

SouthCarolina811

Call Before You Dig User Manual



Call Or Click Before You Dig



Table of Contents

Introduction	3
SC811 Vision Statement	3
SC811 Mission Statement	3
The Call	4
Why do I need to call	5
How much does it cost	5
When can I call	5
Wait the Required Time	5
Call Time Line	6
SC811 Holidays	6
What happens after the Call	7
How long does a Member have to respond to the request	7
Benefits of Locating Line Before You Dig	7
How do the members mark their lines	7
Uniform Color Code	8
How close to the markings can I dig	8
How long are the markings good for?	8
SC811 Member Companies	8
Some Common Causes of Damages	9
SC811 Locate Request Ticket Types	9
White-Lining	10
Information for entering Web Locate Request Tickets	12
Information for entering Update Web Locate Request Tickets	15
Legal Matters	16
South Carolina State Law	17
OSHA Regulation	23



Introduction

This manual has been written for the one time or infrequent user. It is intended to be a reference tool for interacting with SC811 Call Before You Dig Center (by the website or via telephone call). It does not take the place of the South Carolina State law. Keep this manual on hand for future references when questions or issues arise. Familiarity with the contents of this manual will be of great value.

A copy of the South Carolina State law is included with this manual.

Please feel free, and we encourage you, to distribute this manual to anyone associated with the damage prevention process.

SC811 Vision Statement: To be South Carolina's foremost damage prevention notification resource.

SC811 Mission Statement: To provide excellence in damage prevention notification services to our members, excavators, and the public.

How will SC811's strive to accomplish its "Vision" and "Mission"?

By:

- ❖ Notifying our members of construction activities in their areas
- ❖ Ensuring ticket quality and call center reliability
- ❖ Providing excellent customer service
- ❖ Implementing effective best practices
- ❖ Maintaining highly motivated, skilled employees
- ❖ Increasing the public's damage prevention awareness



The Call

When calling into SC811, the One Call Agent will ask you a series of questions concerning the dig site. The following questions were designed to comply with the South Carolina State law as well as input from our members, in order to provide enough information to correctly locate the underground facilities.

Information you need to know before you call:

- County
- City or Township
- Location of work -- Street Address or road the work will be on
- 3 Intersecting Streets/Roads
- Distance From Intersection/Direction
- Give directions to the site.
- Where will the work take place (front yard, back yard, entire property)
- Type of Work
- Will there be any drilling, boring or blasting?
- Is this near a railroad?
- Will the area be white-lined?
- Caller's Name, address, phone and the company they are with
- Contractor/Contact Number
- Contact Person/Additional Information

At the end of your call you will be given a locate request ticket number. This will be your reference number and the proof of your call. You will also be given a list of the **MEMBER** utilities that will be notified of your request. Not all utilities are members with our service. You will be responsible for notifying any non-members that may be in that area.



Why do I need to call?

In compliance with the South Carolina Call Before You Dig Law, any activity that results in the movement, placement, probing, boring, or removal of earth, rock, or other material in or on the ground requires the excavator to contact the One Call Center with adequate information regarding the dig. Remember... It's The Law!!!

How much does it cost?

SC811's service is **FREE** to anyone digging.

When can I call?

SC811 is open Monday through Friday from 7:30 am to 5:30 pm. Web tickets may be entered 7 days a week, 24 hours a day. The toll free number is (888) 721-7877 or 811 (the National Three Digit Call Before You Dig phone number). Emergency locate request tickets are taken 24 hours a day 7 days a week including holidays.

Wait the Required Time.

Each excavator is required to provide no less than three (3) working days, not more than ten (10) working days prior to excavation work. This will exclude weekends and Holidays. (Holidays are located in this manual.)



Call Time Line

Request Time Line									
		Date of request (call or website)							
		Waiting period for locates: excludes Weekends & Holidays							
		Date when digging may begin							
	Mon	Tue	Wed	Thur	Fri	Mon	Tue	Wed	
Mon	1	2	3	ok					
Tue		1	2	3	ok				
Wed			1	2	3	ok			
Thu				1	2	3	ok		
Fri					1	2	3	ok	

SC811 locate request tickets are good for 15 working days. Remember to update your locate on the 12th working day, if needed.

