

Missouri's Underground Facility Safety and Damage Prevention Act is in Sections 319.010 through 319.050 of the Missouri Revised Statutes.

Missouri Statute 319.025.1 – Who is required to notify Missouri 811 of excavation.

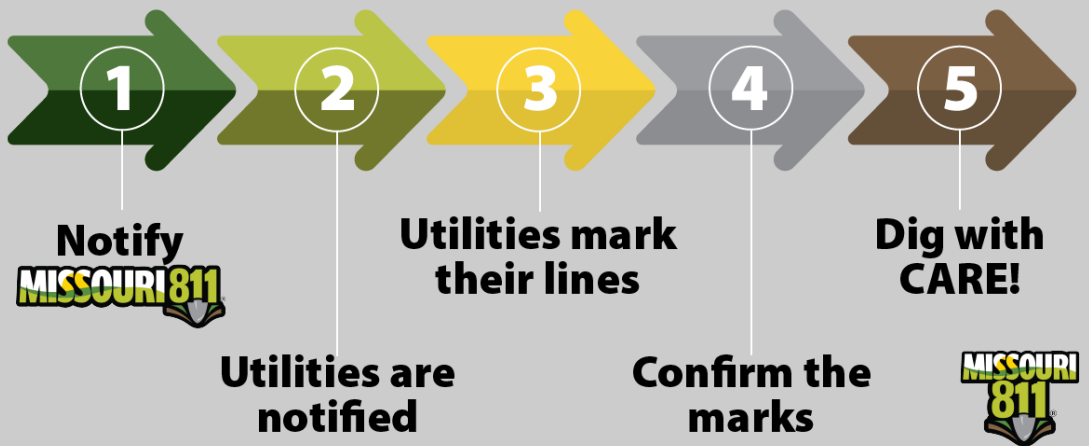
Executive Summary:

This statute makes it a requirement for all excavators, professionals, or do-it-yourselfers, to submit a locate request before digging on public or private property anywhere in the state of Missouri. Once the excavator notifies Missouri 811 of the excavation details, Missouri 811 now becomes legally responsible for notifying all the public utility owners in the vicinity of the excavation site so they can mark their respective utilities.

Additional things to consider:

1. Underground utilities may be buried only inches below the surface.
2. You are required by law to request a locate when doing activities like driving fence post into the ground.
3. Utility owners/operators will only mark the public utilities that they own, which typically stops at the meter or the communications box on the side of the house.

THE MISSOURI 811 PROCESS



Missouri Statute 319.030.4 – No Response

Executive Summary:


Once a locate request is submitted, the underground facility owner/operator will have at least two working days to respond by either marking their underground utilities, or by providing a “Clear/No Conflict” status. If an underground facility owner/operator fails to status the locate request by the start date and time, the excavator is required by law to submit a “No Response” ticket to Missouri 811 before excavating. Missouri 811 will notify the responsible underground facility owner/operator of the “No Response” ticket and the owner/operator will have the following requirements for marking:


- If notified by 2:00 pm, the facility owner/operator is required to mark their public underground utilities that day.
 - If notified AFTER 2:00 pm, the facility owner/operator is required to mark their public underground utilities by 10:00 am the next working day.
- Excavators are ultimately responsible for ensuring the dig site has been marked and every precaution has been taken to prevent damages and/or disruptions.

Additional things to consider:

1. A working day is defined as “every day, except Saturday, Sunday or legally declared state or federal holiday.”
2. You will receive automatic emails from Missouri 811 providing a clear summary of the public underground facilities that are in the vicinity of your excavation site and the status of each. In addition, the emails will provide additional resources and instructions for the next steps in the process.

Ticket Check Status for MO Ticket 123456789

 mo@occinc.com
To John Q. Public



MISSOURI 811
One utility has not completed the locate!
This ticket is NOT valid for excavation until all utilities have provided a status.
Call 800-344-7483 immediately to contact the utility and avoid further delay.

ROUTINE TICKET: [123456789](#)

Address: 42 WALLABY WAY, JEFFERSON CITY, MO
Location: DRIVING DIRECTIONS: FROM THE INTERSECTION OF HWY 1 AND HWY 2, TURN RIGHT ON WALLABY WAY. PLEASE MARK THE ENTIRE YARD.

Company	Type	Status
ELECTRIC CO	E	MARKED
GAS CO	G	MARKED
WATER CO	W, S	MARKED
CABLE CO	TEL, TV	MARKED
INTERNET CO	FO, TV	NOT YET RESPONDED

Missouri Statute 319.045.1 – AGO Enforcement

Executive Summary:

Any person who violates the provisions of Chapter 319 are subject to penalties assessed by the Missouri attorney general. Penalties can be assessed for amounts up to \$10,000 per violation per day.

