



Tennessee 811



**Damage
Prevention
Guide**

Excavators – Members - Locators

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Preface:

Damage to underground utility lines can cause far-reaching consequences, from serious injury and environmental damage to the loss of vital services we depend on every day. Preventing damage to these facilities is a responsibility shared by all stakeholders accomplished through various damage prevention measures.

This booklet provides basic information on safe excavation practices in Tennessee. It is intended as an educational resource only, so please be advised of the following:

- This booklet is not a legal reference. You should consult your attorney, if necessary, for advice on interpreting the law.
- It does not contain the complete text of TCA 65.31.101-120. You can find the full text version of the law by logging onto the Tennessee 811 website at www.tennessee811.com, or by accessing our mobile app **TN811**.
- The information in this booklet is subject to change without notice.



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- We do not have a copyright on the material in this manual and you are encouraged to copy all or part of it as needed. If you would like additional copies, we will be more than happy to provide them to you.

We suggest that you make yourself familiar with the contents of this manual and that you keep it on hand for future reference when questions or problems arise.

About Tennessee 811

Tennessee 811 is a non-profit corporation established in 1983. The main purpose of Tennessee 811 is to help prevent damages to underground facilities by administering a statewide notification system that notifies our members where excavation or demolition is scheduled. Our service is free to anyone excavating in Tennessee.

Please keep in mind that Tennessee 811 does not own, locate or mark underground facilities. Locating and marking is the responsibility of the utility owners.



Tennessee 811 takes locate request 24 hours a day/7 days a week, including holidays.

How to Contact Tennessee 811

Corporate Office Phone 615.367.1110

Fax 615.366.5021

E-Mail tnocs@tennessee811.com

Web www.tennessee811.com

Locate Requests (tickets) 811

Locate Requests Toll Free 800.351.1111

Local (Nashville) 615.366.1987

Internet www.tennessee811.com

Mobile App TN811 (Available on Google's Play Store & the App Store)

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Educational opportunities

Tennessee 811 offers in person and online education on a variety of topics related to The Underground Damage Prevention Act. Tennessee 811 Damage Prevention Liaisons travel all over the state to give presentations about the importance of notifying 811 before digging. There is no charge for this and the presentations can be tailored to meet the needs of your company. The Tennessee 811 website also has valuable information about safe digging practices and you can view the Tennessee Damage Prevention Act in its entirety by visiting our website or mobile app. Contact the center at 615.367.1110 to learn more or to schedule a presentation.

Why do I need to contact 811 before I dig? TCA 65-31-106

Prior to beginning any excavation or demolition, Tennessee law requires each person responsible for such excavation or demolition to contact Tennessee 811 prior to starting their work.

- **There are exemptions; visit our website to see the entire law**



A careful review of your plans and your work area prior to the actual excavation can help save you and your company unexpected downtime, loss of revenue and injury. It all begins with planning your work. By following the 5 Steps to Safe Digging a safe excavation can be achieved. These steps are:

- ✓ Call 811 Before You Dig
- ✓ Wait the Required Time for Marking
- ✓ Locate Facilities Accurately
- ✓ Respect the Marks
- ✓ Dig with Care

The notification process begins when Tennessee 811 receives information about a proposed excavation or demolition site. Tennessee 811 uses this information to generate a locate ticket. The ticket is sent to Tennessee 811 members with underground facilities near the proposed excavation or demolition site.



Before you contact 811

By contacting Tennessee 811 three (3) working days before you dig, you begin the process to safe digging.

The first step to safe digging begins during the planning stages. By planning your work, understanding your work area, and deciding when you plan to start your excavation, you are on your way to digging safely.

Plan before you contact 811:

- ✓ Assess your route or excavation site
- ✓ Gather all your information
- ✓ Premark the location with white paint

How to contact Tennessee 811 for a locate request

- **Call 811 or 800.351.1111** to make your locate request over the phone.



- **Remote ticket entry** allows you to provide information over the internet. This is a live program designed for excavators who consistently request locate tickets. As soon as you enter your ticket information you receive your ticket number. You can enter normal locate requests and updates. Visit our website to register and learn more.