SC811 Holidays

2011 Holiday

December, 31, 2010 (Friday)	New Year's Day Observed
January 17, 2011 (Monday)	Martin Luther King Jr's Birthday
May 30, 2011 (Monday)	Memorial Day
July 4, 2011 (Monday)	Independence Day
September 5, 2011 (Monday)	Labor Day
November 11, 2011 (Friday)	Veteran's Day
November 24, 2011 (Thursday)	Thanksgiving Day
November 25, 2011 (Friday)	Thanksgiving Day Holiday
December 23, 2011 (Friday)	Christmas Eve Observed
December 26, 2011 (Monday)	Christmas Day Observed



What happens after the Call?

After the locate request ticket has been created, it is forwarded to all SC811 member companies or their representatives in the area of the dig site. SC811 maps every locate request so that only the Members who are in the dig site area receive the request. Underground facility owners mark the locations of facilities at the excavation site, which they maintain.

How long does a Member have to respond to the request?

In most cases, Members have three working days to respond to the locate request ticket. However, there are other types of priority locate request tickets, such as Emergencies. It is at the discretion of the Member as to how soon they will locate the facilities on emergency tickets.

Note: "Working Day" means from 7:30 a.m. to 5:30 p.m. every day except Saturday, Sunday, and holidays.

Benefits of Locating Line Before You Dig

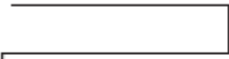







Calling before you dig will prevent costly repairs to damaged lines, pipes, etc., delays in construction, wasted crew time and personal injury or property damage.

How do the members mark their facilities?

Members may use paint, flags or other kinds of markings, but they should all mark according to the APWA uniform color code.



APWA UNIFORM COLOR CODE

	WHITE - Proposed Excavation
	PINK - Temporary Survey Markings
	RED - Electric Power Lines, Cables, Conduit and Lighting Cables
	YELLOW - Gas, Oil, Steam, Petroleum or Gaseous Materials
	ORANGE - Communication, Alarm or Signal Lines, Cables or Conduit
	BLUE - Potable Water
	PURPLE - Reclaimed Water, Irrigation and Slurry Lines
	GREEN - Sewers and Drain Lines

SC811 members mark only the underground facilities they maintain. For example, water and sewer companies only mark the facilities they install and maintain up to their meter or taps.

How close to the markings can I dig?

By section 58-35-80 of South Carolina State Law - For the purposes of this section the approximate location of underground utilities is defined as a "strip of land at least five feet wide, but not wider than the width of the utility plus two and one-half feet on either side of the utility."

How long are the markings good for?

The locate request ticket will be good for 15 working days from the date of the 72-hour notice. It will need to be updated on the 12th working day if the work will take longer than 15 working days.

SC811 Member Companies

South Carolina state law does not require all utility companies to be a member with SC811. Please click the link below to view a list of SC811's member utilities. <http://pupswebsvr/pups/homeowners/memberslist.aspx>



Some common Causes of Damages

- Working without a locate request ticket.
- Working outside the area described on the locate request.
- Beginning excavation before the 72 hour notice (date and time).
- Beginning work before the member utilities have been on site to locate lines.
- Assuming the depth of a facility.
- Assuming that the approximate location marks are exactly accurate and digging right up to the paint marks or flags.

SC811 Locate Request Ticket Types

Cancel - This type of request is sent to all utilities if a caller or contractor calls in to change anything on the original ticket. Cancellations are only to be done before the 72-hrs has expired.

Design - A Design ticket is a new non-excavation ticket. A Design ticket is a voluntary program that our Member Utilities are not required to mark. Member utilities will be notified to contact the requestor within 72 hours to make arrangements for the design ticket (no dig ticket).

Emergency - This ticket is sent to the member utilities and/or Contact Locator(s) when the excavation type of work is an emergency because of immediate danger to life, property, health or restoring existing service.

