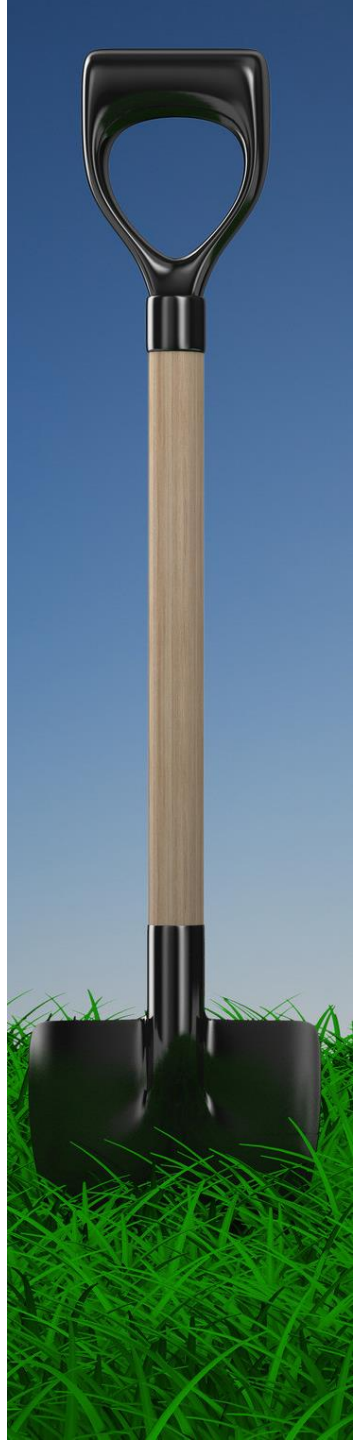


# ALABAMA

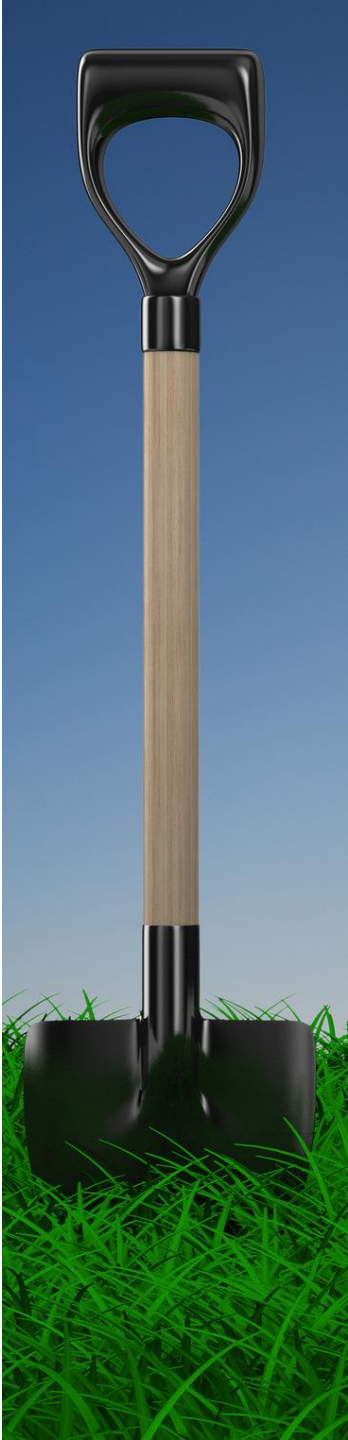


## OPERATIONAL ACTIVITIES



# ***Locate Volume Historical***

<b>Year</b>	<b>Request Volume</b>	<b>Percentage Change</b>
<b>2020</b>	<b>580,197</b>	<b>-8%</b>
<b>2021</b>	<b>612,871</b>	<b>6%</b>
<b>2022</b>	<b>644,071</b>	<b>5%</b>
<b>2023</b>	<b>597,943</b>	<b>-7%</b>
<b>11/2024</b>	<b>563,016</b>	<b>0%</b>



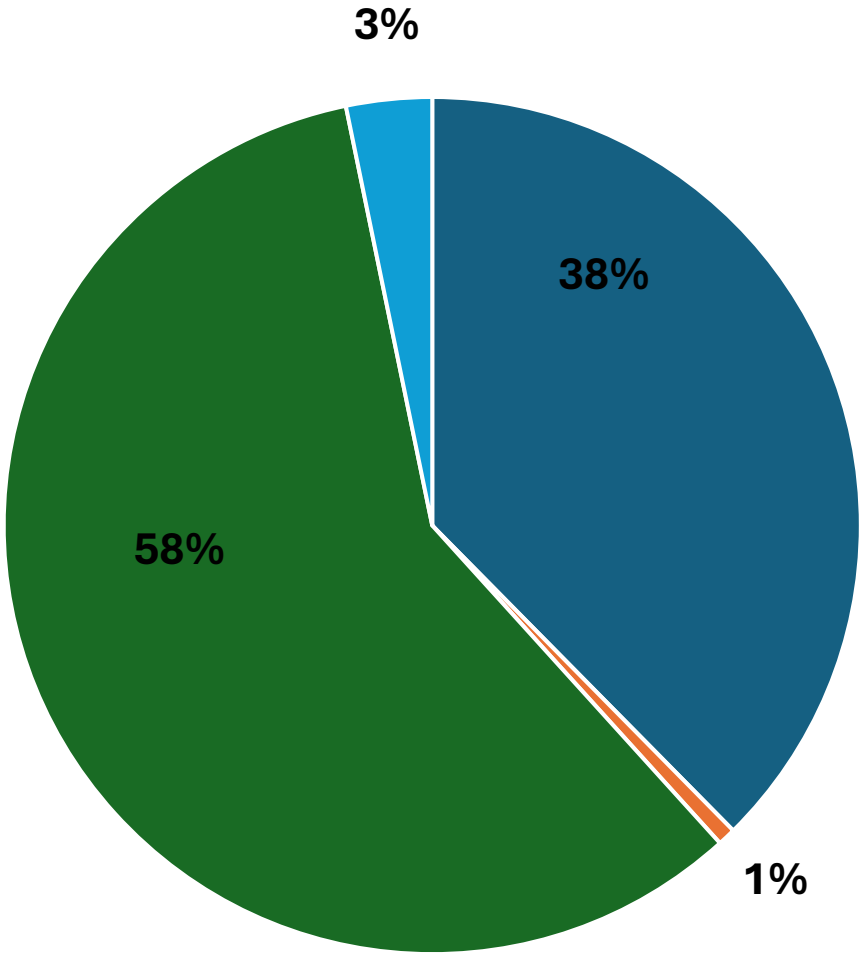
***DISTRIBUTION OF LOCATE REQUEST - INBOUND  
THRU 11/2024***

