

FREQUENTLY ASKED QUESTIONS

Do I have to call Alaska Digline?

Yes. According to state law, anyone planning an outdoor project that requires digging, regardless of the depth or the size of the project, must call ADI first. Today, more utility members that supply power, gas, water and telecommunications are delivering these services underground.

Is Alaska Digline a utility company and/or government agency?

No, ADI is a private corporation. ADI does not own nor mark any facilities. The mission of the organization is to prevent damages to underground utilities, the environment and property, reduce service interruptions and costly repairs, and save lives.

How much does it cost to use Alaska Digline? When does the call center have operators available?

The call to ADI and service provided by utility members are free to the excavator. Call center operators are available to receive and process calls Monday through Friday 8am to 5pm.

Will Alaska Digline tell me the specific location or depth of the public utilities?

No. ADI does not obtain or have information on the specific location or depth of underground facilities for any members. Depth variation can be caused by human interference, weather or other circumstances.

If I am a subcontractor on a job, do I have to get a locate request ticket or will the general contractor's ticket protect me?

According to the state law, the person, as defined in Alaska Statutes Title 42.30.400 actually doing the digging is required to call ADI with the locate request information at least 48 hours/two business days prior to the start of excavation, not the homeowner or company for whom the work is being done. The general contractor's locate request only applies to its company. In addition, the general contractor should only request a locate if its company is planning to actually dig at the site.

When should I pre-mark the work site?

When the excavation site can not be clearly and adequately identified on the request, ADI recommends that the excavator, prior to calling ADI, designate the route or area to be excavated using white paint, flags, stakes or a combination of these methods. Black paint may be used when snow is on the ground.

May I dig after the 48-hour advance notice?

According to state law, the excavator shall exercise reasonable care at all times to protect underground utility facilities. If, after the proper notification through the State-Wide-One-Call System and upon arrival at the site of the proposed excavation, the excavator observes clear evidence of the presence of an unmarked facility in the area of the proposed excavation, the excavator should not begin excavating until the facility owner has made contact with the excavator.

The excavator has an obligation to honor all time/marketing requirements and then to dig in a reasonable and prudent manner, taking all reasonable and required precautions to avoid damaging underground facilities. It is suggested that you follow current industry practices, such as hand digging and/or vacuum excavating within 24 inches on either side of a marked underground facility.

I have hit a facility; what do I do now?

First, if you have created a potentially dangerous situation (i.e. damaged gas line, etc.), evacuate the area and call 911 and/or the proper emergency responders immediately. State law requires the excavator to call the affected utility to report that you have come into contact with an underground utility facility.

Are all underground facility owners members of Alaska Digline?

No. Underground facility owners and operators are not required by state law to be members of the State-One-Call system, Alaska Digline. An updated list of members is available on our web site.

Where can I find more information about the state law and the Alaska Digline process?

Alaska Digline agents are available to assist members and excavators. Contact phone numbers and information can be found on our website www.akonecall.com. The site also includes a list of members, upcoming events, procedural changes, the state law and a quick and easy locate order form.

DETERMINING WHEN TO CALL

Alaska Digline, Inc., also known as the Alaska One-Call is a corporation that provides professional and nonprofessional (i.e. homeowners) excavators with a toll-free number (800-478-3121) for the free locating and marking of underground facilities. It is funded by its' member facility owners and operators.

Alaska Digline serves as a message handling, notification service for underground facility owners, taking information about planned excavations and distributing this information to its members. It is then the responsibility of each facility owner to mark the location of their underground utility facilities at the excavation site. ADI is a communications link and does not perform any type of locating services.

Alaska law requires anyone engaging in any type of excavation to provide advance notice to the underground facility owners and operators. This notice must be at least 48 hours/two business days prior to the start of excavation and the project must begin within 15 working days from the call. A precise definition of excavation is included in the state law. For your convenience, a copy of Alaska Title 42.30.400 which took affect 09/01/1998 is printed in the back of this booklet.