Meet - This is a ticket taken when a caller requests for locators to meet on the job site. SC811 does not schedule the date and time for a meet. The member utilities and/or the contract locator(s) are responsible for contacting the caller to set up a meet date and time to go over the site(s) and locate the underground utility lines.

Normal - This is a ticket taken in a normal routine. The South Carolina State Law requires a 72-hr notice. If more than 72 hrs is requested, it can be scheduled up to 10 working days in advance.



No Show - This is a follow up when a caller calls back and states the area is not marked and the 72-hour notice has expired. Caller will be asked what utilities have not marked?

Remark - This type of request is used when a previously entered ticket needs to be remarked to selected member utilities without changing the original information. A remark ticket can be sent as long as it is within the 15-day working limit.

Resend - Resend is a function used when a previously entered ticket needs to be resent to selected member utilities, notes and/or other information can be added, without changing the original information.

Survey - This is a normal excavation ticket. A survey ticket is for survey purposes and does cover digging.

Updates - Updates are to be used for people whose digging work will last longer than 15 working days and the work has already started or is in progress. An update will keep markings visible for the job duration.

White Lining

How to White-Line Your Next Project

White lining is a very effective way of communicating an intended dig area. In many cases, meetings at proposed dig sites are deemed unnecessary when white lining is employed. Whether the job is large or small, white lining eliminates assumptions and digging delays, which saves time and money for all parties involved.



Please refer to these guidelines when white-lining your next digging project. This will help insure consistency and avoid confusion on future projects.

I. Notification

When calling in the locate request, advise the SC811 operator that white-lining will be in place prior to the due date of the locate request.

II. Marking Method

Outline the entire area with white paint. Use 2" x 12" strips every 10 feet.

Draw an arrow at the starting point of the job pointing toward the end of the job. In the middle, draw an arrow pointing both directions. At the end of the job, place an arrow pointing toward the beginning of the job. (This would be for digging in a straight line. If curved, the white paint should show the curve with arrows in both directions)

Use either white flags or stakes with white ribbon if the intended digging area is sandy. Sandy soil will not support paint during construction.

If utility poles are being replaced, the old pole should be marked with an "X", and the intended area for the replacement pole should be marked with a circle.

When marking water leaks, signposts, tapping point for water/sewer, etc., also mark with a circle.

III. Restrictions

No white paint should be sprayed on pavement that may interfere with traffic or pedestrian movement.



Information for entering Web Locate Request Tickets

Distance: No more than a distance of 1320 feet (a quarter of a mile) should be put on one locate request ticket. If the distance is more than 1320 feet, this will require more than one locate request ticket according to the distance. (Example: a 4000ft of area would require 4 tickets, etc.)

Easements/Right of ways: For request giving an address and easement or right of way to be marked requires 2 tickets, one for the address and one for the easement/right of way. A request to have an easement/right of way to be marked going down more than one street, requires a separate locate request ticket to be issued for each street. The street that the easement/right of way is off of will go in the street field. (Example: in the easement between Devine Street and Blossom Street; when enter one road in the Street Field, other road in the Intersecting Road Field and put marking instructions in the Where on Worksite Do Lines Need to be Marked?)

Intersections: A request to have an intersection located requires only one locate request ticket when the work is being done at the intersection alone and does not continue down any of the streets or if the caller requests a 50 foot radius of the entire intersection. (Example: Mark complete inters; 50ft radius of the entire intersection; or north side of the intersection, etc.)

Address: There will only be 5 addresses per locate request ticket and they must be side by side on the same street; same with apartment numbers, buildings and lots. (Example Lots 1, 3, 5, 7, 9 on Any Street; these lots are side by side)

Locates involving 2 or more streets: A locate request ticket for a location that has distance going down two (2) or more streets intersecting or joining together requires a separate locate request ticket for each street on which work will be done. Each locate request ticket must include a starting and stopping point.

The street on which the work will be done goes in the SITE STREET NAME field and the streets the work will be going from and to in the NEAREST INTERSECTING STREET field.