■ Voice

■ Web

■ Portal

■ App





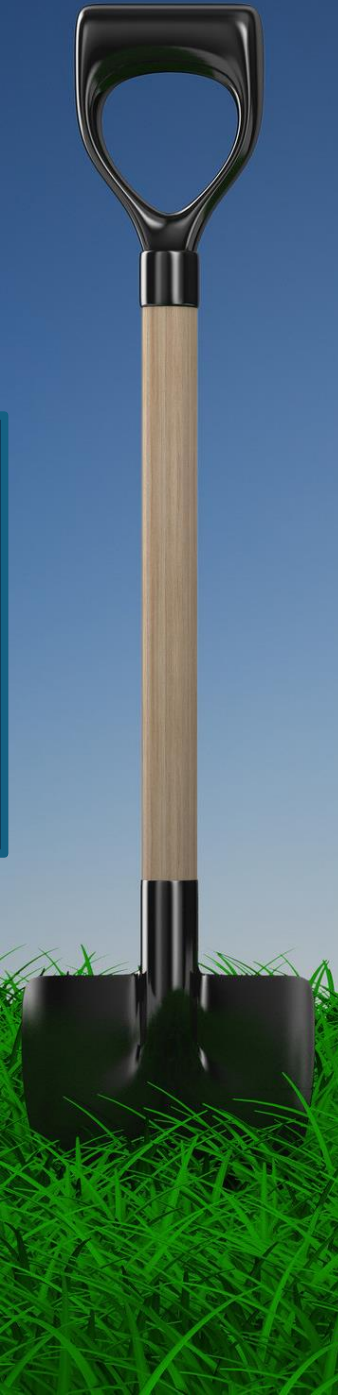


**Telecommunications**  
**20+%**

**Natural Gas**  
**5%**

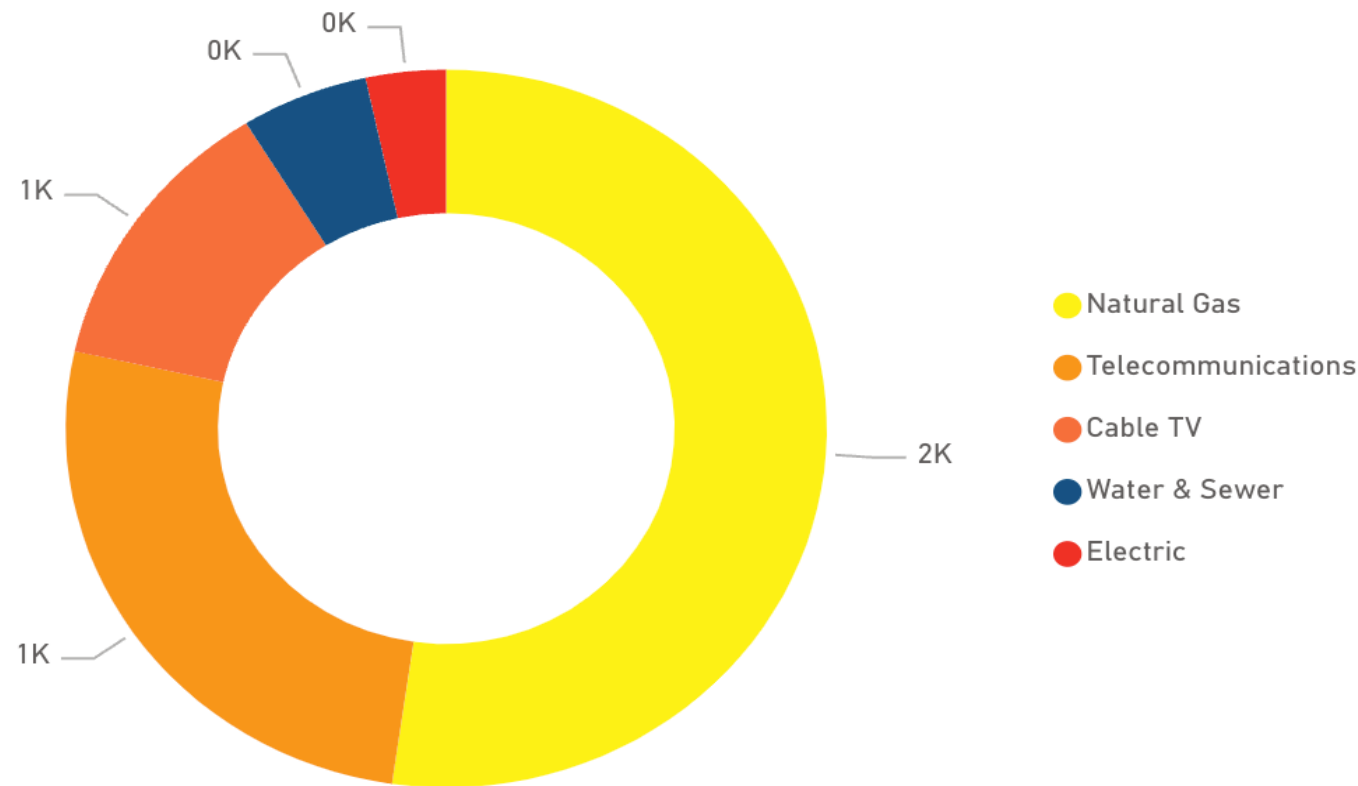


**Water**  
**13%**



# Alabama Dirt Data

Facility Damaged