- **e-Ticket entry** is a web based ticket entry system for normal locate requests only. It is not a live system. You enter your locate information and wait to receive a copy of your ticket(s) via e-mail. Visit our website to register and learn more.

- **TN811 App** is available on Google Play and the App Store. You can enter normal locate requests and updates. You can also access Positive Response through the app.

All contact options are available to you 24/7, including weekends and holidays.

Required information on a locate request

(1) The name, address, and telephone number of



the person providing the notice, and, if different, the best contact that will be available for information on the work being done. We must have a name and contact number so that if there are questions concerning the locate you can be contacted and not have your locate delayed.

- (2) The start date of the proposed excavation or demolition
- (3) The anticipated duration of the proposed excavation or demolition
- (4) The type of proposed excavation or demolition to be conducted
- (5) The location of the proposed excavation or demolition (including county, town, nearest intersection or cross street, directions to the site and distance from the nearest intersecting road to the address or location to be marked)
- (6) Marking instructions (the portion of the property or job site that is to be marked)
- (7) Whether or not explosives are to be used in the proposed excavation or demolition



(8) Has the area been marked with white paint or flags?

Please note that the size or complexity of a dig site may create the need for information that is not specifically listed in the above outline.

If your office staff updates tickets, please let them know when the project is complete so that tickets are no longer requested for that project.

Always request your own locate ticket. Using another company's locate marks does not guarantee that their marks cover your entire excavation or demolition site and doesn't fulfill the requirements of the law.

When do I contact Tennessee 811 for a locate request?

TCA 65-31-106

You must give 3 working days' notice prior to the actual date of excavation, but not more than 10 full working days' notice. A working day means every day except Saturday, Sunday, National and State holidays. Your waiting period begins with the start date and time on your ticket.



The Locate Request Agent will read all information back to you. Listen carefully and verify its accuracy. You will be given a list of member utility owners that Tennessee 811 will notify. You will be given a locate request identification number that is proof of your call. Record the number and keep it for the duration of your excavation or longer when applicable.

Length of a locate request

Each locate ticket cannot be more than 2,000 feet in length. If your excavation exceeds 2,000 feet, our Locate Request Agent will divide your project into more than one ticket.

White Paint

TCA 65-31-106 (b)

State law requires that the location of the proposed area of excavation or demolition be designated by the person responsible for the excavation or demolition by marking the area with white color coded stakes or white paint.

- **There are exemptions; visit our website to see the entire law**



What is Excavate/Excavation? TCA 65-31-102

Simply put, excavation is any process that moves dirt or penetrates or disturbs the earth's surface. Some common examples of excavation and demolition are:

- Auguring
- Backfilling
- Blasting
- Boring
- Demolition
- Digging
- Ditching
- Drilling
- Grading
- Pile Driving
- Plowing In
- Pulling In
- Ripping
- Scraping
- Sub-Soiling
- Trenching
- Tunneling
- Use of Explosives
- Wrecking

➤ **There are exemptions; visit our website to see the entire law**

What is demolition?

TCA 65-31-102

Demolish or demolition means any operation by which a structure or mass of material is wrecked, razed, rendered, moved or removed by means of any tools, equipment or discharge of explosives.

What constitutes an Emergency?

TCA 65-31-108(g); 65-31-109-Emergency

An emergency excavation or demolition is defined as an immediate danger to life, health or property, and the repair or restoration of existing service. When an emergency is declared, the utility owner has up to 2 hours to mark the lines.

- **There are exemptions; visit our website to see the entire law**

What constitutes an Impending Emergency?

TCA 65-31-102(5); 65-31-108(h)

An impending emergency means circumstances potentially dangerous to life, health, property, the environment, the repair or restoration of service,

which would likely develop into an emergency if excavation is not initiated before 72 hours. When an impending emergency is declared, the utility owner has up until the start date and time on the ticket to mark their lines.

TCA 65-31-118 – Design Locate Request

Any person may submit a design request to Tennessee 811. Within fifteen (15) working days the facility owner or operator must respond by 1 of 3 methods.