Example: Excavation work will be going down south side of Main Street from Elm Street to Pine Street and going down the west side of Pine Street from Main Street to First Avenue.

On the first locate request ticket put "Main Street" in the SITE STREET NAME field and "Elm Street and Pine Street" in the NEAREST INTERSECTING STREET field; in the WHERE ON WORKSITE DO LINES NEED TO BE MARKED? field put the marking instructions "Mark on the south side of Main Street from Elm Street to Pine Street".

On the second locate request ticket follow the same procedures in entering the information for Pine Street.

White lining, stakes or flags: If the area has been marked in white paint, flagged or staked, you must explain where these marking are located on the property. For example: There is a red stake in the back yard near the property line, locate 30ft in all directions of this stake.

Done by field: This field is for the name of the company or person doing the excavation specified in the "Work Type" field on the locate request ticket. It is important that this information is entered correctly, especially if the digging work will be done by someone other than the company given in the "Company" field on the ticket. The company or person given in the "Done By" field is covered on the ticket for the type of excavation work that is given in the "Work Type" field.

If a company has different sub-contractors who do their excavation work and do not know which sub-contractor will be doing the work at the time the company has a ticket processed, this information must be given and entered on the ticket request in the "Done By" field as "subcontractor for (Company Name Calling in Ticket)".

Example:

Done By: Subcontractor for ABC Electric Company



If you know who the sub-contractor (s) is, be sure to enter or give their name (s). The thing to remember is the person or company doing the excavation is to be stated in the "Done By" field. If there are any questions, problems, cuts, legal issues, etc. that occur at the excavation site, it will be the responsibility of the company (which had the ticket processed) to determine which sub-contractor was doing the excavation work.

If multiple people or companies are on site doing the work, this information will need to be entered or given to operators to be noted on the ticket request in the "Remarks" field.

Example:

Done By (field): **SEE REMARKS**

Instr/Remark (field): Done By: Joe's Backhoe Service will be clearing the lot and Alex's Well Company will be installing water lines and a well

Adding Sub-contractors to tickets:

Keep in mind that a subcontractor can only be added to a ticket if they are a subcontractor for the company that called in the original ticket or is calling in the ticket and must be doing the same type of work.

Abbreviating Street/Road Names: All street and road names must be spelled out in their entirety. Street and road names are not to be abbreviated due to the abbreviation interpretations can vary.



Information for entering Web Update Request Locate Tickets

Locate request tickets are only good for 15 working days and need to be renewed on the 12th working day if the job will not be completed by the 15th working day.

Excavators can enter update request ticket request via the website 24 hours a day; tickets must be entered by 5:00pm to be processed for that working day. During normal business hours, an SC811 CSR will process the ticket and a email confirmation will be sent back to the email address entered on the website.

To update a locate request ticket online the following is needed:

Ticket number: the locate request ticket must be within the life span cycle to update.

Your Name: Person entering in the locate request ticket via the website.

Your phone number: Number to be reached during the day (this is used if any questions arise).

Email address: Email where the copy of the locate request ticket will be sent.

Work Address: Is the site address of the locate request ticket being updated where digging work will take place.



Legal Matters

SC811 maintains a record of all locate ticket request voice recordings and locate ticket requests for a maximum of three (3) years. Assistance is available in providing copies of these tickets in the case of a dispute, which may involve a fee in record retrieval.

SC811 has various methods of searching for these locate request tickets. The best method is by ticket number. Locate request tickets can also be searched by telephone, company name and work address, but the process is more difficult. The more information provided, the quicker the proper locate request ticket can be found.



South Carolina State Law also known as

"Underground Utility Damage Prevention Act". 1978

Effective July 18, 1978

Section 58-35-10. Short title.

Section 58-35-20. Definitions.

Section 58-35-30. Effect of permit on liability.

Section 58-35-40. Determination of location of underground utilities prior to excavation or demolition.

Section 58-35-50. Exemptions.

Section 58-35-60. Notice of intent to excavate or demolish.

