

CHAPTER 2

**PROTECTION OF UNDERGROUND FACILITIES:
ONE-CALL DAMAGE PREVENTION
SYSTEM**

Authority
N.J.S.A. 48:2-73 et seq.

Source and Effective Date
R.2002 d.107, effective March 6, 2002.
See: 33 N.J.R. 2606(a), 34 N.J.R. 1458(a).

Chapter Expiration Date
Chapter 2, Protection of Underground Facilities: One-Call Damage Prevention System, expires on March 6, 2007.

Chapter Historical Note
Chapter 2, Protection of Underground Facilities: One-Call Damage Prevention System, was adopted as R.1996, d.467, effective October 7, 1996. See: 27 N.J.R. 3773(a), 28 N.J.R. 4489(a).

Subchapter 3, System Operator, subchapter 4, Excavators, and subchapter 6, Underground Facility Operators, were adopted by R.1997 d.164, effective April 7, 1997. See: 28 N.J.R. 5144(a), 29 N.J.R. 1345(a).

Chapter 2, Protection of Underground Facilities: One-Call Damage Prevention System, was readopted by R.2002, d.107, effective March 6, 2002. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. SCOPE

14:2-1.1 Scope

SUBCHAPTER 2. DEFINITIONS

14:2-2.1 Words defined

SUBCHAPTER 3. SYSTEM OPERATOR

14:2-3.1 Designation

SUBCHAPTER 4. EXCAVATORS

14:2-4.1 Notice
14:2-4.2 Duties of excavators
14:2-4.3 Emergency excavations
14:2-4.4 Accident reporting

SUBCHAPTER 5. MARKOUTS

14:2-5.1 Temporary markouts
14:2-5.2 Locations of markouts
14:2-5.3 Color and letter codes for markouts
14:2-5.4 Markouts made on paved, concrete, brick or other firm surfaces
14:2-5.5 Centerline markouts
14:2-5.6 Outside dimension markouts
14:2-5.7 Offset markouts
14:2-5.8 Markouts made on non-firm surfaces
14:2-5.9 Records of markouts
14:2-5.10 Markouts around white perimeter markings

SUBCHAPTER 6. UNDERGROUND FACILITY OPERATORS

14:2-6.1 General requirements
14:2-6.2 Markout exemptions
14:2-6.3 Interstate natural gas or hazardous liquid pipelines
14:2-6.4 Operator waivers

14:2-6.5 Reportable accidents

APPENDIX A

SUBCHAPTER 1. SCOPE

14:2-1.1 Scope

These rules govern the standards for the protection of underground facilities pursuant to the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq.

Amended by R.1997 d.164, effective April 7, 1997.
See: 28 N.J.R. 5144(a), 29 N.J.R. 1345(a).

Substituted "protection of underground facilities" for "temporary markout of underground facilities", and deleted reference to N.J.S.A. 48:2-80.

SUBCHAPTER 2. DEFINITIONS

14:2-2.1 Words defined

The following words and terms, when used in this chapter, shall have the following meanings, unless the context already indicates otherwise.

"Act" means the Underground Facility Protection Act.

"Board" means the Board of Public Utilities.

"Business day" means any day other than Saturday, Sunday, or a nationally or State recognized holiday.

"Damage" means any impact or contact with an underground facility, its appurtenances or its protective coating or any weakening of the support for the facility or protective housing, including, but not limited to, a break, leak, dent, gouge, groove, or other damage to the facility, its lines, or their coating or cathodic protection.

"Emergency" means:

1. Any condition constituting a clear and present danger to life, health or property caused by the escape of any material or substance transported by means of an underground facility, or by the interruption of a vital communication or public service that requires immediate action to prevent or mitigate loss or potential loss of the communication or public service; or

2. Any condition on or affecting a transportation right-of-way or transportation facility that creates a risk to the public of potential injury or property damage.

"Excavate" or "excavation" or "demolition" means any operation in which earth, rock, or other material in the ground is moved, removed, or otherwise displaced by means of any tools, equipment, or explosive, and includes, but is not limited to, drilling, grading, boring, milling to a depth greater than six inches, trenching, tunneling, scraping, tree and root removal, cable or pipe plowing, fence post or pile driving, and wrecking, razing, rending, or removing any structure or mass material. "Excavation" includes utility pole removal and does not include:

1. Routine maintenance of residential property or of a right-of-way performed with non-mechanized equipment, including the use of a hand tool to remove earth for the repair of a sprinkler system or to locate a property boundary marker;
2. Routine landscaping activities performed with non-mechanized equipment;
3. Excavation within the flexible or rigid pavement box within a right-of-way;
4. Tilling of soil for agricultural purposes to a depth of 18 inches or less; or
5. Routine landscaping activities with mechanized equipment that are intended to cut only vegetation, including lawn edging and de-thatching.

"Excavator" means any person performing excavation or demolition.

"Hand digging" means any excavation involving non-mechanized tools or equipment, including, but not limited to, digging with shovels, picks, probe bars and manual post-hole diggers.

"Mechanized equipment" means equipment powered by a motor, engine, or hydraulic, pneumatic or electrical device, including, but not limited to, trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows, and other equipment used for plowing-in cable or pipe, but does not include tools manipulated solely by human power.

"One-Call Damage Prevention System" or "system" means the communication system established pursuant to N.J.S.A. 48:2-76.

"Operator" means a person owning or operating, or controlling the operation of, an underground facility, but shall not include a homeowner who owns only residential underground facilities, such as an underground lawn sprinkler system or an underground structure for a residential low-voltage lighting system.

"Person" means any individual, firm, joint venture, partnership, corporation, association, State, county, municipality,

public agency or authority, bi-state or interstate agency or authority, public utility, cooperation association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

"Probe bar" means a steel bar that is pushed through the earth in order to determine the exact location of underground facilities.

"Routine" means an activity which is conducted on a cyclical basis, such as annually or seasonally, which is unlikely to result in damage to an underground facility.

"Site" means the specific place where the excavation work is performed or to be performed and shall be identified by street address referenced to the nearest intersecting street and sub-division name, if applicable, as well as by lot and block number, if available, and by kilometer or mile marker for railways.

"State department or agency" means any department, public authority, public agency, public commission, or other political subdivision of the State, including any county, municipality or political subdivision thereof.

"Underground facility" means any public or private personal property which is buried, placed below ground, or submerged on a right-of-way, easement, public street, other public place or private property and is being used or will be used for the conveyance of water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, or traffic control, or for the transportation of a hazardous liquid regulated pursuant to the provisions of 49 U.S.C. §§ 60101 et seq., but does not include storm drains or gravity sewers. For the purpose of this definition, "personal property" means a single conduit, or multiple conduits of the same facility type within a rigid envelope such as a concrete envelope. This envelope shall be considered one facility for the purposes of these rules, except as otherwise specifically provided.

Amended by R.1997 d.164, effective April 7, 1997.

See: 28 N.J.R. 5144(a), 29 N.J.R. 1345(a).

Added "Emergency", "Excavation", and "Routine"; and "One-Call Damage Prevention Center" was renamed "One-Call Damage Prevention System".

Amended by R.2002 d.107, effective April 1, 2002.

See: 33 N.J.R. 2606(a), 34 N.J.R. 1458(a).

Added "Business day", "Damage", "Excavator", "Hand digging", "Mechanized equipment", "Person", "Probe bar" and "State department or agency"; replaced "Excavation" with "Excavate" or "excavation" or "demolition"; in "One-Call Damage Prevention System", inserted "or system" preceding "means"; rewrote "Site".

SUBCHAPTER 3. SYSTEM OPERATOR