

The Indiana Utility Regulatory Commission (IURC) has issued a Rulemaking affecting [Indiana's Dig Law \(8-1-26\)](#). This Rulemaking will go into effect on Friday, January 5, 2024. Highlights are below. To read the Rulemaking in its entirety, please visit [IURC RM #22-03 Notices and Documents](#).

How is the 2 working day notice calculated?

If the locate request/ticket is submitted after 7am ET on a working day, that day will not be counted in the notice given to our Member Utilities. All times are in ET.

Normal Notice Creation Day (after 7am ET):	Day 1	Day 2	Proper Notice <i>(IF markings or response has been received from all utility operators with facilities in the area of the dig site.)</i>
Monday	Tuesday 7am-6pm	Wednesday 7am-6pm	Thursday at 7am
Wednesday	Thursday 7am-6pm	Friday 7am-6pm	Monday at 7am

Per IURC Rulemaking Section: 170 IAC 5-5-1.1 Deadline to supply marking information

Authority: IC 8-1-26-26 Affected: IC 8-1-26-16; IC 8-1-26-18; IC 8-1-26-21

Sec. 1.1. After an 811 ticket is submitted, an operator shall supply the information required under IC 8-1-26-18 not later than 7:00 a.m. at the prevailing time observed in Indianapolis, Indiana on the working day after the elapse of two (2) full working day periods from 7:00 a.m. to 6:00 p.m.

When does the locate request/ticket expire?

At 11:59 pm ET twenty (20) calendar days from the date the locate request is submitted. The number of days remains the same, the only difference is the time has been defined as 11:59 pm ET.

Per Rulemaking Section: 170 IAC 5-5-1.3 Expiration of 811 tickets

Authority: IC 8-1-26-26 Affected: IC 8-1-26-16; IC 8-1-26-18; IC 8-1-26-21

Sec. 1.3. An 811 ticket expires at 11:59 p.m. at the prevailing time observed in Indianapolis, Indiana twenty (20) calendar days after the date the notice is submitted to the association under IC 8-1-26-16.

When markings are delayed, what information should we provide?

The Member shall notify the person responsible for the excavation or demolition of the inability to mark and provide additional information, including the date when the location information will be provided.

Per IURC Rulemaking: 170 IAC 5-5-2.1 Notice of inability to provide location information

Authority: IC 8-1-26-26 Affected: IC 8-1-26-18; IC 8-1-26-21

Sec. 2.1. (a) The notice under IC 8-1-26-18(k) shall be an oral, a written, or an electronic contact with the person responsible for the excavation or demolition. The operator shall make a written record, contemporaneously at the time of the contact, containing at a minimum:

(1) the date, time, and manner of the communication;

(2) the name of all individuals that participated in the communication; and

(3) the new date by which the operator will provide the location information as required by IC 8-1-26-18.

(b) An operator of a pipeline facility that does not provide notice as specified in this section:

(1) fails to notify the person responsible for the excavation under IC 8-1-26-18(k); and

(2) if IC 8-1-26-18(h) otherwise applies, the operator is subject to the penalty specified in IC 8-1-26-18(h).

What additional information should I include when locating our facilities?

Per IURC Rulemaking Section: 170 IAC 5-5-1.2 Location and description of underground facilities

Authority: IC 8-1-26-26

Affected: IC 8-1-26-16, IC 8-1-26-18, IC 8-1-26-21

Sec. 1.2. An operator required to supply the location and description of the underground facilities under IC 8-1-26-18 shall, as part of the description, include the following:

(1) A description on the ground near the underground facility or in another manner that ensures the party performing the excavation or demolition receives the description.

(2) For pipeline facilities that are service lines, an indication the underground pipeline facility is a service line.