HISTORY AND BACKGROUND

Loss of natural gas, telephone, water or electricity can leave communities without such services as police, fire and medical protection. When damaged, these services can endanger life, property and public safety – they can also be expensive and time consuming to repair.

Alaska Digline Inc. (d.b.a. Locate Call Center of Alaska) began operations May 1, 1989 in Anchorage and expanded it's coverage to include all of Alaska January, 1994, (except for the city of Juneau). As of December 2006 Alaska Digline has 28 members and has received over 450,000 calls and sent out over 2,283,000 notices of excavation.

Alaska Digline's call center operators are available to process locate requests Monday through Friday 8am to 5pm. If digging in the city of Juneau, excavators should contact Juneau Utility Council at 907-586-1333. If excavating in other states, please refer requests to that state's notification

center or call the established referral service at 888-258-0808.

MEMBER HOLIDAYS

The 48-hour/ two working day notice does not include Saturdays, Sundays or certain holidays. The holidays observed at ALASKA DIGLINE, Inc. include:

| | |
|------------------|------------------------|
| New Year's Day | Thanksgiving Day |
| President's Day | Day-After-Thanksgiving |
| Memorial Day | Christmas Eve |
| Independence Day | Christmas Day |
| Labor Day | New Years Eve |

If a holiday is on a Saturday, the previous Friday is observed. If the holiday is on a Sunday, the following Monday is observed. Member companies usually have crews on call to handle emergencies only. Therefore, these days are not included to determine the 48-hours/two working day advance notice, and facility owners should be contacted directly. "Forty-eight" hours means 2 business days beginning at 8 a.m. and ending at 5 p.m. (exclusive of Saturdays, Sundays and holidays recognized by the State-Wide One-Call System or Member Utility business schedule). All requests for locates received after 5 p.m. will be processed as if received at 8 a.m. the next business day.

REASONS TO CONTACT FACILITY OWNERS DIRECTLY

Facility owners, not ALASKA DIGLINE, Inc., should be contacted directly for the following issues:

1. To report any type of service outage or interruptions.
2. To resolve any type of utility billing problems or claims issues.
3. To request any type of facility removal or relocation (including meter removals prior to demolition of a building).
4. To request a change or initiation of any type of utility service.

TYPES OF REQUESTS

Alaska Digline can receive and process four types of requests: Standard, Emergency, Design Planning and Standard Remote.

STANDARD LOCATE REQUEST

A Standard Locate Request is the most common type of request processed through ALASKA DIGLINE. This request is made in compliance with state law, which requires a 48-hour / two working day notice (excluding weekends and holidays).

SITE MEET

A site meet is a meeting to openly discuss a large or complicated project and to exchange information such as maps, plans or schedules. It is not necessarily a locating session. Site meets should be held at the dig site or a location in close proximity to the site. When practical, the excavation project should be laid out using a segmented, sequential work schedule for better coordination and communication between excavators and member locators.

A site meet is scheduled to occur within the initial 48-hour/ two working day notice. The locator will establish a subsequent locate schedule at the time of the site meeting, if needed.

EMERGENCY LOCATE REQUEST

An Emergency Locate Request is defined by state law as "a condition constitutes a clear and present danger to life, health, or property, or an unplanned service interruption." (Utility service outage, and which requires immediate repair or action). Specific examples include, but are not limited to, the following:

- A. An unforeseen excavation necessary in order to prevent a condition that poses a clear and immediate danger to life or health.
- B. An excavation required to repair a utility service outage.
- C. An immediate excavation required in order to prevent significant property or environmental danger.
- D. The repair of an existing unstable condition that may result in any of the conditions above.

Emergency Locate Request Guidelines

When calling in an emergency locate request, inform the ALASKA DIGLINE call center operator that an emergency exists and be prepared to explain the situation

and/or conditions. The operator will prepare a request and note the planned start time. It is essential to leave a phone number that will be answered by someone who can further explain the situation or accept an “all clear” notification. An emergency locate request call is processed immediately. Facility owners promptly dispatch locate personnel as soon as is practical.