**2022 Damages**  
**4,920**

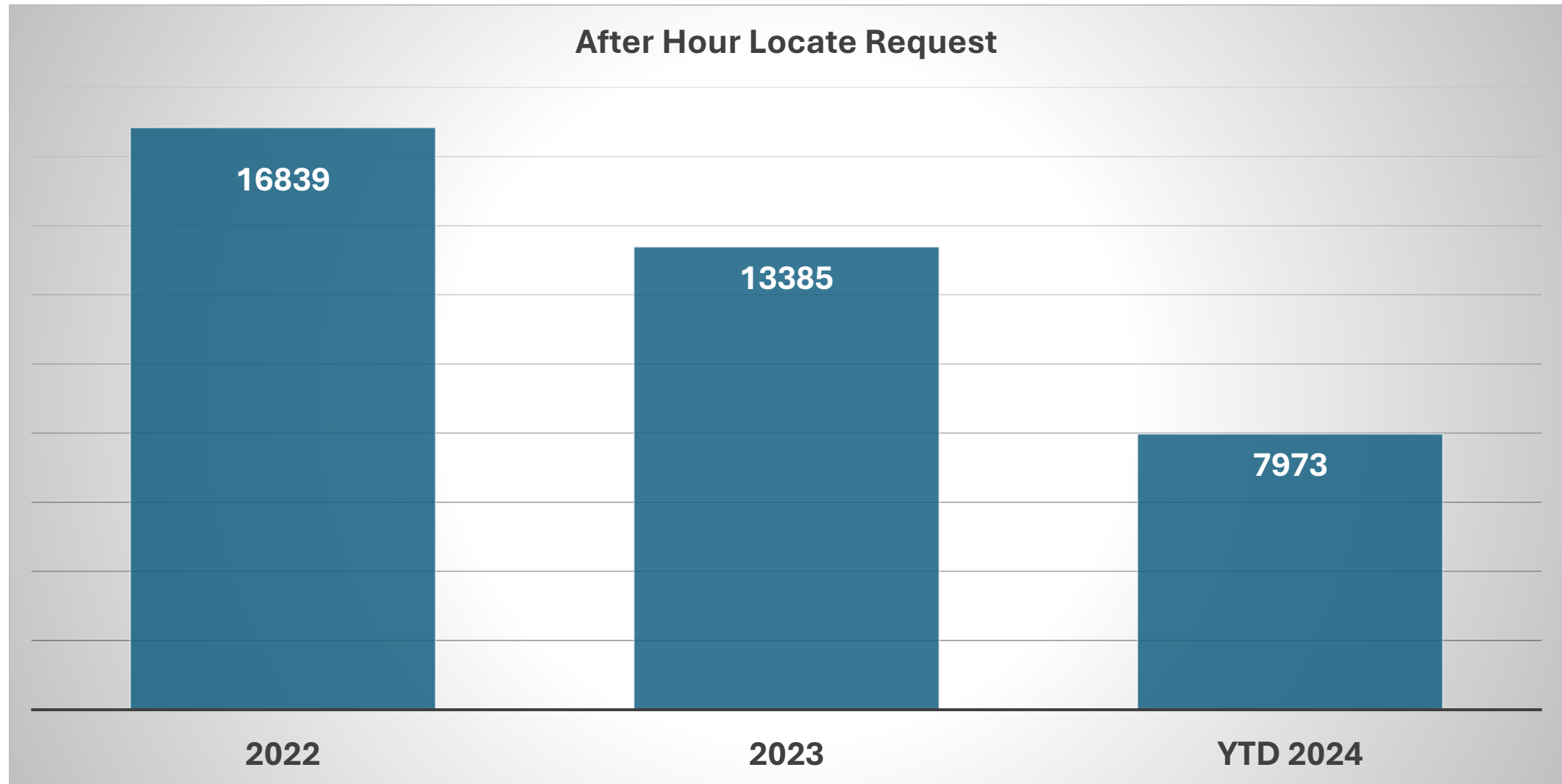
**2021 Damages**  
**4,419**

**2020 Damages**  
**8,375**

**2019 Damages**  
**11,447**

# Operational Changes

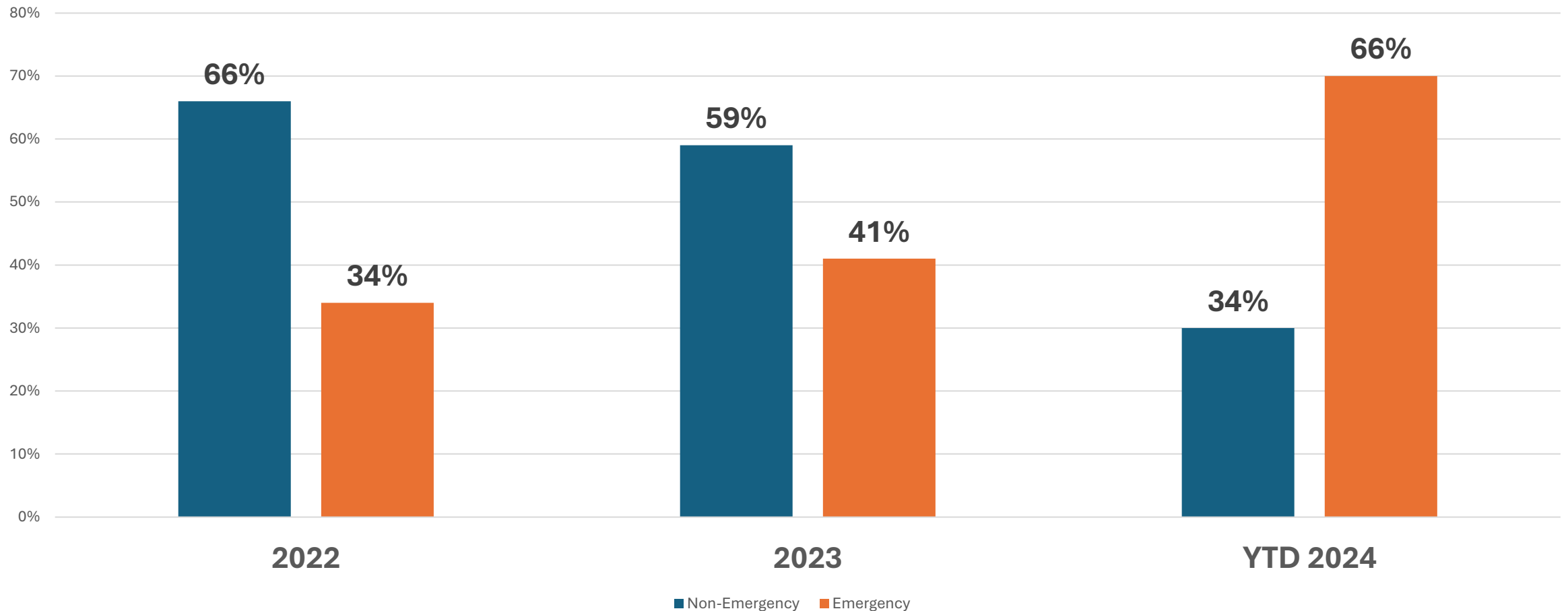
After Hours – Emergency and Damages only