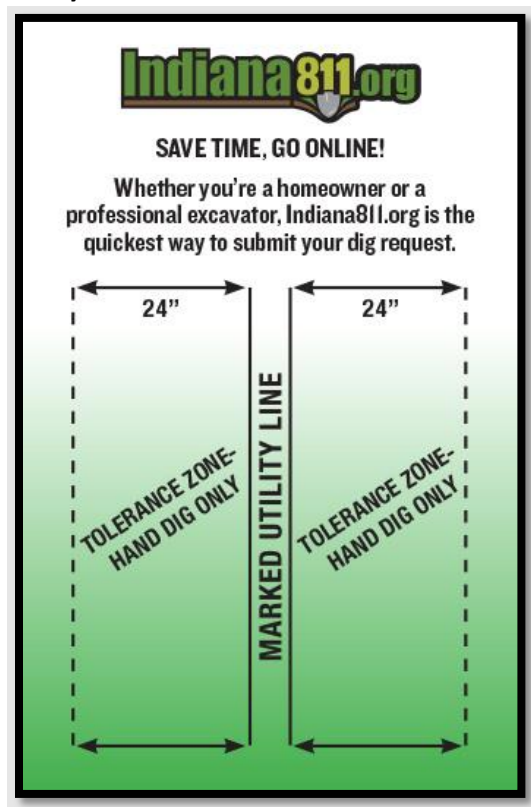
(3) For pipeline facilities two (2) inches in diameter and larger,

(A) the diameter, and

(B) material type of the pipeline facility being located.

What is the tolerance zone around the approximate location of a utility?

Excavators are required to maintain a clearance between an underground facility, as marked by the operator, and the cutting edge or point of mechanized equipment. The clearance must be not less than two (2) feet on either side of the outer limits of the physical plant, **including above, below, and in a full radius surrounding the underground facility.**



Per IURC Rulemaking Section: 170 IAC 5-5-2.2 Tolerance zone

Authority: IC 8-1-26-26 Affected: IC 8-1-26-20; IC 8-1-26-21

Sec. 2.2. As used in IC 8-1-26-20, "either side of the outer limits of the physical plant" means all outer limits of the underground facility, including above, below, and in a full radius surrounding the underground facility.

Am I required to provide Positive Response to Indiana 811?

All Members are encouraged to provide Positive Response information to Indiana 811. The process increases efficiency and reduces the need for additional notices. **The Rulemaking requires Members who operate a pipeline facility to participate in [Indiana 811's Positive Response system](#).**

*Per IURC Rulemaking Section: 170 IAC 5-5-2.3 Positive response to excavators of supplied location information
Authority: IC 8-1-26-26 Affected: IC 8-1-26-18; IC 8-1-26-21*

Sec. 2.3. (a) An operator of a pipeline facility shall provide an affirmative electronic response to the association in the manner directed by the association when the operator has provided the marking information in response to an 811 ticket.

(b) The association shall make available the operator's response under subsection (a) to the person responsible for the excavation or demolition.

(c) An operator of a pipeline facility that does not provide the affirmative response required under subsection (a) violates IC 8-1-26-18(h)(1). If IC 8-1-26-18(h) otherwise applies, the operator is subject to the penalty specified in IC 8-1-26-18(h).

What do Pipeline Operators need to report and to whom regarding violations or damage to their facility?

Per IURC Rulemaking: 170 IAC 5-5-2 Notification of violations of IC 8-1-26

Authority: IC 8-1-26-26

Affected: IC 8-1-26-21

Sec. 2. (a) An operator of a pipeline facility shall report damage to a pipeline facility by providing the pipeline safety division with written or electronic notice of the violation damage within 30 days of becoming aware of the damage, unless an extension is approved in writing by the director of the division.

(b) An operator of a pipeline facility shall provide information about a damage within 30 days after notice that a case number has been assigned by the pipeline safety division, unless an extension is approved in writing by the director of the division.

(c) A person may report a violation to the pipeline safety division by providing written or electronic notice of the circumstances giving rise to a violation.

(d) The pipeline safety division shall maintain, or cause to be maintained, a database of all reports provided to the pipeline safety division. (Indiana Utility Regulatory Commission; 170 IAC 5-5-2; filed May 25, 2011, 12:57 p.m.: 20110622-IR-170100184FRA; readopted filed Apr 11, 2017, 9:52 a.m.: 20170510-IR-170170124RFA)

To read the Rulemaking in its entirety, please visit [IURC RM #22-03 Notices and Documents](#). Sections regarding violations and penalties were also amended that are not included in this document.