

ACT 50

WHAT IS AN AVR AND
HOW CAN IT BENEFIT
ME?

AND OTHER THINGS
YOU NEED TO KNOW

WHAT IS AN ALLEGED VIOLATION? WHAT IS AN ALLEGED VIOLATION REPORT (AVR)?

- What is an “alleged violation”?
 - Act 50 states that an “alleged violation” means an instance when a person by action or inaction fails to fulfill the obligations of this act.
- An AVR is the method used to report an alleged violations and damages to lines.

HOW DOES AN ALLEGED VIOLATION REPORT (AVR) BENEFIT ME?

- The AVR is your place to tell us what happened in your own words and using your evidence.
- AVRs help investigators accurately identify the root cause of a line strike.
- If you don't submit an AVR, you don't have a voice when the Investigators review the incident and they must rely on information provided by the other stakeholders.

WHO MUST FILE AN AVR ACCORDING TO THE ACT?

- Facility Owners – If the cost of damages is more than \$2500, or the same excavator hits your line two or more times in a month period.
- Excavators – If you strike a line, it doesn't matter who is at fault.
- Project Owners – Any time your excavator has hit a line or you have reason to believe a violation may have occurred.
- Designers – Any time you become aware of a violation that was committed on one of your projects.

HOW LONG DO I HAVE TO FILE AN AVR?

- Facility Owners – 30 business days UNLESS they meet the exemption criteria.
- Excavators – 10 business days
- Project Owners – 10 business days from the date they are notified of the strike or violation.
- Designers – 30 days from the date they are notified of the strike or violation.

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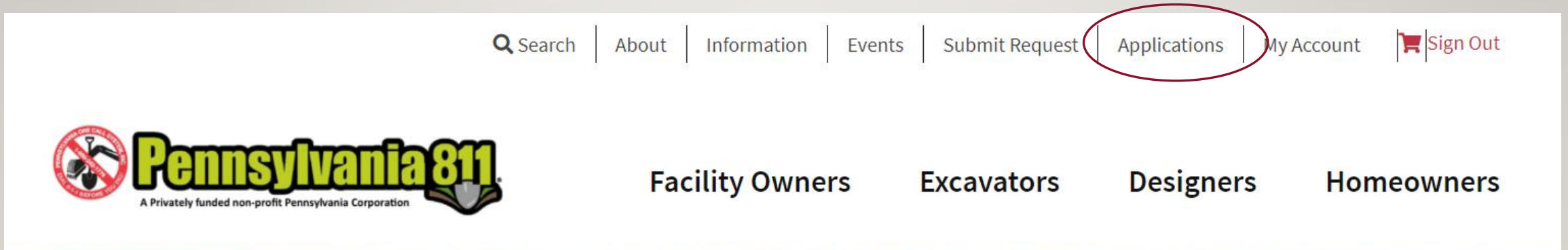
WHEN SHOULD I FILE AN AVR?

- AVRs are always mandatory for excavators, project owners, and designers in the event of a line strike regardless of whether the line is severed or just scraped. As we know from the previous slides, facility owners have some leeway according to the Act.
- You may file an AVR to report non-damage violations such as when a party is discovered excavating without a One Call Ticket.
- **Just because you aren't required to submit an AVR doesn't mean you shouldn't file one!** AVRs help our investigators identify potential causes of damages and parties who may need education.



WHERE DO I GO TO FILE AN AVR?

- Log on to www.pa1call.org and click on Applications.





[Facility Owners](#)

[Excavators](#)

[Designers](#)

[Homeowners](#)

Welcome **SARA LOCKE**, to the POCS Account Login page.
Any questions, comments, or suggestions please feel free to email us by: [clicking here](#)

[* NEW * Online Ticket Management](#)

[*Report an Alleged Violation*](#)

[Facility Owner Member Web Access](#)

[Web Ticket Entry Basic Training Video](#)

WHAT INFORMATION DO I NEED TO SUBMIT?

What happened? Why did it happen? Who was involved?