# Operational Changes

After Hours – Emergency and Damages only

After Hour Locate Request Breakdown



Positive Response	Percentage 2023	Percentage 2024
Clear no conflict	41%	43%
Located	36%	38%
Design/Survey	1%	2%
Agreement	1%	1%
Master Contractor	5%	4%
Unmarked	0%	0%
Autoclosed	14%	12%





elow are the available positive response actions AL811 members should use when responding to report the marking status of a locate request. When a second response is required, the AL811 member should follow up prior to the legal start date and submit a new response indicating how the locate was mpleted. There is a comment box included with each response action so that AL811 members can include additional notes if applicable. The comments should include details regarding conversatations, actions taken, problems or issues regarding the locate request ticket, etc.

Response Title	Response Description	Initial Response Closes Ticket	Comments Required for Initial Response	Follow Up Response Required	Comments Required To Close Follow Up Response	Compatible AL811 Ticket Types
Marked Responses						
located: Facilities Marked	Facilities Marked	YES	Optional	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
located: To Meter Only	Private Property Beyond Meter	YES	Optional	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
located: In Conflict	Facility owner/operator should be on site during excavation	YES	Required	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
Cleared / No Conflict Responses						
lear: No Conflict for Area Requested	No facilities in the area requested for excavation	YES	Optional	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
Unmarked Responses						
nmarked: Unable to Access Locate Request Area	Unable to access area noted for locate request	NO	Required	YES	Required	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Incorrect Address or Excavation Site Info insufficient info	Info incorrect - contact AL811 for new locate request	YES	Required	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Marking Information Unclear - Locator to Contact Excavator	info unclear - excavator to be contacted directly	NO	Required	YES	Required	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Unable to Contact Excavator	Needed additional info - unable to reach excavator	NO	Required	YES	Required	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Delayed due to Weather or Other Circumstances	Delayed - need to contact locator or facility owner/operator directly	NO	Required	YES	Required	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Cannot locate - contact facility owner/operator directly	Unable to locate - need to contact facility owner/operator directly	NO	Required	YES	Required	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
nmarked: Facility Owner/Operator or Master Contractor Generated Request	Facility owner/operator or master contractor responsible for marking	YES	Optional	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
Design / Survey Notification Responses						
esign/Survey Locate: Marked	Physical markings completed at excavation site	YES	Optional	NO	N/A	Design, Survey Request, 2nd Notice - Survey
esign/Survey Locate: Cleared No Conflict	No facilities in the area requested for design/survey site	YES	Optional	NO	N/A	Design, Survey Request, 2nd Notice - Survey
esign/Survey Locate: Facility Owner/Operator to Provide Maps	Facility owner/operator will provide maps or access to maps	YES	Optional	NO	N/A	Design, Survey Request, 2nd Notice - Survey
esign/Survey Locate: Meeting Requested	Facility owner/operator will contact to set up meeting arrangements	YES	Required	NO	N/A	Design, Survey Request, 2nd Notice - Survey
Other Responses						
ther: Parties Have Agreed and Documented Locating Schedule	Parties have met and made locating schedule arrangements	YES	Required	NO	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
dministrative Notice Only: No Marking Required	System generated response providing custom messaging requested by member	N/A	N/A	N/A	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice
o Response from member facility owner/operator	System generated response for no response to positive response system	N/A	N/A	N/A	N/A	Normal, Update, Emergency, 2nd Notice, Refresh Markings, Replace, Short Notice

# Legislative Committee

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## High Priority

**More specific definition of hand tools**

**Off set marks of facility markings**

**White lining requirement**

**Large Project process**

**Ability to begin work early**

**Defined footage of locate request size**

## Priority

**Limit life of Emergency ticket**

**Subcontracting for Master Contractor**

**More defined instruction on use of mechanized equipment crossing a facility**

# **Legislative Committee**

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## **Important But Not Critical**