Section 58-35-70. Operators association for mutual receipt of notice of excavation or demolition; reports.

Section 58-35-80. Information to be supplied by operators.

Section 58-35-90. Notice in case of emergency excavation or demolition.

Section 58-35-100. Additional duties of persons responsible for excavation or demolition.

Section 58-35-110. Notification required when damage done.

Section 58-35-120. Penalties; actions; effect on civil remedies.

Title 58 - Public Utilities, Services and Carriers
CHAPTER 35.
UNDERGROUND UTILITY DAMAGE PREVENTION ACT

SECTION 58-35-10. Short title.

This chapter may be cited as the "Underground Utility Damage Prevention Act".

SECTION 58-35-20. Definitions.

As used in this chapter:

(1) "Association" means a group of public utilities or their representatives or an organization contracting with a group of public utilities formed for the purpose of receiving and giving notice of excavation, demolition or similar activities in the State.

(2) "Damage" includes the substantial weakening of structural or lateral support of an underground utility, penetration or destruction of protective coating, housing, or other protective device of a utility and the partial or complete severance of a utility.



(3) "Demolish" or "demolition" means any operation by which a structure or mass of material is wrecked, razed, rendered, moved or removed by means of any tools, equipment, or discharge of explosives.

(4) "Excavate" or "excavation" means an operation for the purpose of the movement or removal of earth, rock, or other materials in or on the ground by use of mechanized equipment or by discharge of explosives and including augering, backfilling, digging, ditching, drilling, well drilling, grading, plowing-in, pulling-in, ripping, scraping, trenching and tunneling, but not including the tilling of soil for agricultural purposes, gardening or landscaping which involves the movement of less than one cubic yard of soil or other materials.

(5) "Mechanized equipment" means equipment operated by means of mechanical power including trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows and other equipment used for plowing-in or pulling-in cable or pipe.

(6) "Person" means any individual, owner, corporation, partnership, association, or any other entity organized under the laws of any state; any subdivision or instrumentality of a state; and any authorized representative thereof.

(7) "Utility" means any underground line, system or facility used for producing, storing, conveying, transmitting, or distributing communication, electricity, gas, petroleum, petroleum products, hazardous liquids, water, steam or sewerage, including storm drainage.

(8) "Operator" means any person who owns or operates a utility.

(9) "Public utility" means any organization, corporation, municipality, municipal department, authority or other association providing service to the general public or segments thereof with any type of utility.

(10) "Working day" means every day, except Saturday, Sunday and legal holidays.

SECTION 58-35-30. Effect of permit on liability.

A permit issued pursuant to law authorizing excavation or demolition operations shall not be deemed to relieve a person from the responsibility for complying with the provisions of this chapter.

SECTION 58-35-40. Determination of location of underground utilities prior to excavation or demolition.

Except as provided in Sections 58-35-50 and 58-35-90, no person may excavate in a street, highway, public space, a private easement of an operator, or near the location of an underground utility installed on the premises of a customer served by such a utility, or demolish a building without having first ascertained from the public utilities the location of all their underground utilities in the area that would be affected by the proposed excavation or demolition.



Prior to any excavation or demolition, the person financially responsible or the architect, engineer or designer responsible for such activities should consult with all the public utilities operating in the area and cause a detailed plan to be drawn and furnished to the entity physically doing the excavation or demolition that will show the location of all utilities in accordance with the provisions of Section 58-35-80.

SECTION 58-35-50. Exemptions.