You can (and should!) attach photos and documents that illustrate the statements made in your summary.

If you have the contact information for an excavator or other party involved in the incident, please include this in your report.

Please submit all information and exhibits with your AVR, the investigators

The Summary allows you to describe the incident and put the details of the event into your own words. This is the place where you speak directly to the Investigators and the DPC

In strikes that involving a release of gas, **did the excavator call 911?**



PHOTOS – HELP YOURSELF!

- Good photos help the investigator and the DPC determine what happened at the time of an incident.
- We strongly recommend taking photos of the job site during the markout phase. Include points of reference such as a house or sign in the background.
- Photos of areas that had no marks should be taken from the area of the strike (or close to it) and give us a panoramic view. We recommend a photo taken at least N, S, E, W, but it's better to have N, NE, E, SE, S, SW, W, NW to give us a full view of what's happening.

PHOTOS – HELP YOURSELF!

- Photos of a damage site should be taken with a hit-kit or a visible tape-measure to show us where the marks were in relation to the damage.
- Sequential photos of an approach to the damage site are very helpful.
- A single photo of the damage with no reference points does not help us to determine if a line was or was not marked correctly.





Hit kits are always better than tape measures or shovels!



Help the investigators help you! This photo has the date and time of the photo, a hit kit and shows us where the marks are in relation to the damage.



This photo is a great example of an approach photo. It makes use of the hit kit and clearly shows the lines in relation to the strike area. A good series would have 2 or 3 more approach photos with a final photo of the damage in relation to the pylons.



