

HOW THE NEW PA 1-CALL LAW IMPACTS WATER & WASTEWATER STAKEHOLDERS

PRESENTED BY
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Objectives

- Understand key updates and requirements of the PA 1-Call Law and Common Ground Alliance (CGA) Best Practices
- Learn how changes impact all stakeholders- facility owners, designers, excavators, and project owners
- Discuss strategies to avoid fines and improve compliance
- Review best practices and support resources

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About Us

- Eric Swartley
 - President - Swartley's Utility Rx
 - Former Vice-Chair of the PA PUC Damage Prevention Committee
 - Inducted into Common Ground Alliance (CGA) Hall of Fame in 2021
- Andrew Strassner
 - Co-Founder - Constructive, Inc.
 - Current Vice-Chair of the PA PUC Damage Prevention Committee
 - Helped guide Aqua PA's compliance efforts after Act 50 was enacted in 2018

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Background

- The PA 1-Call Law was updated in 2018 to give PA PUC enforcement authority and created the Damage Prevention Committee (DPC)
- The DPC is a peer-based group of 13 representatives who meets monthly to assess fines & recommend training to reduce damages
- The PA 1-Call Law was updated again in October 2024, providing additional requirements for stakeholders while maintaining they comply with Common Ground Alliance (CGA) Best Practices

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PUC Damage Prevention Committee Announces Actions Against Underground Facility Owners, Excavators and Project Owners

Published on 3/28/2025

Filed under: [Consumer Education](#) [Electric Gas Pipeline](#) [Telecommunications](#) [Water and Wastewater](#)

Plans for Hybrid In-Person and Virtual Meeting

on Tuesday, April 15

HARRISBURG – A total of 363 disciplinary actions, including 121 education requirements, and **\$352,875** in administrative penalties, have been taken against 233 underground facility owners, excavators and project owners in the [latest enforcement actions](#) by the Public Utility Commission's (PUC's) Damage Prevention Committee (DPC). These actions were taken during the DPC's March 2025 meeting.

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Changes Impacting Facility Owners

- Facility Owners are now required to submit an alleged violation report (AVR) within 30 days even if the repair costs less than \$2500; you must immediately notify a facility owner if damaging their facility
- Provides additional language around reimbursements to contractors for locating work (hand digging, potholing, etc.) when required per Section 5(15)
- A penalty of \$100/day, up to \$5000, can now be assessed for penalties not paid within 60 days
- If training is assigned you are required to take it through PA One Call within 60 days or you can now be assessed a penalty of \$100/day, up to \$5000

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Changes Impacting Designers

- Designers must perform subsurface utility engineering (SUE) per the most recently published American Society of Civil Engineers (ASCE) standard CI/ASCE 38; this standard specifies the project owner is responsible for determining the appropriate SUE level (not PA One Call)
- When as-builts are required they must be prepared per the most recently published ASCE standard CI/ASCE 75
- Designers must now inform project owners of their requirements to perform subsurface utility engineering (SUE) per ASCE standard during the design phase

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CGA Best Practice 5-34

5-34: Designating and Depicting for the Protection of Known Underground Facilities in the Construction Path^{12/}



Practice Description: If the construction plans do not provide the applicable quality level of the SUE process in the planning and design phase, as outlined in Practice 2.14 – Subsurface Utility Engineering (SUE), a process is required that ensures the precise location of facilities within the construction path are adequately accounted for and protected during excavation and backfill operations.

With the adoption of alternative project delivery methods, there is a need to reinforce proven damage prevention best practices and ensure they are understood and accepted. Identifying and verifying the location of existing underground facilities in advance of construction is a proven method to prevent damages and the responsibility should be detailed contractually so there is no ambiguity.

Benefits: The benefits associated with this practice are multiple: service interruptions to customers are minimized, productivity and bid/estimate accuracy are maintained, employee and public safety are achieved by the avoidance of excavation related damage.

References:

- AQUA of Pennsylvania, Design and Construction Requirements
- Pennsylvania, Colorado, and Indiana state law

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Changes Impacting Excavators

- Excavators are now required to renotify when **ANY** facility doesn't adequately respond to an emergency ticket per Section 6(20)
- Excavators must notify 911 and the facility owner if damage results in the escape of any flammable, toxic, or corrosive gas or liquid **EVEN IF** there's no immediate threat to life, health, or property.
 - Note: prior versions stated a notification was required if an escape happened AND there's an immediate threat, and the new law takes the threat assessment away from the Excavator; they now must notify for **ANY** release
- Section 6(23) clarifies the prior rule: Excavators must submit their own tickets.

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Strategies To Improve Ticket Management

- Reduce ticket counts by mapping your system, setting appropriate buffers, and ensuring notifications aren't set to manage all tickets in township
- Use online ticket management tools to track and close tickets vs. relying on on fax/email/text
- Setup proper notifications and ensure coverage for overnight and weekend emergency tickets

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Strategies To Improve Planning & Mapping

- Ensure your engineers and contractors understand the updated SUE, potholing, and as-built requirements
- Take advantage of support programs to map your systems
- Ensure service line locations are properly mapped when installed or when conducting work like lead service line surveys

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Strategies To Reduce Damage Events

- Daylight all utility crossings prior to gopher / bore work
- Allow more time for large project locates vs. single hole work- 3 days vs. 3 weeks
- Confirm if locators responding to notifications are following a Trouble Locate Resolution Protocol
- Respect the 18" tolerance zone and don't simply start digging at 18" without daylighting a facility
- Be careful when backfilling around exposed facilities

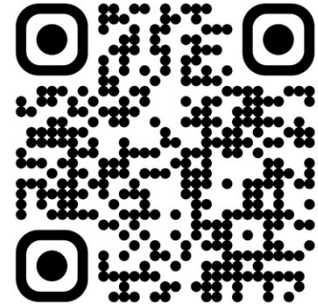
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About Constructive

- We are a marketplace and collaboration platform that helps utilities & vendors align around solutions
- We help ensure vendors are “utility grade” and meet specific procurement requirements for a given application
- We support utilities and vendors in establishing sustainable programs
- It’s free to sign up, and we help project owners find & spec their first 3 services for free

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About Swartley's Utility Rx

- Available to support 811 Stakeholders in developing or improving their understanding of the 1-Call law, damage prevention programs, and safe excavation practices to protect their assets
- Services Include: 811 Statutes & Compliance, Damage Prevention Program Development, Developing Trenchless Excavation Best Practices, Cross Bore Mitigation and Prevention, Applying CGA Best Practices

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