Important:

ALASKA DIGLINE, Inc. assumes that all callers are providing accurate information regarding emergency situations. Work-scheduling problems and/or lack of timely notification on the excavator’s part for a normal locate request do not constitute emergency situations. Penalties may be assessed to excavators who call in emergency requests that are not emergencies.

STANDARD REMOTE

A Standard Remote is a request to locate in a remote, unstaffed or inaccessible location. The excavator shall notify an underground facility operator who may have a facility in the area of a proposed excavation at least 10 but not more than 20 working days before the scheduled date for beginning excavation. Utility personnel will be dispatched to the site as soon as is practical and travel arrangements can be made.

DESIGN STAGE/PLANNING INFORMATION REQUEST

The Design Stage/Planning Information Request is for architects, engineers and other customers who are in the design or planning stage of a project and excavation is not intended in the immediate future. When calling in this type of locate request, the caller must identify to the ALASKA DIGLINE call center operator that they are in the planning or design stage of the project.

Customers who use this service are informed that member utility engineering personnel will be contacting the requestor with a locate schedule or their in-house design locate policy. It is the sole responsibility of the individual making the request to then make contact with each facility owner.

After the direct contact by the customer, the ALASKA DIGLINE member will typically respond in one of the following three ways within 15 days of the receipt of the notice:

- 1) actual field location will be performed at the job site or
- 2) provide drawings/prints of the location of the buried facilities at the proposed site or
- 3) the caller may be requested to send drawings/prints of the job site to the member. If the member requests drawings of the job site, the member will mark existing facilities on drawings/prints or provide copies of the utility’s record information and return these documents to the caller. (Note: ALASKA DIGLINE members may charge a fee for any of these services).

METHODS TO REACH ALASKA DIGLINE

There are four convenient methods of reaching ALASKA DIGLINE with excavation-related requests: 1) use of the toll free number at 800-478-3121, 2) web-based remote ticket entry via the Internet, described in the next section and 3) fax-a-locate program 4.) Dial 811.

TOLL-FREE PHONE NUMBER

ALASKA DIGLINE operators are available Monday through Friday 8am – 5pm to process locate requests at 1-800-478-3121. There are certain peak periods when calling volumes are typically the highest. Monday is usually the busiest day of the week, especially from 8:00 a.m. until 11:00 a.m. Frequent callers should consider Web Remote Ticket Entry.

WEB REMOTE TICKET ENTRY

Excavators who have access to the Internet are able to enter locate requests via ALASKA DIGLINE ticket entry Web site (eTicket). This method allows access to ALASKA DIGLINE for frequent users of the one-call system.

FAX-A-LOCATE PROGRAM

Excavators may submit an Alaska Digline Fax-A-Locate form, completed in it’s entirety and any drawings that may assist facility owners in properly locating facilities in the area of proposed excavation via fax to 907-278-0696. Only STANDARD locate requests may be submitted via fax. Faxes received after 3:30pm may be processed the following business day.

811

In March of 2005 the FCC dedicated one of our nationwide 3 digit dialing codes to Statewide Utility Damage Prevention One-Call Centers. Effective March 2007 Alaska Digline is available by dialing 811 from any number in the ADI Statewide coverage area. If you are unable to reach ADI via 811, please dial us toll-free at 800-478-3121.

GUIDELINES FOR PREPARING TO CALL ALASKA DIGLINE

Preparation is the key to fast and easy processing of a locate request. The first step to a safe excavation project begins during the planning stages. Before making the call to ALASKA DIGLINE, plan to assess the route or excavation site; gather all information for the locate request; and premark the location of the excavation site in white paint or flags.



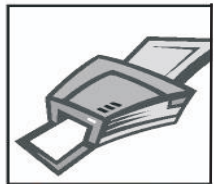
1. Call 48 hours, not counting Saturday, Sunday & Holidays, before dig - 1.800.478.3121.



2. Operators are available to take calls Monday through Friday 8am - 5pm.



3. The locate request is sent to a computer to determine what members are in the area.



4. The ticket is transmitted to ALASKA DIGLINE members having facilities in the area stated on the locate request. Members sort messages and dispatch locators accordingly.