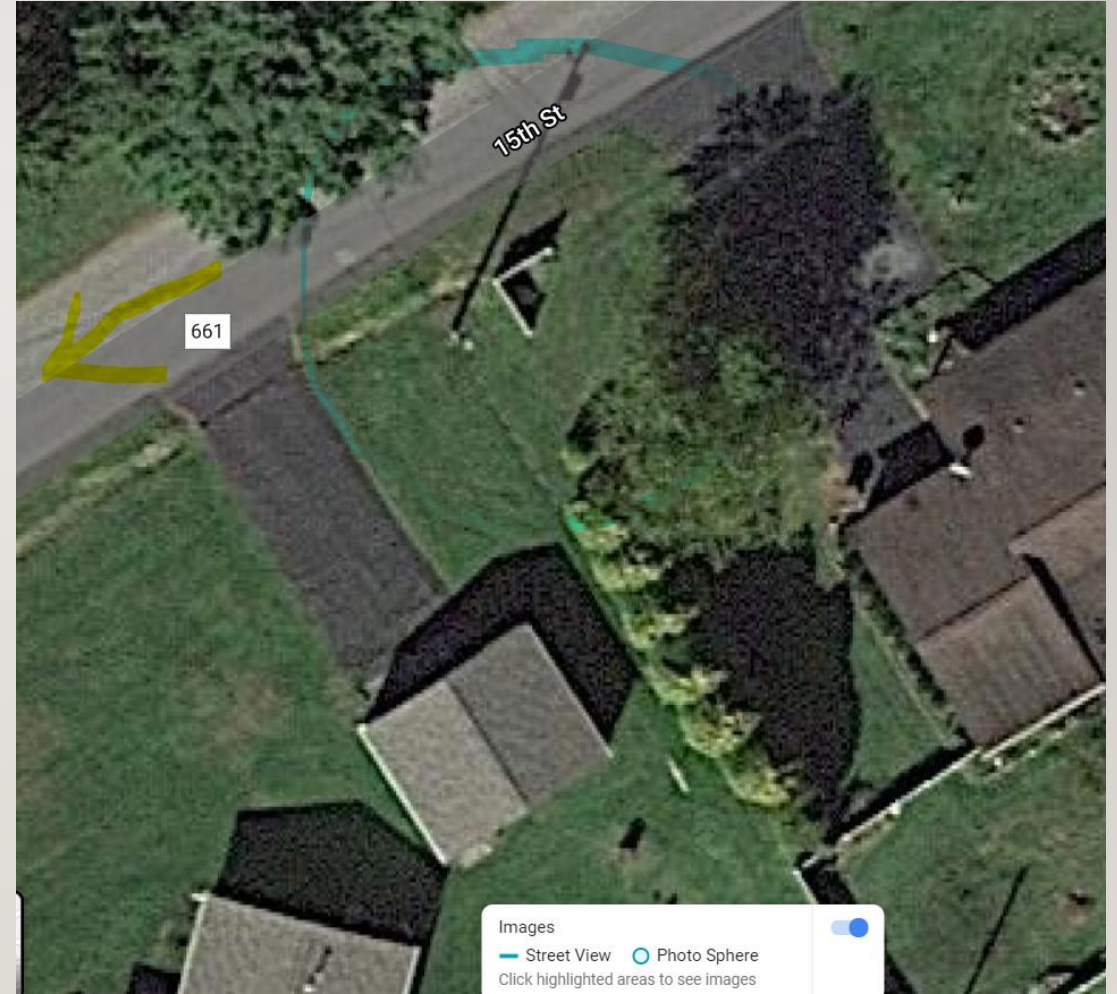
APPROACH PHOTOS



Good approach photos will show the scene from a distance. Approach photos should be taken every few feet until they show the damage at the dig site. In this example there are no marks visible, but if there were, this would be the ideal time to use a hit kit.

Always put safety first! Please don't approach a strike for photos if there is an active gas leak or electric wire until the situation has been handled by the facility owner.

Make use of maps to illustrate your point. By using a screenshot of an aerial view, the submitter was able to show us where a fence in the photo on the left was in relation to the property.



WAS THIS STRIKE IN THE TOLERANCE ZONE?