**Separation of Design/Survey requests**

**Penalty for filing false emergencies**

**More definition of cross boring**

## **Other Comments**

**Sunset Clause on membership**

**Excessive tickets limitations**

**Clarify of working agreements and included elements**

**Extend life of ticket**

**not required to visit site of marks are still visible**

Enforcement  
Trends and  
Real Field Issue

ALUDPA Data  
Trends



# Alabama Underground Damage Prevention Enforcement (ALUDPA)

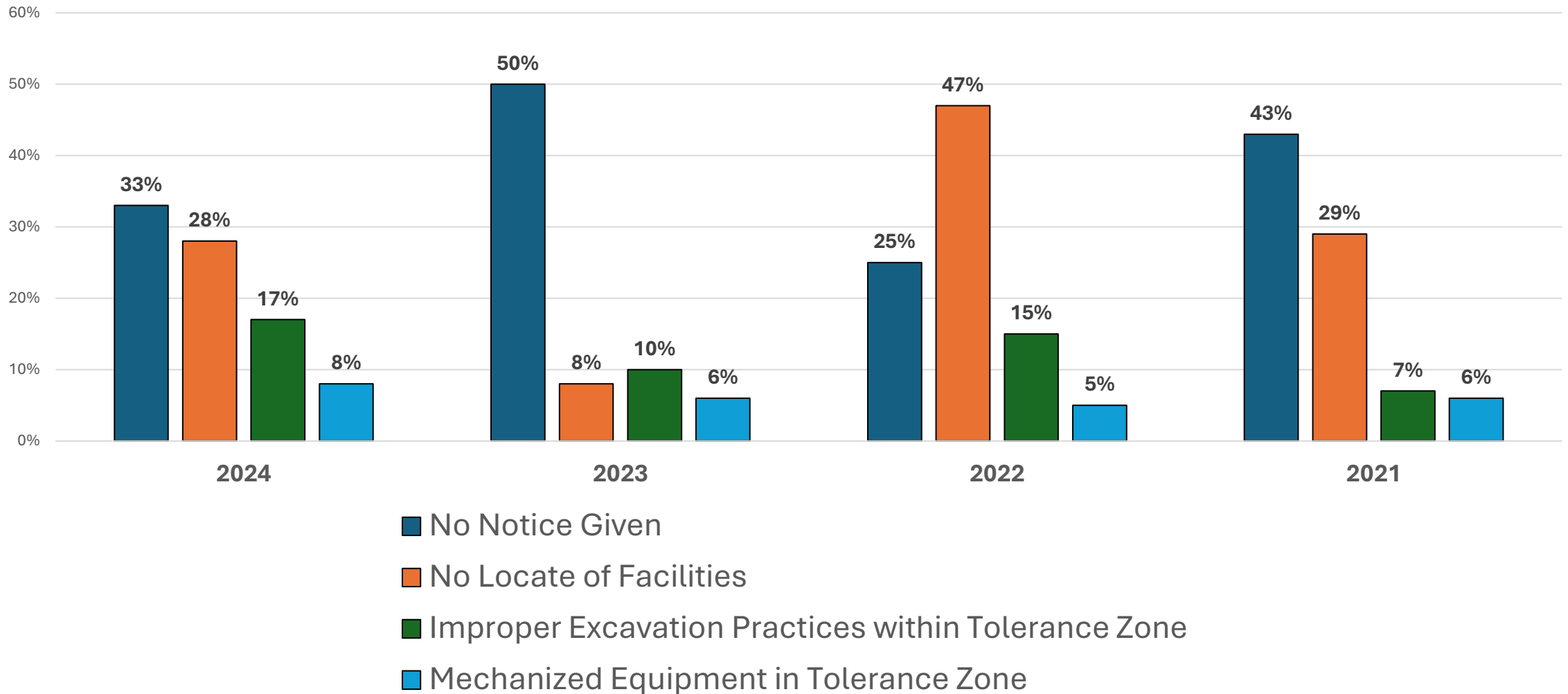
	2023	YTD 6/2024
Complaints Filed	581	320
Complaints Filed for Information Only	121	95
Complaints Includes Damage	416	205
Complaints Heard by Executive Committee	472	244
Complaints with Penalty Order	389	183
Complaints Dismissed	69	42
Complaints Filed by Facility Owner	519	220
Complaints Filed by Excavator	16	68
Complaints Filed by Locators	11	2
Complaints Filed by Home/Property Owner	33	3