- Locate all utility facilities and sewer laterals in the proposed area
- Provide to person submitting design locate request the best available description of facilities in the area, which might include drawings of existing facilities and sewer laterals in the area
- Allow person submitting design locate request to inspect a copy of the drawings or records of existing utilities and sewer laterals in the area.

Short Notice Locate Request

Short notice locate requests are those in which an excavator asks that the underground facilities be marked before the three (3) working day advance notice and the requests doesn't meet the definition of an emergency or impending emergency. Tennessee 811 will issue a short notice ticket, however, we cannot guarantee that the short notice request will be located in the requested time frame. State law does not require utilities to locate this type of request in less than three (3) working days from the start date and time on the ticket. If you make the decision to start work prior to the facilities being marked, you should know that any damage that occurs before the three (3) working day period will be your responsibility and could lead to serious consequences.

Who is required to be a member of Tennessee 811? TCA 65—31-107(b)

All operators are required to join the one-call service and utilize the services of the notification center by January 1, 2018. You will need to see the law to learn more about the time table for membership.



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- **There are exemptions; visit our website to see the entire law**

What happens after a locate ticket is created? TCA 65-31-108

Within 3 working days from the start date and time on your ticket (excluding weekends & holidays) the operators will mark the approximate location of their underground utilities or they will determine that there is no conflict. The operator must notify Tennessee 811 using Positive Response that they have marked their facility or that there is no conflict.

The operator is not required to indicate the depth of the facility, only the approximate ground location under which the facility is located. The operator will mark the approximate location of their underground utility with paint or flags, using the American Public Works Association (APWA) uniform color code, which is shown on the back cover of this guide.

In the event that more than one operator uses the same color code to identify their facilities, then each operator using the same color must include a distinctive marking, such as the initials of the operator's

name, which appropriately identifies each operator and sufficiently distinguishes each operator's marking from other operators that are authorized to use the same color code.

Positive Response

TCA 65-31-106

Operators are required to notify Tennessee 811 that they have marked the approximate location of all their underground utilities or that the operator has no underground utilities in the area. The operator must use the Positive Response system to do this. The excavator should check Positive Response to know that all utilities have been marked or cleared. If ***all*** utilities have responded in Positive Response, the excavator may start their work before the start date & time on the ticket. Positive Response can be accessed on our website or by using the TN811 app.

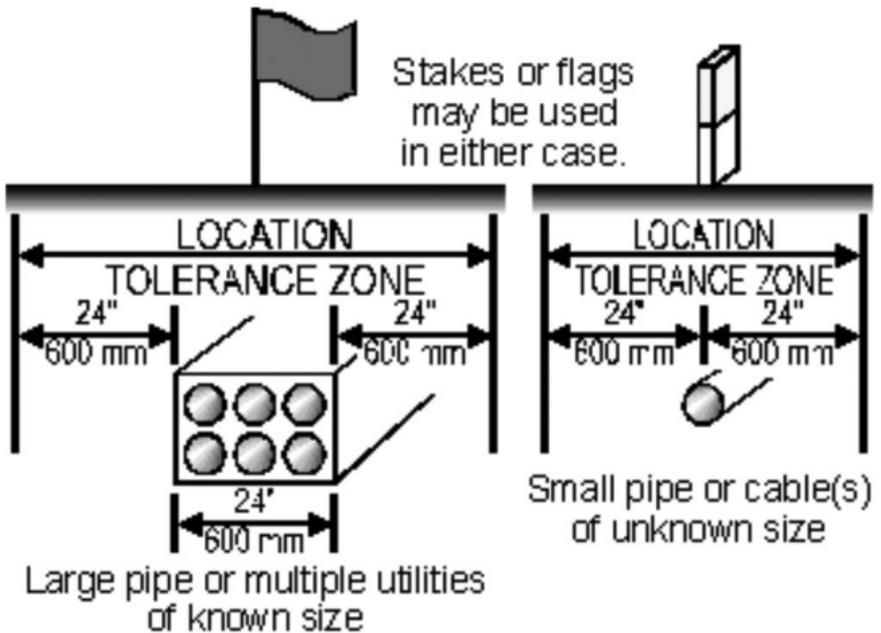
Anyone who calls in a locate request and gives their e-mail address will receive early notification that all utilities have responded to Positive Response before the 72 hours is up, OR once the 72 hours have been reached. The notification is sent to the e-mail on the ticket and advises the recipient to check Positive

Response for the status of the ticket. The e-mail recipient can choose to “opt out” of any future notifications like this.

