

Kansas Administrative Regulations

Kansas Corporation Commission

Article 14.—The Kansas Underground Utility Damage Prevention Act

82-14-1. Definitions.

The following terms as used in the administration and enforcement of the Kansas underground utility damage prevention act, K.S.A. 66-1801 et seq. and amendments thereto, shall be defined as specified in this regulation.

(a) "Backreaming" means the process of enlarging the diameter of a bore by pulling a specially designed tool through the bore from the bore exit point back to the bore entry point.

(b) "Commission" means the state corporation commission of Kansas.

(c) "Drill head" means the mechanical device connected to the drill pipe that is used to initiate the excavation in a directional boring operation. This term is sometimes referred to as the drill bit.

(d) "Excavation scheduled start date" means the later of the start date stated in the notice of intent of excavation filed by the excavator with the notification center or the start date filed by the excavator with a tier 2 member or tier 3 member.

(e) "Excavation site" means the area where excavation is to occur.

(f) "Locatable" has the meaning of that word as used in "locatable facility," which is defined in K.S.A. 66-1802 and amendments thereto. In addition to the requirements for locating underground facilities, as specified in K.S.A. 66-1802 and amendments thereto, the operator shall be able to locate underground facilities within 24 inches of the outside dimensions in all horizontal directions of an underground facility using tracer wire, conductive material, GPS technology, or any other technology that provides the operator with the ability to locate the pipelines for at least 20 years.

(g) "Locate" means the act of marking the tolerance zone of the operator's underground facilities by the operator.

(h) "Locate ball" means an electronic marker device that is buried with the facility and is used to enhance signal reflection to a facility detection device.

(i) "Meet on site" means a meeting between an operator and an excavator that occurs at the excavation site in order for the excavator to provide an accurate description of the excavation site.

(j) "Notice of intent of excavation" means the written notification required by K.S.A. 66-1804 and amendments thereto.

(k) "Notification center," as defined in K.S.A. 66-1802 and amendments thereto, means the underground utility notification center operated by Kansas one call, inc.

(l) "Pullback operation" means the installation of facilities in a directional bore by pulling the facility from the bore exit point back to the bore entry point.

(m) "Pullback device" means the apparatus used to connect drilling tools to the facility being installed in a directional bore.

(n) "Reasonable care" means the precautions taken by an excavator to conduct an excavation in a careful and prudent manner. Reasonable care shall include the following:

(1) Providing for proper support and backfill around all existing underground facilities;

(2) using nonintrusive means, as necessary, to expose the existing facility in order to visually determine that there will be no conflict between the facility and the proposed excavation path when the path is within the tolerance zone of the existing facility;

(3) exposing the existing facility at intervals as often as necessary to avoid damage when the proposed excavation path is parallel to and within the tolerance zone of an existing facility; and

(4) maintaining the visibility of the markings that indicate the location of underground utilities throughout the excavation period.

(o) "Tier 1 member" means any operator of a tier 1 facility, as defined in K.S.A. 66-1802 and amendments thereto, or any operator of a tier 2 facility, as defined in K.S.A. 66-1802 and amendments thereto, that elects to be a tier 1 member of the notification center pursuant to K.A.R. 82-14-3.

(p) "Tier 2 member" means any operator of a tier 2 facility, as defined in K.S.A. 66-1802 and amendments thereto, that elects to be a tier 2 member of the notification center.

(q) "Tier 3 member" means any operator of a tier 2 facility, as defined in K.S.A. 66-1802 and amendments thereto, that meets the requirements for a tier 3 facility, as defined in K.S.A. 66-1802 and amendments thereto, and elects to be a tier 3 member of the notification center.

(r) "Tolerance zone" has the meaning specified in K.S.A. 66-1802 and amendments thereto. The tolerance zone shall not be greater than the following:

(1) 25 inches for each tier 1 facility; and

(2) 61 inches for each tier 2 facility.

(s) "Trenchless excavation" means any excavation performed in a manner that does not allow the excavator to visually observe the placement of the new facility. This term shall include underground boring, tunneling, horizontal auguring, directional drilling, plowing, and geoprobing.

(Authorized by and implementing K.S.A. 2008 Supp. 66-1815; effective Jan. 19, 2007; amended July 6, 2009.)

***** Authenticated Kansas Administrative Regulation *****