>