Additional things to consider:

1. The most reported violation is for home-owners or excavators digging without a locate request.
2. If you feel that there has been a violation to Chapter 319, we would encourage you to take action by contacting the attorney generals office to file a complaint.
3. Attorney General’s One-Call Unit can be contacted at (314) 340-4795 or onecallunit@ago.mo.gov.

Missouri Statute 319.026.5 – Incorrect Locate

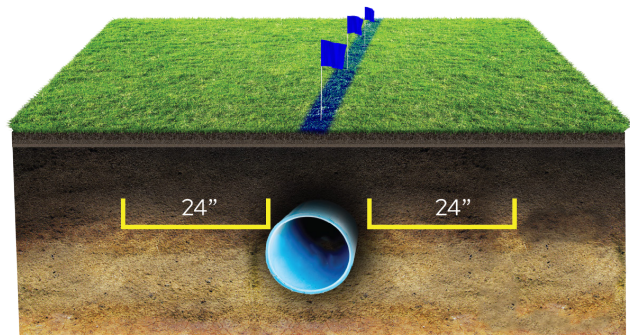
Executive Summary:

If an excavator discovers that an underground facility was mismarked, out of area described, at the wrong address or when stasured incorrectly, the first course of action is to immediately notify Missouri 811. Missouri 811 will notify the facility owner who will be required by law to contact the excavator or correctly mark their underground facility within two hours. Additionally, the facility owner will ensure that the facility location record is updated to prevent further complications.

Additional things to consider:

1. Once arriving at the job site, do a visual inspection to verify all utilities have been marked and stasured correctly.
2. Be on the lookout for private facilities that may be in your excavation area. Private utilities will NOT be marked by the Missouri 811 process. Please contact a private locate company, if necessary.

Hand Dig in the tolerance zone!



Missouri Statute 319.026.7 – Hand Digging During Normal Excavation

Executive Summary:

Before commencing excavation, the excavator shall determine the best practices for confirming the horizontal and vertical location of facilities at the site of excavation considering conditions at the site including geology, access to the site, and the presence of paved surfaces. Hand digging or soft digging shall be used as best practice when possible.

Additional things to consider:

1. Each dig site is unique; therefore, excavators must carefully analyze the potential dangers and plan accordingly.
2. Locators provide the approximate horizontal location of the underground facility but are unable to identify the vertical depth in most cases.
3. Always hand dig if you are digging within 24 inches of an approximate horizontal location.

NEW MEMBERS

- Intercept Fiber
- Metro Communications
- Mercy Hospital Ballas
- REH Marketing, Inc
- Joint Utilities Board
- Natural Gas
- Hoffman Brothers
- Fastwyre
- Brightspeed
- Campus Communications
- Pickering Place
- State Fair Community College
- Ozark Fiber
- EXL Tube
- Newton County Fiber

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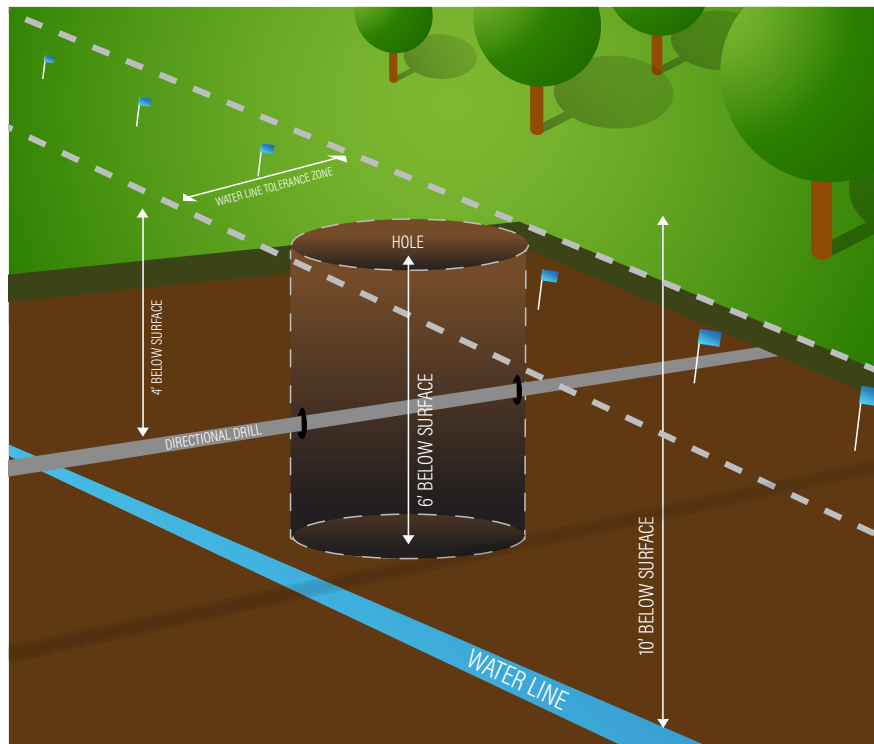
Missouri Statute 319.037.2 – What to do in the Tolerance Zone while Directional Drilling