- **There are exemptions; visit our website to see the entire law**

Working in the Tolerance or Safety Zone TCA 65-31-108(2) (c)

When excavation or demolition is necessary near the approximate location of the underground facility the excavator must exercise reasonable care to avoid damage. The excavator should hand dig or use non-intrusive means to avoid damage. The tolerance or safety zone is a strip of land at least four feet (4') wide, but not wider than the width of the utility plus two feet (2') on either side of the utility. Safe and prudent digging within the tolerance zone allows you to expose the existing facility on all sides. Suggested methods include but are not limited to hand digging, pot holing or vacuum excavation.



Depth of Facilities TCA 65-31-108(f)

Tennessee 811 does not have information on the specific location or depth of buried facilities. Most facility owners follow certain depth requirements or guidelines when installing facilities, however, they have no control over depth variation caused by human intervention, weather or other circumstances. Excavators must use reasonable care to ascertain

for themselves the exact depth of the underground utilities.

The locate ticket has become valid

TCA 65-31-108(d)

When you arrive at the site of your proposed excavation and you observe clear evidence of the presence of an unmarked utility line, you must make an additional notice to Tennessee 811. After you make the second call, if necessary, you can begin your work, exercising reasonable care to avoid damage to the utility. To ensure the safety of the excavation crews and the general public, you should – if at all possible – wait for the operators to mark their utility.

If the marks for any underground utility have been removed or are no longer visible, you should call for re-marks.

What is the life of a locate ticket?

TCA 65-31-106(a)

TCA 65.31.102 Definitions Calendar Day

A locate ticket is valid for fifteen (15) calendar days from the start date and time on the ticket. A calendar day is defined as a 24 hour period



beginning with the date and time a notification to excavate or demolish is to begin, including Monday through Sunday and all holidays.

Day & Time Ticket is Processed	Day Ticket is Considered Received at Tennessee 811	Day & Time Ticket Becomes Valid
Monday - 8 a.m.	Monday	Thursday - 8 a.m.
Tuesday - 10 a.m.	Tuesday	Friday - 8 a.m.
Wednesday - 1:30 a.m.	Wednesday	Monday - 1:30 p.m.
Thursday - 7 p.m.	Thursday	Tuesday - 7 p.m.
Friday - 11 p.m.	Friday	Wednesday - 11 p.m.

Tickets Processed	Day Ticket is Considered Received at Tennessee 811	Three Business Days (72 Hours) for Members to Respond	Locates Due at 12:00 a.m.
Saturday	Monday	Monday Tuesday Wednesday	Thursday
Sunday	Monday	Monday Tuesday Wednesday	Thursday

Holidays add one (1) extra business day to the waiting time on all tickets

State Holidays recognized by Tennessee 811 include:

New Year's Day

Memorial Day

Veterans Day

Martin Luther King Day

Independence Day

Thanksgiving Day

Presidents Day

Labor Day

Christmas Day

Good Friday

Columbus Day

Updating a Locate Request 65-31-106(a)

If the work will not be finished within fifteen (15) calendar days, then the excavator must contact Tennessee 811 to update the ticket at least three (3) working days prior to the expiration date and time on the active locate ticket.



Your ticket is valid, but there are no marks on the ground

TCA 65-31-106 (4)(d)

If the start date and time arrives and one or more operator has failed to mark their facilities and there is clear evidence of the presence of an unmarked utility, **you MUST contact Tennessee 811 with a SECOND REQUEST** for the operator(s) that didn't mark their lines and didn't respond to the Positive Response system to indicate the completion of the ticket. The excavator may then proceed – always using care not to damage the utility. To ensure the safety of the excavation crews and the general public, you shouldn't begin work until you are confident that all facilities have been marked correctly.