5. Before you start to dig, locators from the appropriate ALASKA DIGLINE member companies with facilities in the area will mark the location of their buried facilities.

REQUIRED INFORMATION FOR THE LOCATE REQUEST

ALASKA DIGLINE's call center operators are trained professionals that guide each caller through a series of important questions to process each locate request. The information is processed in a standard format. Completing an excavator locate request form beforehand makes it faster and easier for both parties to complete the locate request.

This form is available at www.akonecall.com

Please be prepared to provide the ALASKA DIGLINE operator with the following information:

A. Your name, address and a phone number at which you and/or a site contact can be reached and a fax and/or email address; City or borough and unincorporated area of township;

B. Location at which the excavation or demolition will take place, which may include but not be limited to, address, cross street, lot numbers, property owner name, etc.

In addition, ALASKA DIGLINE member companies and their contractors/subcontractors must provide the Grid number or township, range, section and quarter section numbers (refer to using NW, NE, SE, SW) of the excavation site sufficient enough for system to grid the ticket;

C. Section/quarter sections when the above information does not allow the system to determine appropriate geographic section/quarter sections. This item (D) does not apply to residential property owners;

D. The type and extent (size of excavation area) of the work involved, including if white paint, flags and/or stakes were used to outline the proposed excavation area;

E. Will you be directional boring or horizontal directional drilling? Will you be digging deeper than 10 feet? And

F. The start date and time of the planned excavation or demolition.

It is the policy of ALASKA DIGLINE to limit the number of addresses on each normal locate request. Excavators are limited to ten addresses, on the same street within the same "hundred" block, per dig number.

TICKET NUMBER

The call center operator provides a locate request or ticket number that identifies the specific location request that was processed. This record contains all of the information from start to finish along with the ALASKA DIGLINE members receiving the request. It is important to write this number down and keep it with your personal records. ALASKA DIGLINE keeps this information on file for three years.

EXCAVATORS MUST CALL IN THEIR OWN REQUESTS

“Call Before You Dig” does not mean letting someone else make the call to ALASKA DIGLINE. According to state law, the person actually doing the digging (excavator) is required to call ALASKA DIGLINE with locate request information. ALASKA DIGLINE policy states:

“utility locate requests, including those from homeowners, will only be accepted from the excavator or a personal representative/employee of the company engaging in the excavation activity.”

It is recognized, in rare cases, that the homeowner may be a better source of locate information and thus will be allowed to serve as an agent of the contractor—the homeowner must provide the name of the contracted company doing the actual digging and a phone number. The ticket is also required to grid by their address information.

ACCURATE LOCATION OF EXCAVATION SITE

A common mistake is when an excavator identifies their excavation location as within a village/city, when actually they are digging in the unincorporated township. This often happens because the mailing address includes the name of the nearest village/city. Please determine whether the excavation site is within the city limits or unincorporated township area before calling in a locate request, and provide the name of the nearest town.

When an address is not posted or when excavation is taking place on property without a building, it is important to make the site identifiable for the locators by posting the lot number.

GRID or SECTION/ QUARTER SECTION REQUIREMENTS

Per ALASKA DIGLINE policy, all members and their subcontractors should provide section and quarter section information. Professional excavators (not homeowners) should provide sections and quarter sections when poor information is given to the operator, it does not allow the message to grid on the ALASKA DIGLINE system. Mapping sources can be found on ALASKA DIGLINE’s Web site at www.akonecall.com.

In addition, excavators can provide the GPS coordinates of their jobsite in lieu of section grid information if given using a latitude/longitude projection in decimal format. The ALASKA DIGLINE computer will convert a valid GPS coordinate into the appropriate grid.

NEW CONSTRUCTION

When excavation work is the result of new building construction, all separate phases of the job (i.e. foundation, grading, landscaping, etc.) need to be called in as separate requests. “New building construction” does not cover such projects as sewer, water, gas or electric installations.