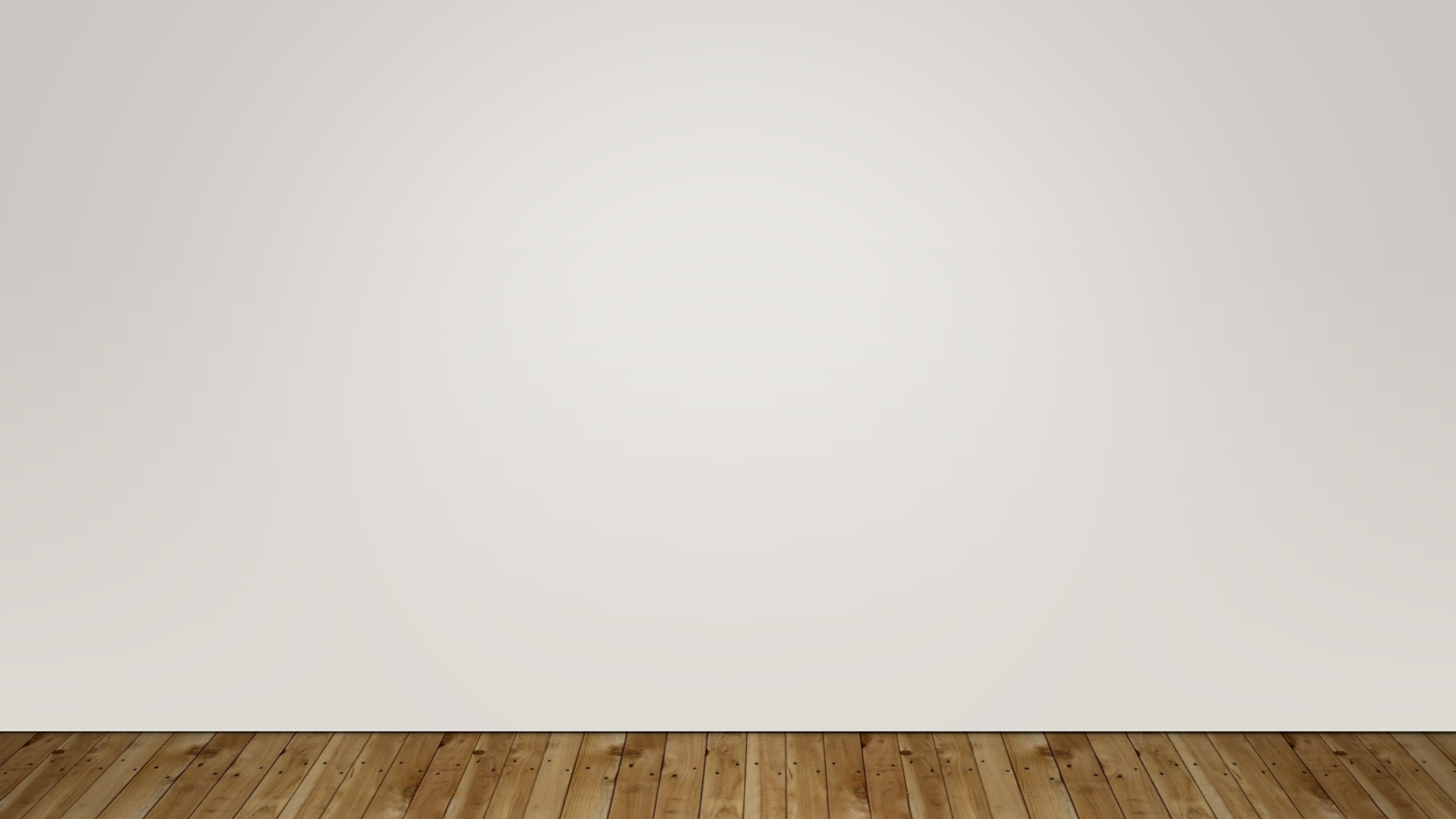


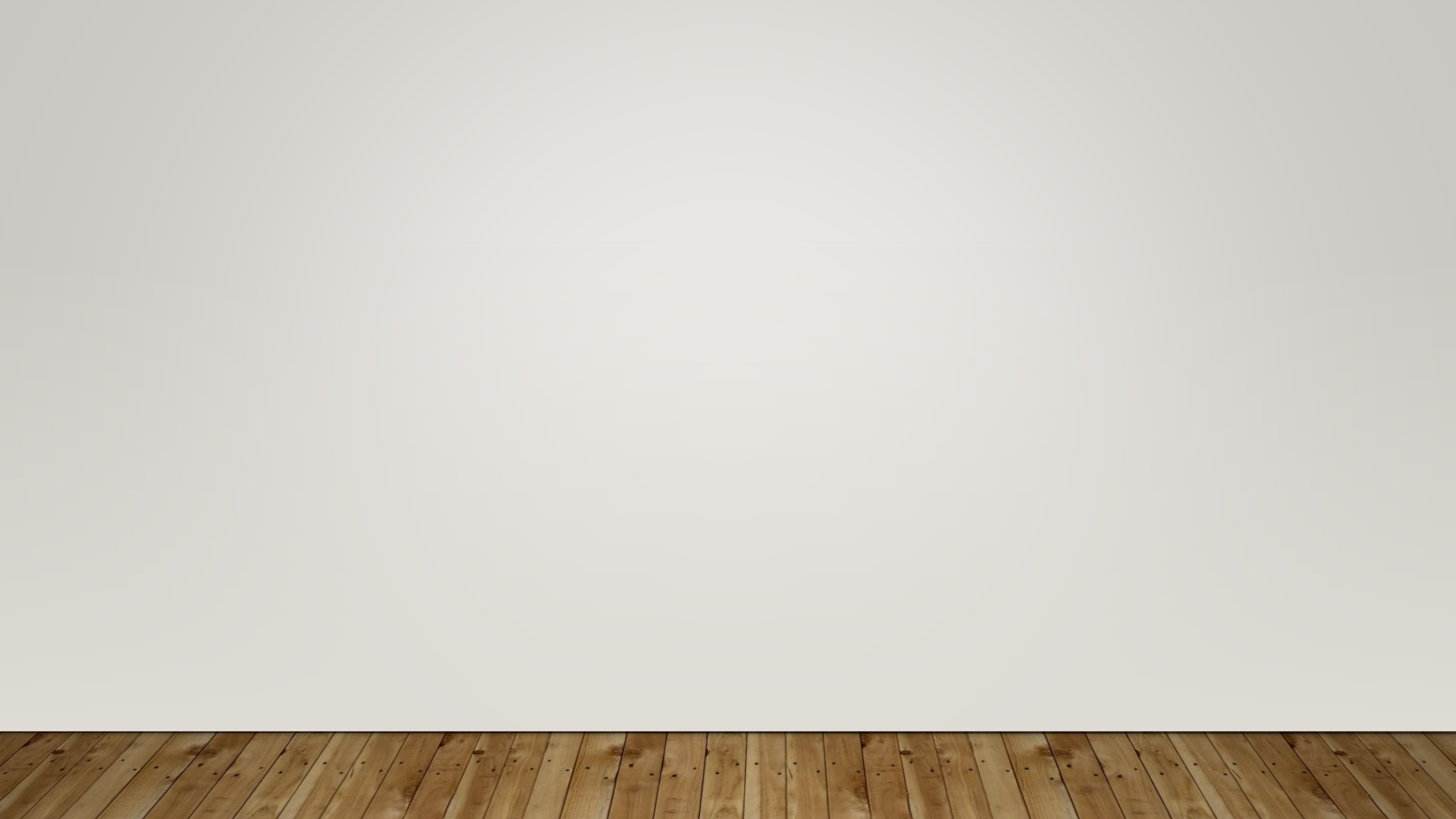
In Conclusion:

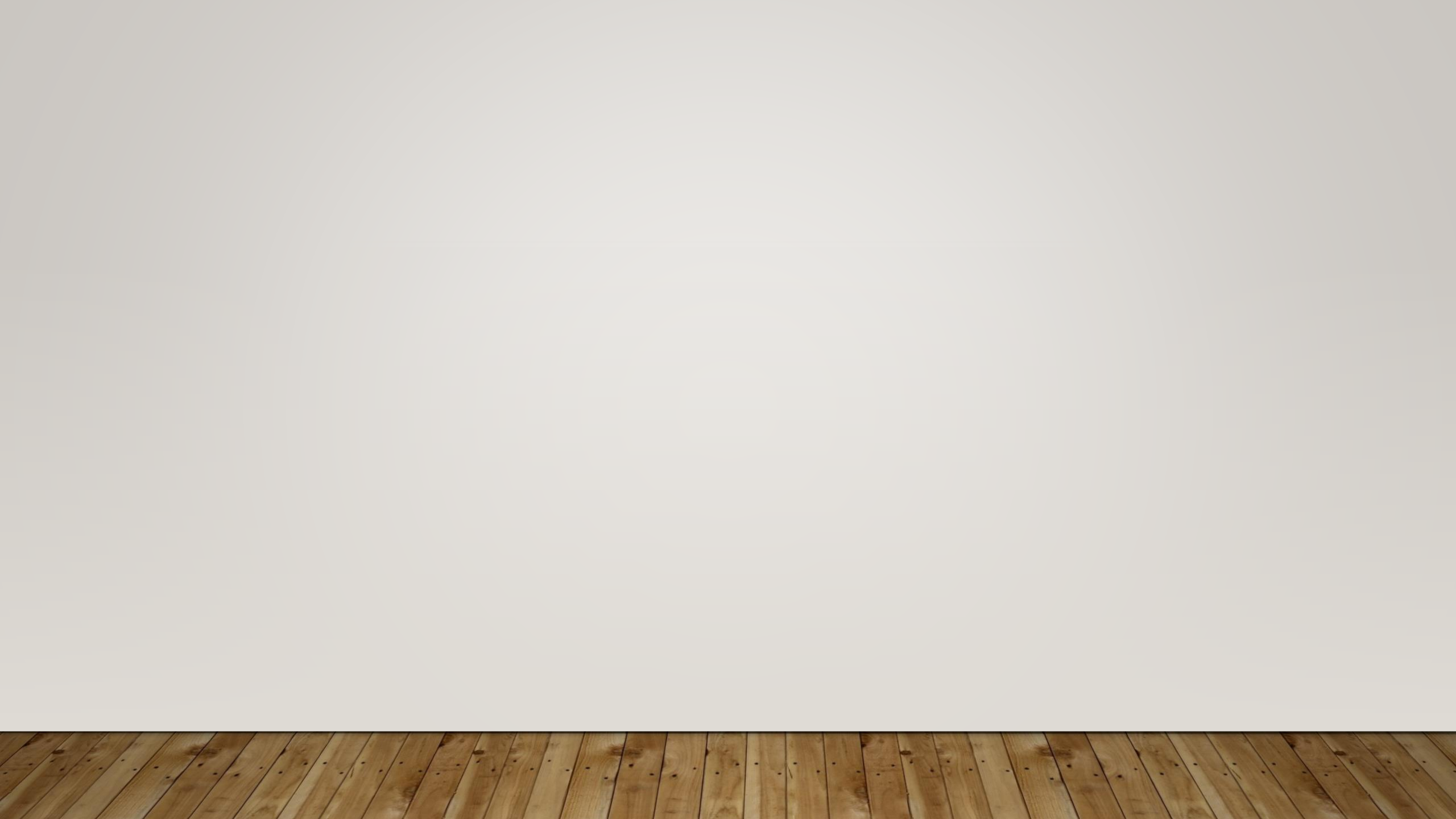
- Alleged Violation Reports are a great (and sometimes mandatory) way for you to tell us what happened after any incident.
- The information you submit helps the investigators enforce Act 50.
- Photographs and documents can give us information that it would take paragraphs to explain and helps both the investigators and the Committee to make fair decisions.