Precautions to avoid damage

TCA 65-31-110

- ✓ Always contact Tennessee 811 for locates before digging
- ✓



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- ✓ Hand dig, pothole or use vacuum excavation if working within the safety or tolerance zone to expose existing utilities
 - ✓ Stay at least two (2') feet away from locate marks
 - ✓ Never assume the depth of any underground facility
 - ✓ Always pre-survey the work area, looking for signs of underground or buried facilities: pedestals, pole drops, warning signs, evidence of new or fresh trench-line, manhole lids, etc.
 - ✓ A word about Warning Markers: Some utilities use warning signs to warn of the proximity of their underground facilities. The warning sign is not normally placed directly on top of the facility. The facility may be anywhere in the area of the sign. The absence of a warning marker doesn't mean the absence of underground facilities – Always contact Tennessee 811 for utility locates before you begin your work.
 - ✓ Protect and preserve the color code markings

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- ✓ Protect and support exposed facilities during excavation
 - ✓ Don't assume that a pipeline or cable runs straight between markers
 - ✓ Don't work off of someone else's ticket

What to do if damage occurs

TCA 65-31-111

If during the course of excavation an underground facility has been damaged, state law requires you to notify the utility operator immediately of the location and nature of the damage. You must give the operator reasonable time to accomplish necessary repairs before continuing work in the immediate area of the facility. **Do not try to repair the facility yourself or to cover up the damages.**

If damage permits the escape of any flammable, toxic or corrosive gas or liquid, you are to notify the operator, police and fire departments immediately and take other action that may be necessary to protect persons and property and to minimize the

hazards until arrival of the operator's personnel or police and fire department.

Operators Must Report Damages 65-31-111 (d)

Each operator whose utility facilities have been damaged must report the incident using the Damage Information Reporting Tool (DIRT) utilized by the Common Ground Alliance. Operators may contact Tennessee 811 for information on this requirement.

Enforcement/Penalties TCA 65-31-112

Any person who violates TCA 65-31-101-120 will be subject to a civil penalty as follows:

- **First Violation** – Violator must complete a course of training concerning compliance with the law
- **Second or subsequent violation** – Violator must complete course of training concerning compliance

with the law or pay a civil penalty in the amount set forth by the Executive Committee, not to exceed two thousand five hundred dollars (\$2,500) per incident, or both

- **If any violation is a result of gross negligence or willful or wanton misconduct** as determined by the executive committee, the violator will be required to complete a course of training concerning compliance with the law and pay a civil penalty in an amount set by the executive committee, not to exceed five thousand dollars (\$5,000) per incident
- **Any person required to complete a course of training** will be responsible for paying for the cost of training.

Any excavator that violates TCA 65-31 may be issued a notice of violation by the inspector and may be required to cease work on any excavation or not start proposed excavation until they comply with the law.

Any excavator that complies with the law will not be liable for damage that they cause to operator's underground facility if the operator received a locate ticket notification from Tennessee 811 (TCA 65-31-

106), if the operator fails to locate their underground facilities (TCA 65-31-108 and the damage is the result of the operator's failure to locate their underground facilities (TCA 65-31-108).

Any person who violates TCA 65-31-106 & whose subsequent excavation or blasting damages utility facilities or sewer laterals shall indemnify the affected utility owner or operator and Tennessee 811 against all claims or costs incurred, if any, for personal injury, property damage, or service interruptions resulting from damaging the utility facilities or sewer laterals.

Any person who knowingly and willfully removes or otherwise destroys the stake or other physical markings used to mark the horizontal route of an underground facility commits the offense of vandalism under TCA 39-14-105

Underground Utility Damage Prevention Advisory Committee TCA 65-31-114, 115, 116

An underground utility damage enforcement board is created within the Tennessee Regulatory Authority for the purpose of enforcing the Underground Utility Damage Prevention Act.