RURAL LOCATIONS

When calling in a rural locate, it is important to provide as much information as possible including, but not limited to, rural fire department number, pedestal number, transformer number, mileage marker or any other landmark that may be helpful to identify the location including driving directions. Remember: remote or un-staffed dig locations require a minimum 10-day notice prior to excavation per AS 42.30.400

STREET LIGHTS

The ALASKA DIGLINE call center operator is not aware of the ownership of street lights at intersections. Street lights may be owned by the electric utility, the local municipality, the subdivision developer or the property owner. If the excavation will take place in the vicinity of street lights, excavators are encouraged to specifically request that these facilities be marked or that the owner contacts them. However, be prepared to make additional phone calls to determine ownership of street lights and to schedule these lines to be located.

AFTER THE CALL IS MADE

When all information is completed on the locate request, the ticket is then processed in ALASKA DIGLINE's system for delivery to its utility members. The geographic information contained in the location request determines which ALASKA DIGLINE members should be notified and then the computer sends a locate request to the designated members with facilities in the dig site area.

FACILITY OWNER RESPONSIBILITIES

Upon receipt of the locate request, each notified utility member determines its responsibility for locating its facility. The member, or a contracted representative hired by the member, can either clear the facility if no underground facilities are present or respond by clearly marking its facilities. If a member does not have any underground utility facilities in the immediate area of the excavation, it is not required to communicate this information to the excavator, however most facility owners do. Notification of such to the excavator can be provided in any reasonable manner.

Examples include:

- Face-to-face communication
- Phone or phone message
- Facsimile
- Posting or marking in the excavation area with "OK" or "NO" or "N/C" (include the company's initials)

APWA COLOR CODE

After receiving and screening the locate request, the member facility owners and operators use flags or paint to mark their underground facilities. A combination of markings can be used. It is recommended that the owners/operators of each utility type mark their facility with APWA approved color codes:

| | |
|--------|---|
| Red | Electric |
| Yellow | Gas, oil, steam or petroleum |
| Orange | Communications |
| Blue | Potable water |
| Green | Sewer |
| Pink | Temporary survey |
| White | Proposed excavation (Black, when snow is present) |

Important:

Operators of underground facilities own and locate only those lines that they operate and/or maintain. There are also privately owned facilities.

Some service lines extending from the property easement to the house belong to the homeowner and as such are considered privately owned. ALASKA DIGLINE member companies do not locate privately installed lines or facilities such as house to garage or out buildings, gaslights, gas grills, etc. Excavators are encouraged to contact utility locating services, often found in local phone directories, to assist them in locating privately installed utility lines.

While every effort is made by ALASKA DIGLINE, Inc. to promote membership, unfortunately, there are facility owners in Alaska who are not members of the Alaska One-Call. Alaska State Law does not require participation in One-Call Utility Locates. Excavators are encouraged to search the area for non-members and notify them. An updated list of ALASKA DIGLINE members, by name and borough, is on the Web site.

EXCAVATOR RESPONSIBILITIES

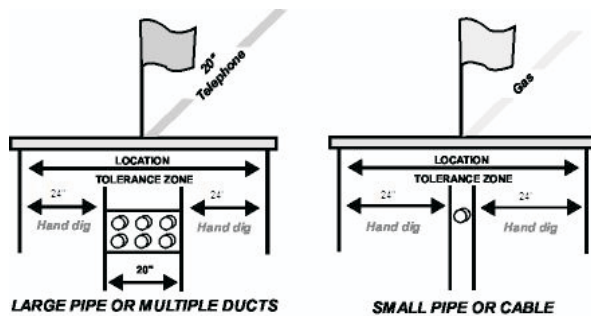
Notifying ALASKA DIGLINE is the first step of obtaining a locate of underground facilities. ALASKA DIGLINE, Inc. is strictly a message center and does not perform locates for any of its members.

After the locates are performed, the excavator still must exercise caution. If a member has not responded and/or underground facilities are present and not located, the excavator must call ALASKA DIGLINE for a second request (see Reporting Problems).