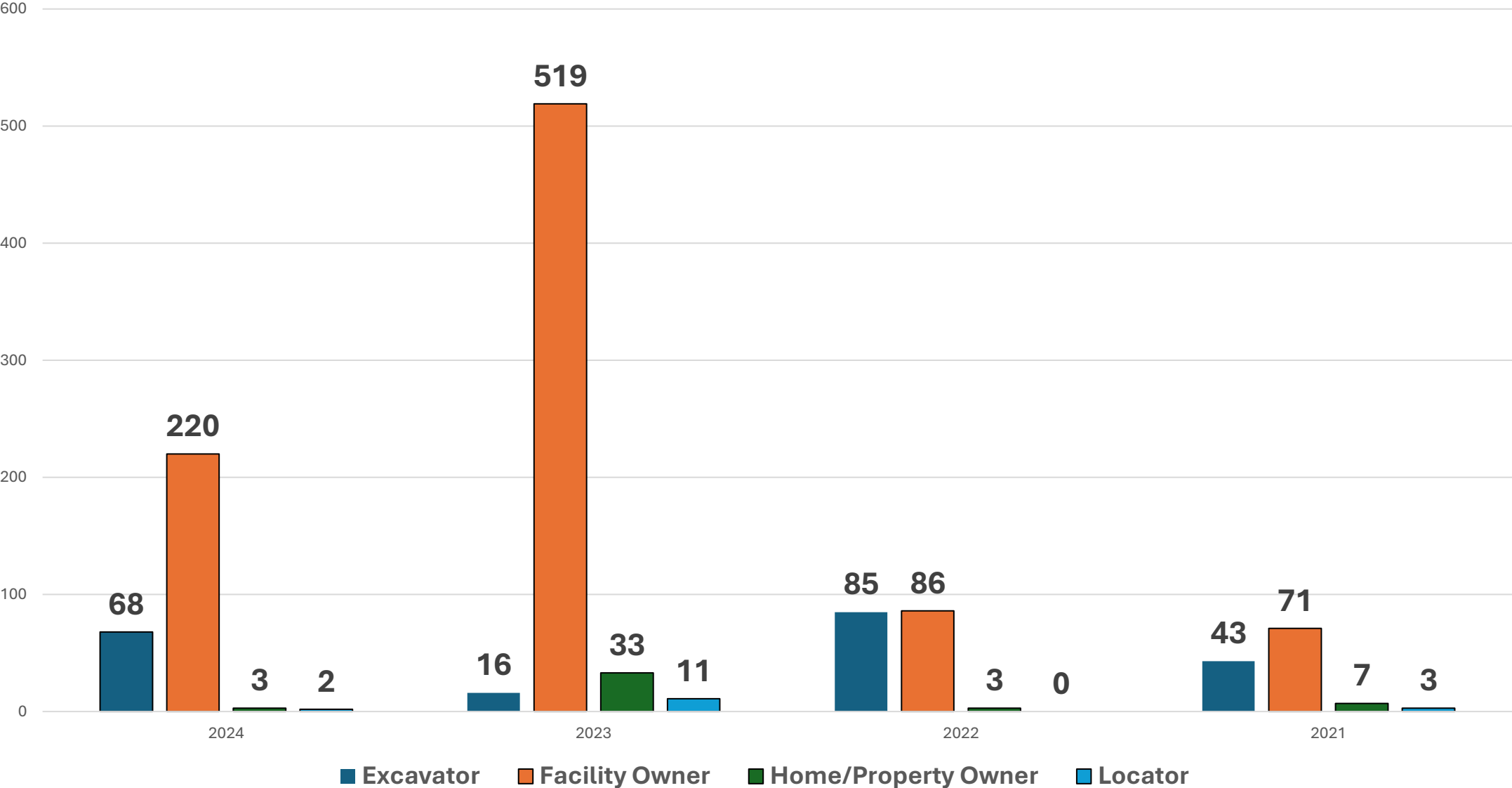
# Top Violation Complaints Filed

- No Notice Given
- No Locate of Facilities
- Improper Practices Within the Tolerance Zone
- Mechanized Equipment Within the Tolerance Zone

# Violations Complaint Cause Filed



# Complaints Submitted by Stakeholder



# Consent Agenda

- Three criteria
  - No locate requests
  - Resulted in a damage
  - No response
  - No previous complaints filed
- 2024 through June
  - 50 complaints addressed on consent agenda

# Reasons for Dismissals

- Addresses provided incorrect – notice was never received by alleged violator
- Documentation, if provided, did not support claim in filed complaint
- Response provided compelling information to support compliance to law was conducted
- Use of hand tools
  - Accidental damage to a facility is not a violation



# Key Areas to Note on Filed Complaints

- Be concise on data provided
  - Allocate appropriate section of law violated

**Type of Alleged Violation/Root Cause \***

- ☐ 37-15-4:Excavation/Demolition without a valid locate request
- ☐ 37-15-4:Excavation/Demolition before locate request was valid
- ☐ 37-15-4:Excavation/Demolition beyond the 20 day expiration without an updated locate request
- ☐ 37-15-4:Excavation/Demolition outside the requested locate area
- ☐ 37-15-8:Use of mechanized equipment within the marked tolerance zone
- ☐ 37-15-8:Failure to use reasonable care within the tolerance/safety zone
- ☐ 37-15-7:Reporting a false emergency for a locate request
- ☐ 37-15-6:Facility was not located or marked
- ☐ 37-15-6:Did not locate within the required amount of time
- ☐ 37-15-5:Failure to join the 811 Center and utilize the services of the 811 Notification System
- ☐ 37-15-9:Not reporting damage to the underground facility owner
- ☐ 37-15-9:No notification of 911/emergency responders when required
- ☐ Other (describe below)  

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**If Other is selected, please provide a description of the alleged violation.**

**If known, please provide the section of the Alabama Underground Damage Prevention Law that was violated (Alabama Code Title 37: Public Utilities and Public Transportation § 37-15)**

# Key Areas to Note on Filed Complaints


- Be concise on data provided
  - Allocate appropriate section of law violated
- Ensure correct contact information
  - Email is very helpful
    - 21 complaints dismissed because filed notice was returned, or email rejected
- Ensure complaint filed against correct alleged violator

# Provide Documentation to Support Position

- Provide more than “statement”
- Pictures
  - Be sure picture illustrate alleged violation
  - Be sure pictures are date/time stamped
  - Look at pictures to ensure they show the story you intend
- Documents
- Copies of Communications between parties

Type of Alleged Violation/Root Cause	- 37-15-7:Reporting a false emergency for a locate request
If known, please provide the section of the Alabama Underground Damage Prevention Law that was violated (Alabama Code Title 37: Public Utilities and Public Transportation § 37-15) 37-15-7:Reporting a false emergency for a locate request	
Alabama 811 Locate Request number (if known)	230330124
Did damage occur as a result of the violation?	No
Type of Facility Operation Damaged	- Sewer - Water
Type of Facility Damaged	- Service line/Drop
What is the address or location of the alleged violation?	311 Boligee St Eutaw, Alabama 35462 United States
<b>Provide any additional information relative to the damage or alleged violation</b> The ticket was called in as an emergency. Sewer Department Supervisor [REDACTED] informed me [REDACTED] that the ticket was not an emergency.	



Type of Alleged Violation/Root Cause	– 37–15–4:Excavation/Demolition without a valid locate request
Did damage occur as a result of the violation?	Yes
Type of Facility Operation Damaged	– Gas
Type of Facility Damaged	– Service line/Drop
What is the address or location of the alleged violation?	