Excavation is exempt from the provisions of this chapter under the following conditions:

- (a) When conducted after individual contacts with public utilities or after joint preconstruction conferences with public utilities and the person proposing the excavation or demolition has a statement in writing from all public utilities operating in the area that the proposed activity was reviewed and notification provided; or
- (b) When the Department of Transportation or a public utility is carrying out excavation or demolition entirely on and within an easement or right-of-way owned and controlled or controlled by that public utility or department and where no other public utility's facilities have been permitted, are existing, or are likely to exist; or
- (c) When a landowner installs or has installed facilities for his own purposes and under his direction on his own land provided: (1) he or his authorized representative has general knowledge of the location of underground utilities on his lands; and (2) the work location is remote from these utilities or facilities of a public utility serving the landowner or others.
- (d) In those localities or communities and within recognized boundaries, the Department of Transportation and public utilities are exempt if they (1) are doing minor excavations such as for replacing or setting one or two poles, digging test holes, handholes, normal roadway maintenance, or similar minor excavations, and (2) there is a local agreement between public utilities and the Department of Transportation which includes notification before excavation or demolition.

SECTION 58-35-60. Notice of intent to excavate or demolish.

(a) Except as provided in Sections 58-35-50 and 58-35-90, before commencing any excavation or demolition operation as described in Section 58-35-40, each person responsible for such excavation or demolition shall serve advance written or telephonic notice of intent to excavate or demolish not less than three, but not more than ten full working days

1. On each operator which has underground utilities located in the proposed area of excavation or demolition; or
2. If the proposed area of excavation or demolition is served by an association provided for in Section 58-35-70, on such association and on each operator which has underground utilities in the proposed area of excavation or demolition that is not receiving the services of the association; where demolition

of a building is proposed, operators shall be given reasonable time to remove or protect their underground utilities before demolition of the building is commenced.



(b) The written or telephonic notice required by Section 58-35-60(a) must contain the name, address, and telephone number of the person filing the notice of intent, and, if different, the person responsible for the excavation or demolition, the starting date, anticipated duration, and type of excavation or demolition operation to be conducted, the location of the proposed excavation or demolition, and whether or not explosives are to be used.

(c) If the notification required by this section is made by telephone, an adequate record of such notification shall be maintained by the operators and associations notified to document compliance with the requirements of this chapter.

SECTION 58-35-70. Operators association for mutual receipt of notice of excavation or demolition; reports.

(A) Operators must form and operate an association providing for mutual receipt of Section 58-35-60 notification of excavation or demolition operations in a defined geographical area. An association that provides this service on behalf of operators having utilities within South Carolina must file with the South Carolina Public Service Commission and provide to the Office of Regulatory Staff the telephone number and address of the association, a description of the geographical area served by the association, and a list of the names and addresses of each operator receiving this service from the association.

(B) The association must file with the Chairman of the House of Representatives Labor, Commerce and Industry Committee and the Chairman of the Senate Judiciary Committee, not later than April fifteenth of each year, a report covering the activities and operations of the association for the preceding calendar year including, but not limited to, information reflecting: average speed of answer; abandoned call rate; transmit times; total number of locate requests; total number of transmissions; and a disaster recovery plan.

(C) No operator is required to join an association.

SECTION 58-35-80. Information to be supplied by operators.

Each operator or designated representative, including an association established in accordance with Section 58-35-70, notified in accordance with Section 58-35-60, shall, not less than one working day in advance of the proposed excavation or demolition, unless another period is provided by agreement between the person responsible for the excavation or demolition and the operator or designated representatives, supply, by use of maps or other appropriate means, the following information to the person responsible for the excavation or demolition:

(1) The approximate location and description of all of its underground utilities which may be damaged as a result of the excavation or demolition;

(2) The location and description of all utility markers indicating the approximate location of the underground utilities;



(3) Any other information that would assist that person in locating and thereby avoiding damage to the underground utilities including providing adequate temporary markings, when necessary, indicating the approximate location of the underground utility in locations where permanent utility markers do not exist.

For the purposes of this section the approximate location of underground utilities is defined as a "strip of land at least five feet wide, but not wider than the width of the utility plus two and one-half feet on either side of the utility."

Should there be no response by the operators of all the public utilities at the site within three working days of telephonic notification, the person responsible for the excavation or demolition is free to proceed as though the location of all utilities had been determined as described earlier in this section.

SECTION 58-35-90. Notice in case of emergency excavation or demolition.

