



REGULATION CHANGES AND BEST PRACTICES FOR UNDERGROUND LOCATES

**Municipal Engineers Association
Board Presentation - November 15, 2022**





WHO IS ONTARIO ONE CALL?

- Established under the Ontario Underground Infrastructure Notification System Act, 2012 (Bill 8, 'One Call Act')
- Not-for-profit company with Board representation from various industry sectors: Municipal & Gov't, Telecom, Gas & Oil, Electricity, Excavators and other Property Owners
- Operate Notification System – communication link between those who want to dig and those who own underground infrastructure
- Education and promotion of best practices
- Monitor locate performance of members and assign penalties





HIGH-LEVEL RESPONSIBILITIES

Excavator

- Required to request a locate through Ontario One Call before they excavate.
- Can only excavate if they have received valid locates (field markings & paperwork) or clearances from all Notified Members

Member

- Underground Infrastructure owners must be Members and provide mapping of their underground infrastructure
- Members must provide locates when notified by Ontario One Call of an excavation and update Ontario One Call's 360 Feedback upon completion within the legislated timeframes

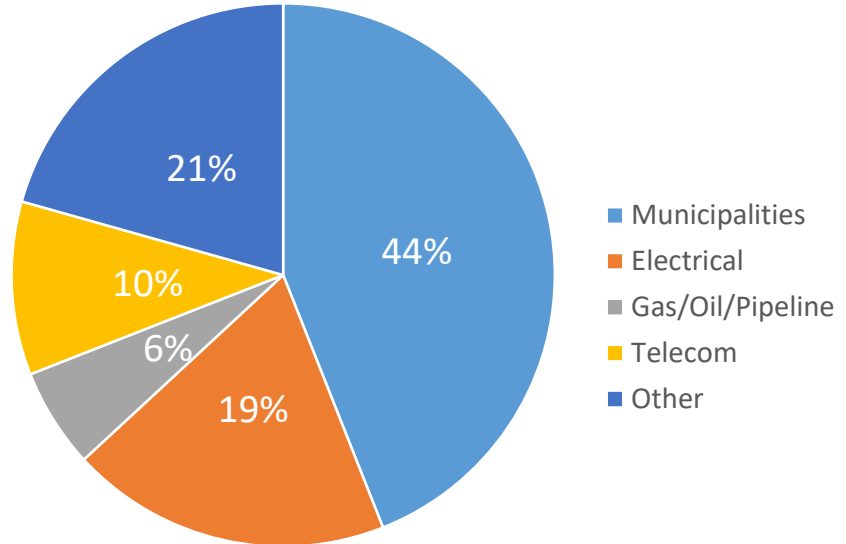




MEMBERS OF ONTARIO ONE CALL

Members of Ontario One Call

- All Municipalities are Members of Ontario One Call
- Municipalities represent 44% of Ontario One Call's Membership





REGULATION CHANGES

GETTING ONTARIO CONNECTED ACT

- Bill 93, the Getting Ontario Connected Act, received royal assent on April 14th, 2022, and significantly updated One Call Act
 - Schedule 1 – Amends Building Broadband Faster Act, 2021
 - Schedule 2 – Amends the Ontario Underground Infrastructure Notification System Act, 2012
- Main Reasons
 - Enable faster delivery of broadband projects
 - Remove barriers for the timely delivery of locates, enhance governance and oversight
 - Improve compliance tools





REGULATION CHANGES...

GETTING ONTARIO CONNECTED ACT

- **Schedule 1 – Amends Building Broadband Faster Act, 2021**
 - Advance notification requirements, 60 day compliance timeline for works required to support broadband projects
 - Municipal service and right of way access application timelines:
 - 10 business day response for projects 30 kms or less
 - 15 business day response for projects more than 30 kms
 - Data sharing timelines: within 15 days of notification for infrastructure within 10 metres of a broadband project
 - Prescribed use of Dedicator Locator for broadband projects with some exceptions for main transmission lines of Gas, Oil & Hydro





REGULATION CHANGES...

GETTING ONTARIO CONNECTED ACT

- **Schedule 2 - Amends the Ontario Underground Infrastructure Notification System Act, 2012**
 - Mandated use of Dedicated Locator for certain projects w/ 90 days notification – excludes main transmission lines of Gas, Oil & Hydro
 - New penalty/compensation mechanisms for excavators/members
 - Prohibitions including locate requests 30 days prior to an excavation planned start and ticket dumping
 - Locate sharing permitted
 - Minimum locate validity period of 60 days
 - Requirements for publishing member Locate Performance
 - Mandatory MOU and Ministry input on Board Composition





PENDING REGULATIONS...

- Draft Regulations which outline Ontario One Call's Administrative Penalty Regime:
 - Strengthen enforcement
 - Promote compliance
- The regime would allow for daily penalties to be imposed for the prescribed contraventions.
 - For example, if a standard locate is delayed beyond the legislated five business days, each day the locate is delayed could be subject to \$500 daily penalties for this contravention. Total penalty amount for a contravention would not exceed \$10,000.
- One Call would be responsible for determining which compliance and/or enforcement tools it exercises in a particular situation.
- The Proposed Regulation is on Ontario's Regulatory Registry and Feedback is due by November 21, 2022





BEST PRACTICES TO BE COMPLIANT

- 1. Update Mapping with Ontario One Call.** Not providing accurate, up-to-date, or refined mapping could create over notifications.
 - Establish and use pre-clearance criteria to reduce field locates
 - Less Notifications = More available resources to improve locate delivery services
- 2. Use Dedicated Locator Model for Municipal projects** – one locate service provider (DSLPP) for all Member Locates for the entirety of the project
 - Speeds up Municipal projects – keeps them on-time and in-budget
 - More efficient use of locator resources
- 3. Accurate Locate Request Submissions** – Have the contractors who work for you become certified Locate Administrators, via the Professional Locate Administrator Course (PLAC)
 - Improve locate requests and reduce delays
 - Mitigates suspended tickets
 - Avoid misuse and abuses of the system





DEDICATED LOCATOR COMPONENTS

Project Owner

- Selects Dedicated Locator Provider
- Pays for Service
- Submits 90 day Project Notice to Ontario One Call
- Enters Agreement with DLSP

Ontario One Call

- Communication link
- Identify Members in the vicinity of work area
- Notify affected Members of proposed Dedicated Locator Project
- Liaison with Project Owner, Members, and DLSP

Infrastructure Owners (ON1Call Members)

- Required to be part of Dedicated Locator Program
- Enters Agreement with DLSP
- Provides records/mapping within 10 business days of project notification

Dedicated Locator Service Provider (DLSP)

- Single resource providing all locates for DL project
- Enters Agreements with Infrastructure Owners and Project Owner
- Complete all locates within 10 business days or as instructed by Project Owner





MORE INFO:

- Ontario One Call: www.ontarioonecall.ca
- Dedicated Locator Model: <https://www.ontarioonecall.ca/dl/>
- Professional Locate Administrator Course (PLAC):
 - Self-guided online course available 24/7 (\$96)
www.ontarioonecall.ca/plac/
- General Inquiries: Solutions@OntarioOneCall.ca