

**MaineDOT Utility Task Force Meeting  
December 2, 2014  
MaineDOT Conference Room 216  
Chair: Mike Moreau**

**Minutes Revised January 12, 2015**

**Attendee:** See list at end of document.

**Agenda:** 2014 Utility Accommodation Rules – Questions?? Discussion; 2015 project Advertise Schedule and 2016/2017 Info; Update from Gas Expansion Impacts “Best Practices” Sub-Committee; Recurring Items: Construction Lessons Learned; Open forum/Other Business

Mike Moreau opened the meeting by welcoming all to the meeting and asking for introductions to be done.

**2014 Utility Accommodation Rules – Questions?**

All received the updated version a month prior to the meeting

- Mike asked if there were any questions regarding the updates?  
Only comment was ‘not much we can do about it now’
- Mike: the point of the question is to help provide understanding of clauses if needed, or how would the Rules apply in a certain situation, etc.
- No Questions/Comments

**2015 Project Advertise Schedule & 2016/17 Info – Expected Dates of Publication**

- The scheduled shared in October was 98% correct – no change
- 2015 Schedule will be locked down later this month and will be posted in January
- 2016/2017 Work Plan will be posted to the web by March 2015
- Reminder: Map Viewer contains project data on all projects

**Gas Expansion Impact – “Best Practice” Sub-Committee**

Mike shared a quick overview of the minutes. (See attached Sub-Committee minutes)

This committee formed over the summer to address the impact of the Gas Utilities on other utilities.

- Gas Utilities impacts all other utilities –all committee members agree Title 35-A § 2501 (APPLICABILITY) should apply to all utilities. Recommendation to amend § if necessary
- MaineDOT Legal Department interprets 35-A MRSA, Chapter 25 to apply to all utilities in public highway rights-of-way, not just those mentioned in §2501.
- Title 35-A Chapter 45 NATURAL GAS PIPELINE UTILITIES: findings, conclusions, recommendations

Among other recommendations in this section, the committee minutes state: *“The 3 foot horizontal separation is still not optimal, or perhaps even adequate, for water, wastewater or storm water utilities that need to utilize trench boxes to access their facilities. Subsequent to the meeting it was noted by one attendee that, if gas were to be installed at a depth of 5’ or*

*greater, it may alleviate some concerns since a trench box could accommodate both at that depth.”*

One subcommittee member, Unitil, does not agree with this recommendation. Unitil stated that the existing DOT utility accommodation rules and MPUC 420 rules effectively reflect their position on both vertical and horizontal separation. The Best-Practices Subcommittee minutes potentially give the reader the impression that all utilities on the subcommittee were in agreement.

- Title 35-A Chapter 45 Natural Gas Pipeline Utilities – §4510 in general speaks to safety. Old 1955 statute, prior to the current PHMSA standards which are the relevant safety standards used today.
- Not seeing plans being submitted to the Commission for construction plans
- §4511 calls for a map which clearly set forth the proposed route
- However Chapter 420 (Safety Standard) stated the gas utilities’ annual submittals general mimic what is required in those section (§4510 & §4511).

### **Gas Facilities Constructed Too Close to Aerial Utility Poles - Discussion**

- Accommodation Rules discussed concerning the 3’ horizontal and 1’ vertical separation. 12” separation required in Chapter 420 is not optimal nor is the 3’ horizontal however if the gas installation was at a 5’ depth or greater may alleviate some concerns.
- Accommodation Rules cover state and state-aid highways, including Compact areas (unless more stringent municipal rule), but does not cover other town/public ways.
- Policy also requires notification of owners of other buried facilities.
  - o Permits being submitted – Municipality check on Utilities and distance but not poles on issuing permit
  - o When issues with poles occur said Utility is contacted but many times the Utility does not provide feedback at all
  - o Noted with CMP; needs to be a 10+ poles concern

Q – Does CMP reach out to other Utilities on poles? Did at one time; not seeing that as happening any longer.

- o Communication is key for all utility - Plans going to all in areas of permitting
- o Bangor Gas survey’s the ground to determine where pipeline will go. Not relying on Dig Safe markings only.
  - o If not able to meet the standard distance requirement, the utility is asking if an exception can be made in the area of concern
  - o There often are locations where physical/utility condition limit available separation, but all utilities should be talking about it
- o Having Dig Safe locates on Plans is a good thought
- o DOT Plans have utility information and are available to you at any time
- o 3’ separation outside of urban compact – slight improvement

Q – With DOT 3’ guideline – should the 12” be changed to 3’ as well? Keep consistence with DOT.