The board will be composed of sixteen (16) members appointed either by the law, the Governor, the Speaker of the House, the Speaker of the Senate. Members will represent:

President of Tennessee 811 or president's designee

Tennessee natural gas distribution systems

Tennessee utility districts

Tennessee cable industry

Large Tennessee incumbent local exchange carriers

Public utilities that provide water or wastewater services

Tennessee towns & cities

Small Tennessee incumbent local exchange carriers

Tennessee counties

Tennessee road builders

Excavators

Interstate pipelines

Private Property owner representing agricultural or homeowners

Municipal electric utilities

Cooperative electric systems

Public utilities providing electric service

The board serves without compensation. The executive committee of the board will be responsible for levying civil penalties and taking action as described in TCA 65-31-116. The board, through the executive committee will initiate investigations and conduct hearings, examine data regarding underground utility damages and make recommendations to the General Assembly for further updates to TCA 65-31.

Upon receipt of a complaint of a violation of the Underground Damage Prevention Act, the executive committee will initiate an investigation of the complaint by requesting the Tennessee Regulatory Authority investigate the complaint.

Any investigator acting at the direction of the executive committee may issue citations for violations of this chapter.

If the person who receives the violation doesn't pay the citation or submit to ordered training, or both within thirty (30) days, the executive committee will appoint a hearing officer to conduct a hearing and issue an initial order. The hearing will be held at the time and place set forth in the citation notice of hearing. The hearing will be conducted in the county where excavation was cited, unless otherwise agreed to by the person that received the citation. If the excavation occurred in more than one county, then the hearing will be conducted in the county where the greatest amount of excavation referenced in the citation occurred.

An appeal of the initial order shall be heard by the executive committee.

A person who doesn't agree with the final order may, within sixty (60) days, file a petition for judicial review. In the case of a decision involving an excavation in proximity to underground facilities of a municipally owned utility located in a county having

a population greater than three hundred thousand (300,000), the petition for review will be filed in the Chancery Court located in that county. In all other cases, the petition for review shall be filed in the Chancery Court of Davidson County.

OSHA 1926.651

Safety and Health Regulations Construction Excavations

(b) Underground Installations

(1) The estimated location of utility installations such as sewer, telephone, fuel, electric, water lines or any other underground installations that reasonably may be expected to be encountered during excavation work, shall be determined prior to an excavation.

(2) Utility companies, or owners, shall be contacted within established or customary local response times, advised of the proposed work, and asked to establish the location of the utility underground installations prior to the start of actual excavation. When utility companies or owners cannot respond to a request to locate underground utility installations within twenty-four (24) hours (unless a longer period is required by state law), or can-

not establish the exact location of these installations, the employer may proceed, provided the employer does so with caution and provided detection equipment of other acceptable means to locate utility installations is used.

(3) When excavation operations approach the estimated location of underground installations, the exact location of the installations shall be determined by safe and acceptable means.

(4) While the excavation is open, underground installations shall be protected, supported or removed as necessary to safeguard employees.



The Tennessee 811 Mobile App is available on both the Google Play Store and the Apple App Store. Look for TN811 in both stores.

With the App you can enter tickets, update tickets, search for tickets, respond to & check Positive Response, view the law, find answers to commonly asked questions, view our e-newsletters and more. It's free, so why not download it today?

You can also find Tennessee 811 on Facebook, Twitter and YouTube.



APWA UNIFORM COLOR CODE

For marking underground utility lines



WHITE – Proposed Excavation



PINK - Temporary Survey Markings



RED – Electric Power Lines, Cables, Conduit & Lighting Cables



YELLOW – Gas, Oil, Steam, Petroleum or Gaseous Materials



ORANGE – Communication, Alarm or Signal Lines, Cables or Conduit



BLUE – Potable Water



PURPLE – Reclaimed Waters, Irrigation & Slurry Lines



GREEN – Sewers and Drain Lines

www.tennessee811.com

[To View TCA 65-31](#)



Know what's below.
Call before you dig.