*Nothing to illustrate excavation took place*

*Nothing to illustrate damage occurred*

*Helpful to have documentation to back position*

# Provide a Response

Type of Alleged Violation/Root Cause	- 37-15-4:Excavation/Demolition before locate request was valid
If known, please provide the section of the Alabama Underground Damage Prevention Law that was violated (Alabama Code Title 37: Public Utilities and Public Transportation § 37-15) 37-15-4:Excavation/Demolition before locate request was valid	
Alabama 811 Locate Request number (if known)	230931067
Did damage occur as a result of the violation?	Yes
Type of Facility Operation Damaged	- Gas
Type of Facility Damaged	- Service line/Drop
What is the address or location of the alleged violation?	115 Pioneer St GADSDEN, Alabama 35903 United States
Provide any additional information relative to the damage or alleged violation CONTRACTOR CALLED FOR EMERGENCY LOCATE ON 4-3-2023 AT 10:33 (SEE ABOVE) AND [REDACTED] WAS CALLED FOR A DAMAGE AT THE ABOVE ADDRESS ON 4-3-2023 11:11. CONTRACTOR DID NOT ALLOW THE CONTRACT LOCATOR TO ARRIVE AND PROTECT THE FACILITY.	

Do you believe the statutes listed by the complainant as being violated are correct?

No

Why or why not?

This address had an 811 locate done by [REDACTED] and the customer. We have been unable to obtain the 811 ticket number that was submitted by the customer. There were road markings for main lines but the technician was not able to find the line in the yard and told our installer if its hit we would need to contact the gas company, which we did. The gentleman that spoke to our installer was an [REDACTED], but we do not know his name. The work had not been started prior to markings.

Damage Information Response

Did damage occur as a result of the alleged violation?

No

		1 response posted as Of Wednesday, June 14, 2023 9:15 AM	
		• <b>Located: Facilities Marked</b>	
		Posted on <b>April 03, 2023 11:33 AM</b> by:	
Compliance Source:	Last Response: <b>Located: Facilities Marked</b>	Comments: [Paint]	located line already
Type:	Emergency	Date:	April 03, 2023, 10:33 AM
Renew By:	04/27/23 5:00 PM	Expires:	05/02/23 7:00 AM

**Facility Type:** Gas: Service Line/Drop

**Damage:** Yes

**Alleged Root Cause:**

Failure to use reasonable care within the tolerance/safety zone

**Alleged Violator Response:** No

**Finding:** In review the positive response shows area was located after the date of damage for the [REDACTED]. Unsure how

excavator could determine tolerance zone if area was not marked.

Information conflicting on documentation submitted and positive response submitted.

Noted damage  
date July 18th

**Penalty:** Dismissed

2 responses posted as Of Friday, August 09, 2024 8:36 AM

- **Located: Facilities Marked**

Posted on July 31, 2024 3:16 PM by: usicapi

Comments:

- **No Response from member facility owner/operator**

Posted on July 12, 2024 11:39 PM by: AutoClose

Comments: Closed by system process. No responses recorded as of 7/12/2024 11:17:28 PM, which is 1 day(s) past ticket work date of 7/11/2024 7:00:00 AM

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**Facility Type:** Electric: Transmission

**Damage:** Yes

**Alleged Root Cause:** Inaccurate locating of power within ROW

**Alleged Violator Response:** No

**Finding:** Inaccurate locating is not a violation of the state statute.

**Penalty:** Dismissed

*If Other is selected, please provide a description of the alleged violation. [REDACTED] mislocated primary power by two and a half feet minimum. Is a safety concern*





