

Policy / Procedure	Present Law Until Sept 30 TH , 2014	New Law, Effective Oct 1 ST , 2014	Reference
Notice Prior To Start Excavation/Demolition For Markings			
Underground Facilities	<i>Not less than 2, but no more than a 10 working day notice</i>	Within 3 to 12 full working days.	87-122 (a)
SubAqueous Facilities	<i>Not addressed by present law</i>	Within 10 to 20 full working days	
Facilities Locate By Date			
Underground Facilities	<i>Before the start of the proposed excavation</i>	Within 3 full working days after the date the notice was given.	87-121 (b)
SubAqueous Facilities	<i>Not addressed by present law</i>	Within 10 full working days after the date the notice was given	
Notification Expiration (Life of a ticket)	<i>Not addressed by present law, is a policy of NC811, Inc. and was 15 working days</i>	All notices given shall expire 15 full working days after the date the notice was given	87-122 (a)
Tolerance Zone	<i>The width of the underground utility plus 2½ feet (30 inches) on either side of the underground utility</i>	If diameter of facility is known: One-half of the known diameter <i>plus</i> 24 inches on either side of the designated center line	87-117 (22)
		If diameter of facility is NOT known or marked: 24 inches on either side of the outside edge of the mark indicating a facility	
		If facility is SubAqueous: A clearance of 15 feet on either side of the indicated facility	87-121 (a)
NC811 Mandatory Membership	<i>Not Addressed by present law</i>	<u>Join By October 1, 2014:</u> Operators with more than 50,000 customers or 1,000 miles of facilities <u>Join by October 1, 2015:</u> Operators with more than 25,000 customers or 500 miles of facilities <u>Join by October 1, 2016:</u> Remaining operators that do not meet any of the criteria listed above and NCDOT	87-120 (b)
Pre-Marking Excavation Site (White-lining)	<i>Not Addressed by present law</i>	When the excavation area cannot be clearly and adequately identified within the area described in the notice, the excavator shall designate the route, specific area to be excavated, or both by premarking the area before the operator performs a locate. Premarking shall be made with soluble white paint, white flags, or white stakes.	87-122 (c)
Underground Damage Prevention Review Board	<i>Not addressed by present law</i>	Notification Center to establish a 15-member board as defined in the law to review alleged violations of the Underground Utility Safety and Damage Prevention Act for enforcement and civil penalties.	87-129 (a)

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Declaration of Extraordinary Circumstances by Operator	<i>Not addressed by present law</i>	<p>An operator may declare extraordinary circumstances (circumstances that make it impossible for the operator to comply with the law, see complete definition 87-117 (11)).</p> <p><i>The operator making the declaration must:</i></p> <ol style="list-style-type: none"> 1) Notify the excavator directly or through the Notification Center (NC811) 2) State the date and time when the location will be marked 	<p>87-117 (11)</p> <p>87-121 (b) (3)</p> <p>87-121 (e)</p>
Positive Response Postings by Facility Owner/Operator	<i>Not addressed by present law; member utility could elect to participate/not participate.</i>	<p>Utility owner shall provide a positive response within 3 full working days after the date the notice was given.</p> <p><i>*Excluded from this are operators who have declared extraordinary circumstances as the system will apply their response.</i></p>	87-122 (c)(2)
Positive Response Confirmation	<i>Not addressed by present law; NC811 made positive response available for excavators to check the status of their request via phone, email, and a webpage</i>	<p>Excavator must confirm through the positive response system prior to excavation/demolition that all operators have responded and that affected facilities have been marked.</p> <p><i>*Excavator can continue to check the status via email, phone, and/or NC811 webpage.</i></p>	87-122 (c)(2)
Emergency Notifications	<i>Notify as soon as possible</i>	<p>Excavator must provide oral notice to the Notification Center (NC811) as soon as practical. See complete definition 87-117 (8).</p> <p><i>*All emergency requests must be processed through the call center and not through any of the NC811 electronic applications.</i></p> <p>Falsely claiming an emergency exists will result in a Class 3 Misdemeanor.</p>	<p>87-117 (8)</p> <p>87-125 (a) (b)(c)</p>
Damage Notifications	<i>Excavator must notify the facility owner/operator directly</i>	<p>Excavator must notify the Notification Center (NC811) AND the facility operator (<i>if known</i>). Additionally, the excavator shall notify emergency responders and 911 in the event of any discharge of electricity or escaping gas or liquid that would endanger life, health, or property.</p>	87-126 (a)(b)
Geographical Length of Excavation/Demolition	<i>Not addressed by present law</i>	<p>The location of the proposed excavation/demolition cannot exceed one-quarter (1/4) mile in length, or five adjoining addresses, not to exceed one-quarter mile in geographical length</p>	87-122
3-Hour Locate	<i>Not addressed by present law</i>	<p>In the event an operator fails to post a response to the Positive Response System within the 3 working day notice AND the excavator is aware of OR observes indications of an unmarked facility, the excavator must CALL the Notification Center (NC811). Facility operators must make arrangements to mark the facility within 3 hours from the time of the call.</p>	87-122(c)(6)

*All NC811 Policies and Procedures will be updated to reflect and abide by new law