CONTACT INFORMATION

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WHAT WOULD YOU SAY THIS PHOTO IS TRYING TO CONVEY?



WHAT IS THE DAMAGE PREVENTION COMMITTEE OR DPC?

- The DPC was established by Act 50 of 2017.
 - 12 members covering many aspects of the Act including facility owners and excavators, all serving 3-year terms.
 - The DPC meet once a month to discuss cases as presented by the Damage Prevention Investigators.
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WHO IS THE DPC?

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- The DPC consists of 12 members representing the following interests:
 - a. One representative from PenDOT
 - b. President of PAOC
 - c. One representative from each of the following non-municipality owned facility owner industries: electric, natural gas, telephone, water or wastewater, cable/communications
 - d. Three representatives of excavators
 - e. One representative of municipal governments
 - f. One representative of municipal authorities

COMPLEX PROJECTS – DID YOU KNOW?

- Complex project tickets can be used for jobs that are smaller than what is stated in the law. If you are working in an area where there are a lot of facilities packed close together, you can declare a project complex.
- A complex project can be declared by any facility owner who feels that they have a need to do so.
- Complex project tickets can be used even if the area isn't one solid project in one straight line. For example, if you are going to do patch work in the road, you can place one complex project ticket instead of a lot of tickets for tiny little excavations. This can really help smaller facilities who may only have one locator. It can also help your working relationship with townships and boroughs because they pay for every One Call ticket that you place.
- Complex project tickets may be used for a project that covers more than one street.

LOCATING YOUR OWN LINES OR PRESERVING MARKS – PUT DOWN THAT PAINT!

- Actually, if the color of your paint is white, go ahead and use it. Don't use colors.

LOCATING YOUR OWN LINES OR PRESERVING MARKS – SO WHAT CAN I DO?

- If you find that your marks are fading but you don't need them for much longer, you can circle the marks with white paint. Do not paint over top of them.
- If you have used your own locate equipment to locate lines because a facility owner won't come out to locate, you can mark them in white to help your equipment operators avoid the lines.