May 30, 2024 at 12:01:51 PM  
125 Wynn Rd  
Enterprise AL 36330  
United States



May 30, 2024 at 12:01:55 PM  
125 Wynn Rd  
Enterprise AL 36330  
United States



**Facility Type:** Gas: Distribution/Service Line/Drop

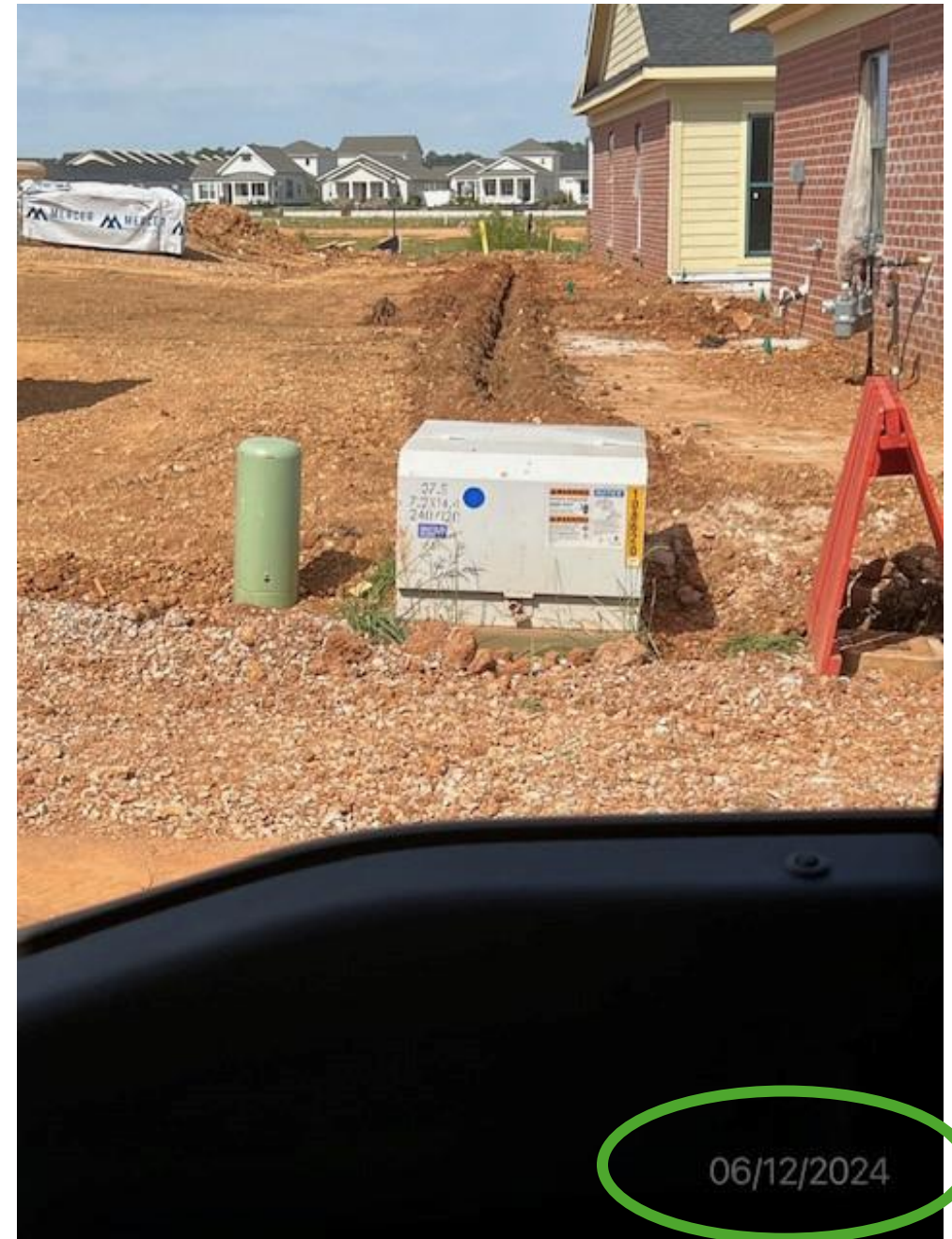
**Damage:** No

**Alleged Root Cause:** Excavation/Demolition before locate request was valid

**Alleged Violator Response:** No

**Finding:** Excavation picture documented with work being conducted prior to the legal date of the locate request.

*Contractor started calling in locates after last utility damage but is not waiting the required time before trenching/excavation. Began work on this location the next day (6-12-24 ) after calling in locate request on 6-11-24.*



**Alleged Violator:** [REDACTED] Builders

**Complainant:** [REDACTED] Utilities

**Facility Type:** Gas: Distribution

**Damage:** No

**Alleged Root Cause:** Facility was not located or marked

**Alleged Violator Response:** No

**Finding:** Facility not being marked was not a violation related to the alleged violator.

**Penalty:** Dismissed

*Provide any additional information relative to the damage or alleged violation:*

*Service was not located because there was no locate wire with the service*

**Alleged Root Cause:**

Facility was not located or marked

Did not locate within the required amount of time

**Alleged Violator Response:** Yes

**Finding:** Violation of facility not located within required amount of time.

Although statute allows for working agreements and although it was noted that utility made an agreement there was no documentation of who agreement was made with.

*Tickets were called in on June 20 2024 to begin work on 6/25 no marks were on the ground until 6/25 had to call in second notice due to facility owners not marking roads and as show on timestamped pictures facility still not marked as of 6/27 930. Have kept in contact with locators and advising where we need marked work is being held up.*

*RESPONSE:*

*If yes, what specifically do you dispute?*

*[REDACTED], is notorious for submitting large quantities of tickets at one time that total in the tens of thousands of feet.*

*[REDACTED] tries to reach a working agreement with them in order to satisfy their demands while also trying to manage all the other demands in [REDACTED] County. Our locators responded promptly when notified by [REDACTED] when the work would begin and worked with them for the duration of the project except for one day when it rained.*

**Damage:** No

**Alleged Root Cause:** Reporting a false emergency for a locate request

**Alleged Violator Response:** No

**Finding:** Violation of placing a locate request that did not qualify under the definition of an emergency

*Provide any additional information relative to the damage or alleged violation*

*Caller requested emergency locates for routine drainage work that was to be performed in the coming days, however, they planned to do the work before the window for a regular locate ticket would have closed and the contractor been eligible for excavation. This is the first issue that [REDACTED] has had with this contractor doing this, however, I would request that they be notified of their error.*



**Facility Type:** Telcom/Water: Distribution

**Damage:** Unknown

**Alleged Root Cause:** Facility was not located or marked / Did not locate within the required amount of time

**Alleged Violator Response:** No

**Finding:** Information noted that the water line was private and was not responsibility of Dothan Utilities. This was noted in positive response.

**Penalty:** Dismissed

Water,  
Electric,  
Sewer,  
Traffic

1 response posted as Of Tuesday, June 04,  
2024 1:49 PM

- **Located: Facilities Marked**

Posted on **March 27, 2024 10:27 AM** by:  
KorwebAPI

Comments: Water located at entrance water off  
right of way is private Sewer private Electric  
located

**Facility Type:** Gas: Service Line/Drop

**Damage:** Yes

**Alleged Root Cause:** Facility was mis-marked / Facility was not located or marked

**Alleged Violator Response:** Yes

**Finding:** The complaints appear to be performance issue between the company and its contractor locator due to what was noted as a missed or mis-marked facility markings. This complaint does not directly relate to a violation of the state statute

**Penalty:** Dismissed

**Facility Type:** Gas: Service line/Drop

**Damage:** Yes

**Alleged Root Cause:** Failure to use reasonable care within the tolerance/safety zone

**Alleged Violator Response:** No

**Finding:** Excavation was conducted with hand tools which is considered as a form of non-invasive method of excavation within the tolerance zone. However, it does state non-invasive should not compromise the integrity of the facility. Complaint noted excavation was conducted on top of the locate marks instead of working into the facility mark to expose facility.

*Provide any additional information relative to the damage or alleged violation.*

*Contractor was digging on top of locate marks when the service line was struck with a shovel.*



# Telling A Story

- Information needs to ensure someone reviewing it can understand the narrative
- Provide relevant documentation
  - Too much information not relevant will confuse the review
- Ensure information is as accurate as possible
  - Do not submit prior to securing complete information

# Continue Challenges

- Ensuring compliance with assessed penalties
  - Letter from Attorney General's attorney representing ALUDPA
- Reviewing submitted complaints timely
- Follow up on Appealed Decisions
- Continued leadership as “terms” expire

# Future Focus

- Analysis of data through data tool
- Streamlining process
- Continued support
- Targeted training on consistent violations





# Alabama Underground Damage Prevention Authority



 [Complaint Form](#)

 [Response Form](#)

 [Appeal Form](#)

 [Pay Penalty](#)

 [Training](#)

[www.aludpa.org](http://www.aludpa.org)