

DIG SAFELY

TEXAS PIPELINE DAMAGE PREVENTION PROGRAM Railroad Commission of Texas ★ Safety Division

Frequently Asked Questions (FAQ) For Operators

1. §18.1(d)(1) refers to an exemption for those facilities owned by a company located in a secured facility of that company. If a company owned 100% percent of a pipeline, but only 25% of the facility, are they exempted or not?

Response: No, the operator must be in control of the entire pipeline and the facility location.

2. Is the Texas Department of Transportation exempt from reporting damage?

Response: No, unless the activity resulting in damage is within the scope of §18.1(d)(4). Reports filed on damages that fall under one of the exemption categories will only be used for statistical purposes and are encouraged to be filed.

3. Does the rule apply to underground pipeline appurtenances?

Response: Yes. (§18.2 (23))

4. When a pipeline company is excavating, is it the responsibility of the pipeline operator, or the contracted excavator, to make the notification calls?

Response: The person performing the excavation. (§18.3)

5. How many positive response attempts is an operator required to make, to an excavator, in order to satisfy the requirements in §18.3(b)?

Response: The operator must provide a positive response per §18.5(a). The operator should make sure that the attempt is fully documented so that if and when an excavator makes a second call, as required, that the operator can prove that a positive response was attempted on the first call and another positive response was made for the second call (§18.5(b)). *(Fully documented means: phone or fax number dialed, or email address used; the time and date of the positive response; and confirmation that the positive response was successful. If it was not successful, document what the problem was in making the positive response (busy signal, wrong number, etc.).*

6. What should an operator do if they have no underground pipeline facilities in conflict with the excavation area and a specific method of positive response was not given by the excavator to the one-call center?

Response: The operator may choose the method of positive response.

7. Under Texas Utility Code §251 an underground facility operator has to make a positive response within 48 hours regardless of Saturday, Sunday, or a holiday, if an "all clear" is to be given. Does a pipeline operator have to follow this requirement, or does an operator have 48 hours excluding a Saturday, Sunday, and/or holiday?

Response: An operator will have 48 hours excluding Saturdays, Sundays, and legal holidays to make an "all clear" positive response or mark the pipeline facility.

8. Does a pipeline project have to be white-lined?

Response: No, a facility does not need to be white-lined if it can be described adequately on a locate request ticket. When white-lining is required, but the excavation area is too large to be white-lined, then a face-to-face meeting is required to be conducted. §18.3(c) and §18.3(d)

9. If a ticket size is deemed to be too large in §18.3(d), and an operator does not have facilities impacted by the project, is the operator required to enter into protocols with the excavator for the project? If not, how should this be documented?

Response: No, protocols are not required; however, a face-to-face meeting is still required with the excavator because at the time the ticket size is determined to be “too large” the operator may not know if their facilities are impacted. The decision that protocols are not needed should be documented by both the excavator and operator.

10. What is the time frame for the protocols to be initiated in accordance with §18.3(d)?

Response: An operator must notify the excavator of the need for a face-to-face meeting before the 48th working hour. The face-to-face meeting shall occur at a mutually agreeable time before the operator is required to mark.

11. What happens if a face-to-face meeting takes place and the 48 working hours have expired, but the operator has not had the opportunity to mark a facility? This could include situations where the issues being discussed have not been resolved or one side is unwilling to agree to and document a process.

Response: The operator must request the face-to-face meeting within the 48 working hours. An operator must also meet with the excavator within the 48 working hours if the excavator is available and agrees to meet. No excavation may begin until the excavator is available to meet and discuss the planned excavation. Also, the “shall” in §18.3(d) only applies to the requirement to have a face-to-face meeting; it does not require the operator and excavator to agree on protocols to be utilized.

12. Exploration and Production operations are exempt from participating in a one-call system provided they are not in a public or government right-of-way. Are they also exempt from making a call and following the requirements of an excavator if they are digging?

Response: No, they are still an excavator and must comply with §§18.3, 18.4, 18.5, 18.7, 18.10, and 18.11.

13. Does an operator have to make two or more positive responses? For example, if an excavator wants the pipe to be marked in addition to receiving a phone call and email, does the operator have to respond using all of those methods?

Response: No, an operator will only have to make one type of positive response in accordance with §18.5(a). The marking of a pipeline is a type of positive response. If an operator needs to notify an excavator of an “all clear”, then a method chosen by the excavator shall be used.

14. §18.5(d) requires an operator to respond within 4-hours of a notice of damage to their facility. What does respond mean?

Response: Respond means that an operator must at least call the excavator and acknowledge receipt of the notice of damage and provide an estimated time of arrival on site. The response time begins from the time the operator receives notification of damage. Note: This is in addition to the operator reporting requirements in Title 16, Texas Administrative Code, Chapter 18 Pipeline Safety Rules.

15. Markings may be valid after the life of a ticket expires. How does the RRC plan to address this?

Response: The RRC will extend the life of a ticket until the time in which the markings are no longer valid per §18.6(b).

16. Can the diameter of the pipe be marked on a stake or flag?

Response: Yes (§18.8(g))

17. How many working days does an operator have to report damage using the online Texas Damage Reporting Form (TDRF)?

Response: The TDRF must be submitted within ten working days of the operator’s knowledge of damage in accordance with §18.11(a).

18. If an operator damages their own line, will they have to fill out a TDRF?

Response: No, but this does not include contracted excavators working for the operator. See question #19 below.

19. Will an operator be required to submit a TDRF on damage to their system by their own contracted excavator?

Response: Yes per §18.11(a).

20. Does an operator have to report excavation damages found during anomaly digs?

Response: An operator only has to report "recent" damage or damage that was caused by someone that is potentially still in the same area. Recent implies that the person or persons responsible for the damage is/are still in the area and/or could be found.

21. Will the Railroad Commission be hosting educational seminars?

Response: Yes, details will be posted on the RRC website as they become available.

22. Will safety-training courses be given by the RRC?

Response: No. (§18.12(d))

23. Will operators and excavators be able to take a safety-training course to reduce an administrative penalty?

Response: Safety-training courses approved by the Commission may be an option for both the underground facility operator and the excavator as determined by the RRC in accordance with §18.12(e).

24. Will there be a process for disputing alleged violations?

Yes, alleged violation notices will be sent to the affected party allowing them to respond prior to any enforcement action being initiated.

25. Will excavators or operators be able to postpone appearing for a contested violation so as to combine several violations into one trip to the Commission?

Response: Yes, at the discretion of the Commission after reviewing the details of each case.

26. Will the RRC online system track individuals, companies, or both?

Response: Both

27. Will there be an area on the TDRF to report false emergencies?

Response: The online TDRF does not have an area to report false emergencies; however, a printable form is available on our website that allows an operator to report excavators who call-in for locates stating an emergency exists when one does not.

