

**367.4909 Operator to provide protection notification center access to excavators -- Color coding for temporary underground facility markers -- Operator's inability to comply due to extraordinary circumstances.**

- (1) Each operator shall provide protection notification center access to excavators.
- (2) Voluntary operator membership in the one-call center shall satisfy the requirement of subsection (1) of this section.
- (3) Each operator member of the one-call center shall provide and update as needed to the one-call center the general location of its facilities, the operator identity and business address, and emergency notification telephone numbers.
- (4) An operator shall, within two (2) business days after receiving notification from an excavator:
  - (a) Inform the excavator of the approximate location and description of any of the operator's facilities that may be damaged or pose a safety concern because of excavation or demolition;
  - (b) Inform the excavator of any other information that would assist in locating and avoiding contact with or damage to underground facilities;
  - (c) Unless permanent facility markers are provided, provide temporary markings to inform the excavator of the ownership and approximate location of the underground facility; and
  - (d) Notify the requesting party if underground facilities are not in conflict with the excavation or demolition.
- (5) Temporary underground facility markers shall consist of paint, chalk, flags, stakes, or any combination thereof and shall conform to the following standards of the American Public Works Association uniform color code:

(a) Electric power distribution and transmission	Safety Red
(b) Municipal electric systems	Safety Red
(c) Gas distribution and transmission	High visibility safety yellow
(d) Oil distribution and transmission	High visibility safety yellow
(e) Dangerous materials, product lines	High visibility safety yellow
(f) Telecommunication systems and cable television	Safety alert orange
(g) Temporary survey markings	Safety pink
(h) Police and fire communications	Safety alert orange
(i) Water systems	Safety precaution blue
(j) Sewer and storm drainage systems	Safety green
(k) Proposed excavation or construction boundaries	White
(l) Reclaimed water, slurry, and irrigation facilities	Purple
- (6) If extraordinary circumstances exist, an operator shall notify the excavator of the operator's inability to comply with this section. Extraordinary circumstances include extreme weather conditions, disasters, or civil unrest that make timely response difficult or impossible.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 180, sec. 2, effective July 15, 2008. -- Amended 2000 Ky. Acts ch. 222, sec. 2, effective July 14, 2000. -- Created 1994 Ky. Acts ch. 425, sec. 5, effective January 1, 1995.