WORKING WITHIN THE TOLERANCE ZONE

Tolerance zone is the approximate location of underground utility facilities defined as a strip of land the width of the underground facility plus 2 feet on either side of such facility based upon the markings made by the owner or operator of the facility, or 30 horizontal inches as outlined in AS 42.30.400. Excavation within the tolerance zone requires extra care and precaution including, but not limited to, as set forth in Section 42.30.430 of AS Title 42.

TOLERANCE ZONE



DAMAGE TO AN UNDERGROUND FACILITY

In the event of any damage to or dislocation of any underground utility in connection with any excavation or demolition, emergency or non-emergency, the person responsible for the excavation or demolition operations should immediately notify the affected utility (call center operator may have phone number, check phone book or call “Operator Assistance”) and the State-Wide One-Call Notice System. Be prepared to tell the ALASKA DIGLINE operator your original dig request number, what general type of facility it is (i.e. pipe vs. cable), the affected utility, if known, and the location of the damage at the dig site.

Important:

In a potentially dangerous situation (i.e. damaged gas line, etc.), evacuate the area and call 911 and/or the proper emergency responders immediately.

REASONABLE BUSINESS PRACTICES

Everyone subject to the requirements of AS 42.30.400 should plan and conduct their work consistent with reasonable business practices. Conditions may exist making it unreasonable to request that locations be marked within 48 hours. It is unreasonable to request owners and operators of underground utility facilities to locate all of their facilities in an affected area upon short notice in advance of a large or extensive non-emergency project, or to request extensive locates in excess of a reasonable excavation or demolition work schedule, or to request locates under conditions where a repeat request is likely to be made because of the passage of time or adverse job conditions.

TICKET LIFE

Most facility owners consider a ticket “expired” if more than 15 calendar days have passed prior to excavation; or 20 calendar days have passed in remote locations. If visibility of field markings is questionable – contact Alaska Digline for a RE-LOCATE to ensure the safety of your working conditions.

A Relocate request is NOT the same as an Updated request.

If outside factors (i.e. weather, construction activity or vandalism) at the dig site have caused the markings to become undistinguishable, a request for remarks is required. This request does not mean that the scope of the ticket has been extended. The excavator must specifically request an update if the project at the same location has expanded.

REPORTING PROBLEMS

Excavators may encounter several issues during the locate request process. If this is the case, ALASKA DIGLINE’s Supervisors are available to assist you with questions and can provide the proper channels to follow to resolve the matter. In addition, ALASKA DIGLINE’s Web site has contact information for several member utilities that can help resolve any issues with their specific company, municipality, etc. The following are some of the more common examples and recommendations to deal with each issue.

FAILURE TO LOCATE FACILITIES PRIOR TO START DATE

Occasionally, unforeseen issues arise at the dig site and it may be necessary for an excavator to call back in to ALASKA DIGLINE for a “second request” locate. This may be a request for one, several or all member companies to return to the dig site to freshen or complete utility locate markings. If this is the case, please tell the ALASKA DIGLINE operator which specific companies have not located, completed the markings or are not visible.

Excavators should choose one of the following terms when calling in a second request:

“Relocate” – Outside factors (i.e. weather, construction activity, vandalism, etc.) at the dig site have caused markings

to become indistinguishable. Call ALASKA DIGLINE to have the area remarked and be prepared to wait an additional 2 working days. Please refer to the previously received dig number when calling for a remark.

“Incomplete markings” – One or more member companies failed to mark the entire area asked for on the original request.

“No show” – One or more member companies failed to locate within the two working day advance notice period.

CORRECTING ERRORS

If, at any time, it is discovered that incorrect information was provided, callers should notify ALASKA DIGLINE, Inc. as soon as possible. An operator will assist in making corrections, depending on the circumstances. Corrections to a ticket are only accepted from callers working for the same company that originated the ticket and constitute a new locate request and may request additional time.

SUSPECTED VIOLATIONS:

ALASKA DIGLINE is not the enforcing body of the legislation.

Excavators are encouraged to work with those ALASKA DIGLINE member companies who have damage prevention teams when specific issues arise with that ALASKA DIGLINE member (information is available on the ALASKA DIGLINE Web site at www.akonecall.com).