Executive Summary:

The excavator is required to make careful and prudent efforts to confirm the horizontal and vertical location of underground utilities by using methods such as electronic locating devices, hand digging, pot holing, soft digging, vacuum methods, pressurized air or water, pneumatic hand tools, or other noninvasive methods before using power-driven equipment for trenchless excavation. The only exception to the beforementioned requirements is if the excavator excavates a hole above the marked underground utilities to a depth of two foot or more below the planned boring path and then carefully and prudently monitors the horizontal and vertical location of the boring device by the excavator as it crosses the entire width of the marked approximate location of the underground facilities.

Additional things to consider:

1. Nothing in this subsection shall authorize any person other than the owner or operator of a facility to attach an electronic locating device to any underground facility.
2. For excavations paralleling the underground facility, such efforts to confirm the location of the facility shall be made at careful and prudent intervals.



Damage Prevention Managers are well-versed in the Missouri 319 statutes and are available to provide training, FREE of charge. Schedule today by calling 573-635-1818 or directly by contacting:

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Missouri Statute 319.026.8 – Dig Up

Executive Summary:

If an excavator damages, dislocates, or disturbs an underground utility while excavating—the excavator is required by law to notify Missouri 811. If an underground pipeline is damaged or disturbed resulting in the release of hazardous liquid or gas—the excavator must immediately contact 911.

Additional things to consider:

1. If a pipeline is struck, or you hear a hissing sound or smell the odor of natural gas, do not attempt to move equipment as this may cause ignition. Immediately evacuate to an upwind location and secure the area before calling 911.
2. Never attempt to stop the flow of gas by folding over a damaged gas line.
3. As an excavator, if you find yourself in this situation, you should document the details as thoroughly as possible and save it for your records. Take plenty of pictures after the area has been determined to be safe by the utility, or from a safe, upwind location.
4. If you strike an underground facility, correctly marked or incorrectly marked, do not jeopardize your safety by attempting to identify the facility.

Missouri Statute 319.026.6 – Renewal Ticket

Executive Summary:

When all public utilities have responded to the locate request, digging can commence. However, if the markings have deteriorated to the point that they are no longer visible or the excavator is unable to start excavation within 10 working days, the excavator shall request a “Renewal Ticket.” “Renewal Tickets” carry the same associated timelines as the original ticket. Each excavator is encouraged to exercise reasonable care not to unnecessarily disturb or damage the markings provided by the public utility owners/operators. If a “Renewal Ticket” is required due to careless practices by the excavator, they may be liable to the facility owner/operator for the associated cost of the Renewal Ticket.

Additional things to consider:

1. If the markings become faded and unreliable, the safest bet is to request a Renewal Ticket.
2. The Missouri 811 system has many stakeholders from excavators, utility owners/operators, locators, and call center employees. Making a conscious effort to manage your locate requests and avoiding unnecessary renewal request greatly improves the effectiveness of the entire system.



Pipeline markers and warning signs are used to indicate the presence of an underground pipeline right of way (ROW). Signs and markers must NOT be used or relied upon to determine the exact location of the underground utility. Always contact Missouri 811 for a locate before digging.

For more information, please visit:
www.mangowp.org
or
www.MOSafeGas.com



THE SCOOP

SPRING 2023



CLICK OR CALL
3 WORKING DAYS
BEFORE
YOU DIG

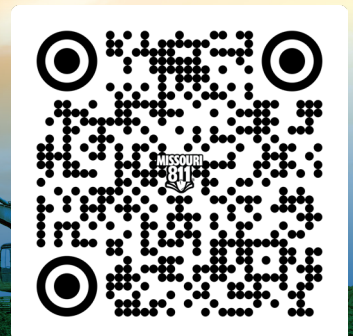
THE SCOOP

SPRING 2023

IN THIS ISSUE:

In this newsletter, we have provided you with an executive summary and a few additional thoughts for a handful of Chapter 319 statutes. Each section is intended to provide an overview of the appropriate statute in easy-to-understand language. By no means is the executive summary all-encompassing or intended to challenge the statute in any way. Please reference Missouri Statute 319 for more information.

Source: <https://law.justia.com/codes/missouri/2022/title-xxi/chapter-319/>



Reviewed by the Public Service Commission (PSC) for use in the excavator education program.

Follow the QR code to our online store and download a copy of the Excavator Manual TODAY!

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