- o Chapter 420 12” safety standard is universal throughout the Country. Do we want to be otherwise?
- o We do not want to be closer than 12” but some area there just is not 12” available. Need to communication in these situations and be flexible as needed

- Municipalities are getting better with communicating. Did have water issues when not noted on Plans from Gas Company. Still have many Municipalities not communicating enough.
- See Water & Gas running in the same area – trench boxes need changing out. One Gas Company doing a poor job showing they are aware others utilities are in the areas.
- Many disappointed with one of the Gas Companies not being involved in this Task Force or at this meeting. Hard to communicate with them. This group works well together and would like them to be part of this as well.
- Process in place may not be the best but working on making better as we go.
- Not all feel Dig Safe is the way to go with Designing Plans – do not see their marking maintained well over the winter months.
  - Still need Dig Safe permit with Plans however
  - Prior meetings discussed amending Dig Safe guidelines to help the situation but Municipality concern – their right to govern
- Not all agree with the 12” guideline but all do agree communication is a must for all involved

### **Directional Bore Through Sewer Service Repairs**

- Violation assessed recently when Gas Company cut through a Sewer line for not locating underground utilities prior. Penalty issued, payment made and PUC reinforced the standard guidelines in place are to be followed. Doc # is available if you want to follow the process
- Any avoidance options? Condition are more important than other concerns
- Gas Companies wants the public to know they are the first point of contact. (??) Education people who to contact so gas lines are not drilled through. Summit does note the same on their web page.
- Not seeing that Sewer Utilities are being contacted. If Sewer Line is damage they want to know. – Can be added as The Commission has not signed off yet.
- Need to have Sewer Company’s contacted. Need to know if their Utility was damaged. See crashed stone working well – PUC direction being followed.
- Issue with Towns not reviewing Gas Company’s work because of the late hours they work.

### **Process Used**

- Legacy area – gas line already installed, camera used
- Borings – lateral location found
- Post construction inspection – line not active yet
- No lines – research what is there – Pre-construction inspection
- Best Practices – Pre Design process – GPS’s used
  - Success process and being used. Not all information is available to share; hopefully later
- Many utility do not see the process as an issue to them.
  - Question – what happens when the property owner will not allow borings? Lateral camera work
  - Question -What should Utilities be doing to comply with the process?

**Other** - MPUC Rulemaking is On-going – comments are allow.

### **Utility Policy 14-1 Adjusting Utility Structures for Mill –Fill projects. – Mike Moreau**

- Not seeing consistence in current construction

- Standard were set within the policy
- General approach (there's more in the policy – see attached)
  - o Grinding up to 2” in depth – contractor may use asphalt or rubber ramps around utility structures..... etc.
  - o Grinding over 2” in depth – or where 2 or more layers of pavement are planned (including shim).shall require the facility owners to lower their utility structures..... etc.
- Suggestions are welcomed on improving the Policy.

Comment – Utility coordinators and residents do a great job notifying the Utilities on these projects.

**Open Forum –**

DOT project over the summer – it was clear to the utility that the resident was not aware of the dig safe rules or how they work. We had to stop the excavator from digging into a 6-inch main.

- Some residents need the Dig Safe/Gas Line Training. Resident Consultants also
  - o Training need will be shared
  - o Readily available – there is a training schedule for March 2015 in Yarmouth. Free Training from PUC
  - o Not just the resident as DOT has job there they are doing the heavy equipment work – these people need the training as well.
    - Note: M&O received this training annually – Per Brian Burns

Thank you for coming and sharing your comments – good discussion.

Adjourned

Attachments:

Attendance List  
 Gas Infrastructure Expansion Best Practices Sub-Committee Minutes  
 MPUC Notice of Inquiry, Docket No. 2014-00315  
 MaineDOT Applicability of 35-A MRSA Chapter 25, October 29, 2014  
 Memorandum  
 Utility Policy 14-1, Adjusting Utility Structures for Mill-Fill Paving Projects

12/19/14 Minutes by  
 SWood

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