ALASKA UNDERGROUND UTILITY FACILITIES DAMAGE PREVENTION ACT

Sec. 42.30.400. Excavator's notice of proposed excavation.

(a) Before beginning an excavation, an excavator shall give notice of the proposed excavation to each underground facility operator who has an underground facility in the area of the proposed excavation and request the operator to field mark the location of its underground facility. The excavator shall notify an underground facility operator who subscribes to a notification center by giving notice to the center. The excavator shall notify an underground facility operator listed in the applicable telephone directory who is not a subscriber to a notification center by giving notice directly to the operator.

(b) Except in the case of an emergency locate request or a request to locate in a remote, unstaffed, or inaccessible location, the excavator shall notify an underground facility operator who may have a facility in the area of a proposed excavation at least two but not more than 15 working days before the date scheduled for beginning the excavation. In the case of a request to locate in a remote or unstaffed location, the excavator shall notify the operator at least 10 but not more than 20 working days before the scheduled date for beginning excavation.

(c) In an emergency, the excavator shall immediately notify each underground facility operator in the area of the emergency and of the need for the excavation and request prompt location of underground facilities.

Sec. 42.30.410. Operator's response to request to locate; immunity related to unmarked or inaccurately marked facilities.

(a) An underground facility operator shall accept requests to locate underground facilities during the operator's regular business hours. An operator who receives a request to locate shall maintain for at least one year an accurate record of the request and responses to the request.

(b) When an underground facility operator receives a request to locate, it shall notify the excavator of the location of the underground facilities that the operator is able to field mark with reasonable accuracy and field mark those facilities. If the operator owns, uses, or operates an underground facility that is identified as being in the area of the proposed excavation but that the operator cannot field mark with reasonable accuracy, the operator shall provide the excavator with the best information available to the operator about its location and shall provide on-site assistance until the facility is located or until the excavator no longer needs assistance in locating that facility.

(c) The field marks for an underground facility buried 10 feet deep or less must be located within 24 horizontal inches of the outside dimensions of the facility. For a facility buried deeper than 10 feet, the operator shall locate the field marks within 30 horizontal inches of the outside dimensions of the facility. The operator shall use stakes, paint, or other clearly identifiable material to show the field location of the underground facility. The marker used to designate the approximate location of an underground facility must follow the current color code standard used by the American Public Works Association.

(d) Except for an underground facility in a remote, unstaffed, or inaccessible location, an underground facility operator shall respond to a request to locate promptly. A response is considered to be prompt if it is made within two working days after the operator receives the request or at a later time so long as the response occurs before the beginning of the excavation. For an underground facility in an accessible remote or unstaffed location, the operator shall respond within 10 working days after the operator receives the request or at a later time so long as the response occurs before the beginning of excavation.

(e) After an operator has field marked an underground facility, the excavator is responsible for maintaining the markings.

(f) An excavator may not begin to excavate until each underground facility has been field marked.

(g) When an operator has field marked an underground

facility once at the request of an excavator, the operator has the right to receive compensation from the excavator for costs incurred in responding to subsequent requests to locate the same underground facility during the same excavation project if the excavator failed to maintain the original marking.

(h) If an excavator discovers an underground facility that was not field marked or was inaccurately field marked, the excavator shall immediately stop excavating in the vicinity of the facility and shall notify the operator of the discovery. The excavator may notify the operator by means of a notification center. The operator shall treat the notification as a request to locate in an emergency and shall respond accordingly. An excavator may not be held liable for inadvertent damage caused to an unmarked or an inaccurately marked underground facility.

(i) Unless the request to locate is made in response to an emergency, an underground facility operator has the right to receive compensation for costs incurred in responding to a request to locate that gives the operator less notice than the minimum notice required by this section. This subsection may not be interpreted to require the operator to respond to the request to locate within the time requested in the notice.

Sec. 42.30.420. Responsibility of construction project owners.