Compliance with the notice requirements of Section 58-35-60 is not required of persons responsible for emergency excavation or demolition to ameliorate an imminent danger to life, health, or property or to restore existing service. Such persons shall give, as soon as practicable, oral notice of the emergency excavation or demolition to each operator having underground utilities located in the area or to an association provided for in Section 58-35-70, that serves an operator where such excavation or demolition is to be performed and requests emergency assistance from each operator so identified in locating and providing immediate protection to its utilities. An imminent danger to life, health, or property exists whenever there is a substantial likelihood that loss of life, health, or property will result before the procedures under Sections 58-35-60 and 58-35-80 can be fully complied with.

SECTION 58-35-100. Additional duties of persons responsible for excavation or demolition.

In addition to the notification requirements of Section 58-35-60, each person responsible for any excavation or demolition operation designated in Sections 58-35-40 shall:

- (1) Plan the excavation or demolition to avoid damage to or minimize interference with underground utilities in and near the construction area;
- (2) Maintain a clearance between an underground utility and the cutting edge or point of any mechanized equipment, taking into account the known limit of control of such cutting edge or point, as may be reasonably necessary to avoid damage to such utility;
- (3) Provide such support for underground utilities in and near the construction area, including backfill operations, as may be reasonably required by the operator for the protection of such utilities.

SECTION 58-35-110. Notification required when damage done.

(a) Except as provided by Section 58-35-110(b), each person responsible for any excavation or demolition operation designated in Section 58-35-40 that results in any damage to an underground utility shall, immediately upon discovery of such damage, notify the operator of such utility of the

location and nature of the damage and shall allow the operator reasonable time to accomplish necessary repairs before completing the excavation or demolition in the immediate area of such utility.

(b) Each person responsible for any excavation or demolition operation designated in Section 58-35-40 that results in damage to an underground utility where such damage may endanger life, health or property, the person responsible for the work shall, immediately upon discovery of such damage, take immediate action to protect the public and property, notify the operator, police or fire departments and take such other actions as may be appropriate to minimize the hazards until the arrival of the operator's personnel, police or fire departments. The excavator shall delay any backfilling in the immediate area of the damaged utility until authorized by the operator. Repair of any damage shall be performed by the operator or by qualified personnel authorized by the operator.

SECTION 58-35-120. Penalties; actions; effect on civil remedies.

Any person who violates any provision of this chapter shall be subject to a civil penalty not to exceed one thousand dollars for each such violation. Actions to recover the penalty provided for in this section shall be brought by the attorney general at the request of the injured party in the proper forum in and for the county in which the cause, or some part thereof, arose or in which the defendant has its principal place of business or resides. All penalties recovered in any such actions shall be paid into the general fund of the State. This chapter does not affect any civil remedies for personal injury or property damage except as otherwise specifically provided for in this chapter. The penalty provisions of this chapter are cumulative to and not in conflict with any provisions of law with respect to civil remedies for personal injury or property damage.



OSHA REGULATION

1926.651

1926.651 (a)

Surface encumbrances. All surface encumbrances that are located so as to create a hazard to employees shall be removed or supported, as necessary, to safeguard employees.

1926.651 (b)

Underground installations.

1926.651 (b) (1)

The estimated location of utility installations, such as sewer, telephone, fuel, electric, water lines, or any other underground installations that reasonably may be expected to be encountered during excavation work, shall be determined prior to opening an excavation.

1926.651 (b) (2)

Utility companies or owners shall be contacted within established or customary local response times, advised of the proposed work, and asked to establish the location of the utility underground installations prior to the start of actual excavation. When utility companies or owners cannot respond to a request to locate underground utility installations within 24 hours (unless a longer period is required by state or local law), or cannot establish the exact location of these installations, the employer may proceed, provided the employer does so with caution, and provided detection equipment or other acceptable means to locate utility installations are used.

.. 1926.651 (b) (3)

When excavation operations approach the estimated location of underground installations, the exact location of the installations shall be determined by safe and acceptable means.

1926.651(b) (4)

While the excavation is open, underground installations shall be protected, supported or removed as necessary to safeguard employees.