



## Pokagon Band of Potawatomi Indians

### Utility Locating & Excavation Policy

#### Definitions:

(a) “Excavation” - moving, removing, or otherwise displacing earth, rock, or other material below existing surface grade by hand digging, with power tools or power equipment, including, but not limited to, grading, trenching, tiling, digging, drilling, boring, augering, tunneling, scraping, cable or pipe plowing, and pile driving; and wrecking, razing, rending, moving, or removing a structure or mass of materials.

Exceptions may include...

- Replacing a fence post, sign post, or guardrail in its existing location.
- Any excavation performed at a grave site in a cemetery.
- Any excavation performed within a landfill.
- Routine road maintenance or preventative maintenance (12in depth max)
- “Normal” farming activity on agricultural property.
- Routine rail road maintenance activity

(b) “Positive Response” – Notification of status of a locate request. Have the underground facilities been marked? Do the utilities pose a conflict with the dig site?

**Contact Matthew Bussler for Positive Response status.**

(c) “Facility” or “underground facility”- An underground or submerged conductor, pipe, or structure, including, but not limited to, a conduit, duct, line, pipe, wire, or other device and its appurtenances used to produce, store, transmit, or distribute a utility service, including communications, data, cable television, electricity, heat, natural or manufactured gas, oil, petroleum products, steam, sewage, video, water, and other similar substances, including environmental contaminants or hazardous waste.

- Contact Matthew Bussler, Pokagon Band GIS Specialist and Utility Locator, 3-14 business days in advance of excavation. (Ticket is valid for 21 days)
- Locate request hours include Mon-Fri 8am-5pm
- If work is being done outside of normal business hours, Mon-Fri 8am-5pm, please notify Matthew Bussler.
- Response Guidelines :
  - 3 Days (72 Hours) – Standard Utility Locate Request
  - 3 Hours – Emergency, Additional Assistance, Lines Not Marked, or Positive Response Error (unmarked line is discovered by facility owner or operator).
  - 48 Hours – “Re-Stake” site that has been marked, but marks were destroyed.



- An excavator shall provide immediate additional notice to the notification system and stop excavation in the immediate vicinity if the excavator has reason to suspect the presence of an unmarked facility due to any one of the following:

(a) Visible evidence of a facility with no marks visible.

(b) Lack of a positive response to a ticket.

(c) A positive response from a facility owner or facility operator indicating the presence of a facility with no marks visible.

**No representatives other than the GIS Specialist, Director of Facilities, Building Official or a designee assigned by any of the stated representatives have authority to continue excavation after the suspicion or presence of an unmarked facility within the project area.**

- If work is being done within 4' of either side of a utility marker (Ex. Flag, Paint, Post, Etc.) hand-digging is **REQUIRED**.

If work is being done outside of the 4' zone either side of a utility marker hand-digging is **NOT REQUIRED**.

- If an excavator contacts or damages a facility, the excavator shall provide immediate notice to the facility owner or facility operator.

If an excavator damages a facility resulting in the escape of any flammable, toxic, or corrosive gas or liquid, or endangering life, health, or property, the excavator shall call 911 and provide immediate notice to the facility owner or facility operator. The excavator shall also take reasonable measures to protect the excavator, those in immediate danger, the general public, and the environment until the facility owner or facility operator, or emergency first responders, have arrived and taken control of the site.

- The Pokagon Band of Potawatomi Indians utilize flags and paint with APWA Utility Color Standards.

### **APWA UTILITY COLOR CODES**

**Natural Gas & Oil**

**Electric**

**Communications & Cable TV**

**Water**



**Drain & Sewer**  
**Reclaimed Water, Irrigation & Slurry**  
**Survey Proposed Excavation**

- New facilities being built shall be constructed in a manner that allows their detection when in use.
- Camping Guidelines – Utility locate is required for tent stake installation greater than 1' depth.
- Landscape Guidelines – Utility locate is required for all landscape modifications or improvements.

**Penalties and enforcement for violating policy:**

First Violation - up to \$5k plus cost of repair

Second Violation – up to \$10k plus cost of repair and evidence of training provided to the Pokagon Band

Third Violation – up to \$15k plus cost of repair

Repairs must be complete by timeframe established by the Pokagon Band.

**Contact Information:**

Matthew Bussler

GIS Specialist

Pokagon Band of Potawatomi

Office # 1-(269)-462-4258 **Leave a message if not answered.**

E-Mail – [Matthew.Bussler@Pokagonband-nsn.gov](mailto:Matthew.Bussler@Pokagonband-nsn.gov)