The owner of a construction project that will require excavation shall indicate in bid documents or contracts for construction the existence of underground facilities that the project owner knows are located inside of the proposed area of excavation. This requirement does not release the excavator from the excavator's responsibility under AS 42.30.400 - 42.30.490.

Sec. 42.30.430. Obligations concerning the conduct of excavations.

(a) An excavator shall use reasonable care to avoid damaging an underground facility. The excavator shall

(1) determine, without damage to the facility, the precise location of an underground facility whose location has been marked;

(2) plan the excavation to avoid damage to and minimize interference with an underground facility in or near the excavation area; and

(3) to the extent necessary to protect a facility from damage, provide support for an underground facility in and near the construction area during the excavation.

(b) An excavator who, in the course of excavation, contacts or damages an underground facility shall notify the operator. If the damage causes an emergency, the excavator shall also alert appropriate local public safety agencies and take reasonable steps to ensure public safety. A damaged underground facility may not be reburied until it is repaired or relocated to the satisfaction of the operator. The operator of an underground facility that was damaged during excavation shall arrange for repair or relocation of the facility as soon as practical.

Sec. 42.30.440. Penalties; injunctive relief.

(a) In addition to all other remedies provided by law, a person who violates a provision of AS 42.30.400 - 42.30.490 is subject to a civil penalty of not less than \$50 nor more than \$1,000 for each offense if the violation results in or significantly contributes to damage to an underground facility.

(b) If the court finds that an excavator is violating or threatening to violate a provision of AS 42.30.400 - 42.30.490 and the violation may result in damage to an underground facility, the court may grant injunctive relief to the underground facility operator.

Sec. 42.30.450. Waiver of requirements by written agreement.

An operator and an excavator may, by written agreement, waive the requirements of AS 42.30.400 - 42.30.490 that the excavator notify the operator of planned excavations and that the operator locate underground facilities. The agreement must identify the geographic areas to which the waiver applies and the time period for which the waiver is valid.

Sec. 42.30.460. Underground facility owner.

If the operator of an underground facility is not the owner of

the facility and if the operator cannot be identified or has been identified but cannot be reached in a reasonable amount of time, the excavator may give the notice required by AS 42.30.400 - 42.30.490 to the owner of the underground facility and the owner shall assume the duties and responsibilities of the operator under AS 42.30.400 - 42.30.490.

Sec. 42.30.490. Definitions.

(1) "damage" means

(A) the substantial weakening of structural or lateral support of an underground facility;

(B) penetration, impairment, or destruction of any underground protective coating, housing, or other protective device; and

(C) the partial or complete severance of an underground facility to the extent that the project owner or facility operator determines that repairs are required;

(2) "emergency" means

(A) a condition that constitutes a clear and present danger to life, health, or property; or

(B) an unplanned service interruption;

(3) "excavation" means

(A) an activity in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means;

(B) road maintenance that changes the original road grade;

(C) demolition or movement of earth by equipment, tools, or explosive device except tilling of the soil less than 12 inches in depth for agricultural purposes;

(4) "excavator" means a person who conducts excavation in the state;

(5) "inaccessible" means impossible or unreasonably difficult to reach due to conditions beyond the control of the underground facility operator;

(6) "notification center" or "center" means a service through which a person is able to call one number to notify member operators of underground facilities that an

excavation is proposed and to request the operators to mark facilities located inside of the proposed excavation area;

(7) "operator" means a person who supplies a service for commercial or public use by means of an underground facility;

(8) "person" means any individual, public or private corporation, political subdivision, government agency, municipality, industry, partnership, co-partnership, association, firm, trust, estate, or any other entity whatsoever;

(9) "remote" means not accessible by road;

(10) "underground facility" means a pipe, sewer, conduit, cable, valve, line, or wire, including attachments and those parts of poles or anchors that are below ground, for use in connection with the storage or conveyance of water, sewage, telecommunications, cable television, electricity, petroleum, petroleum products, hazardous liquids, or flammable, toxic, or corrosive gas;

(11) "unstaffed" means not normally staffed with employees;

(12) "working day" means a day on which an underground facility operator is open for regular business.

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