

WAC 480-120-445 Damage reporting requirements. (1) Facility operators and excavators, as defined in RCW 19.122.020 (10) and (11), who observe or cause damage to an underground facility must report the damage event to the commission using either the commission's web-based damage reporting tool or its successor, or the damage reporting form located on the commission's web site.

(a) Each report must include the subject matter set forth in RCW 19.122.053 (3)(a) through (n).

(b) If the facility operator believes that the excavation was started before a facilities locate was completed, the facility operator must also report the name, address, and phone number of the person or entity that the facility operator has reason to believe may have caused the damage. The facility operator must include this information in the comment section of the web-based damage reporting tool form or send it to the commission separately. If the facility operator chooses to send the information separately, it must include sufficient information to allow the commission to link the name of the party believed to have caused the damage with the damage event reported through the damage reporting tool.

(c) Each facility operator must retain for a period of two years all damage claim records it creates related to damage events, including photographs and documentation supporting any conclusion under (b) of this subsection that a facilities locate was not timely completed, and it must make those records available to the commission upon request.

(2) Each facility operator must provide to an excavator who damages an operator's facility the following information set forth in chapter 19.122 RCW:

(a) Notification requirements for excavators under RCW 19.122.050(1);

(b) A copy of RCW 19.122.053; and

(c) Information concerning the safety committee referenced under RCW 19.122.130, including committee contact information, and the process for filing a complaint with the safety committee.

(3) In determining a facility operator's compliance with subsection (2) of this section, the commission will consider whether the facility operator made reasonable efforts to comply in light of the particular circumstances. Such circumstances may include, but are not limited to, concern for the safety of an employee, whether an excavator accepts the information provided by the facility operator, and whether the facility operator knows, or reasonably should know, the identity of the excavator.

(4) A facility operator conducting an excavation, or a subcontractor conducting an excavation on the facility operator's behalf, that strikes the facility operator's own underground facility is not required to report that damage event to the commission, pursuant to RCW 19.122.053(2).

[Statutory Authority: Chapter 19.122 RCW, RCW 19.122.053, 80.01.040, and 80.04.160. WSR 15-08-043 (Docket UT-140680, General Order R-580), § 480-120-445, filed 3/26/15, effective 4/26/15.]