



December 7, 2020

ELECTRICAL FACILITY CLEARANCE REQUIREMENTS

Enclosed please find a copy of Chugach Electric Association, Inc.'s (Chugach) Electrical Facility Clearance Requirements policy. Periodically, copies of this policy are mailed out to various companies and agencies whose activities may bring their personnel in close proximity to Chugach's electrical facilities. Chugach distributes copies of this policy in an effort to help minimize and identify potential hazards for construction personnel and the general public. In addition, Chugach is concerned with preventing damage to its electrical facilities and any disruption of electrical service to its customers. Please note that the Electrical Facility Clearance Requirements publication may be found on Chugach's website at: www.chugachelectric.com. Click on the "Member Services" tab and go to "Regulations & Requirements", click on "Electrical Facility Clearance Requirements" (December 7, 2020).

For your additional information, Alaska State Statute ("AS 42.30.400 " Excavator's Notice of Proposed Excavation") has been included as an attachment.

Please thoroughly read and understand the entire document. It could save your life or the life of your employees and the public. We request that particular attention be paid to the following provisions:

(Paragraph B. 2.) "Under no circumstances will Chugach allow any of its underground cable(s) to remain energized after it has been exposed, unless it is protected by supplementary mechanical protection approved by Chugach or unless a *qualified person* is on site at all times".

(Paragraph H. 7.) "Chugach defines a *qualified person* as a journeyman lineman who holds a current Certificate of Fitness in the Journeyman Lineman category issued by the State of Alaska". These two provisions clearly emphasize Chugach's position relating to the exposure and approach to energized facilities.

Chugach strongly recommends that prior coordination takes place between Chugach and the construction entity or contractor, either during the design phase of a project or prior to the start of construction, to help eliminate or minimize conflicts. If you have questions, please contact the Line Operations Division at (907) 762-7679 and your call will be directed to the appropriate department for assistance.

Sincerely,

A handwritten signature in black ink that reads "James Mullican".

James Mullican
Senior Manager Line Operations

Enclosures

cc: MOA Development Services; State of Alaska OSHA Inspector; SOA Electrical Inspector; AGC, Cook Inlet Housing, GCI, ACS, Enstar, AWWU, Anchorage Home Builders Association

Chugach Electric Association, Inc.

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CHUGACH ELECTRIC ASSOCIATION, INC.

CLEARANCE REQUIREMENTS FOR CONSTRUCTION OR MAINTENANCE NEAR ELECTRICAL FACILITIES

Chugach's concern for the safety of non-qualified personnel working adjacent to its electrical facilities, its concern for the public in general, and its requirement that only *qualified personnel* under the employ of *qualified electrical contractors* handle electrical facilities such as conductors, cables, poles, transformers, padmounted equipment, etc., is based upon the following considerations:

- The potential for serious injury and resulting liability is extremely high when dealing with all electric utility voltage levels up to 230,000 volts on overhead and underground lines.
- Certain types of equipment, particularly cable, can easily be damaged by improper handling. For example, when cable is hit or improperly suspended (common during excavation adjacent to cables), the scraped, cut, or stressed insulation will almost always result in premature cable failure. The highest risk to unqualified personnel is a cable failure while the cable is being handled during excavation or construction. Undetected cable damage may result in a subsequent cable failure with consumer outages for periods of up to a week's duration during winter conditions.
- The inherent stability of overhead pole lines or padmounted equipment is jeopardized with improper excavation and backfill, often resulting in hazardous voltage exposure to the public and contractors and leads to consumer power outages.

The above concerns can be minimized by the use of properly trained, licensed, and certified electrical outside linework personnel. The National Electrical Safety Code (NESC), the United States Occupational Safety and Health Administration (OSHA) and the Alaska State OSHA support this position as well as the clearances addressed herein.

The NESC, defines "*qualified*" as "*Having been trained in and having demonstrated adequate knowledge of the installation, construction, or operation of lines and equipment and the hazards involved, including identification of and exposure to electric supply and communication lines and equipment in or near the workplace.*" Only qualified persons are permitted to handle or work on or adjacent to energized electrical facilities. This includes not only overhead pole lines but also padmounted

and underground facilities. Within the NESC, two rules specifically address the need for qualified persons to perform work on or near energized facilities:

Rule 420B1 states, *"Employees whose duties require working on or in the vicinity of energized equipment or lines shall perform only those tasks for which they are trained, equipped, authorized, and so directed. Inexperienced employees shall: (a) work under the direction of an experienced and qualified person at the site; and (b) perform only directed tasks."*

Rule 420B4 states, *"Employees who do not normally work on or in the vicinity of electric supply lines and equipment but whose work brings them into these areas for certain tasks shall proceed with this work only when authorized by a qualified person."*

OSHA 29CFR 1910.269 contains the training and documentation requirements for a qualified person.

OSHA 29CFR 1926.1408 addresses equipment operations near electrical lines. If any part of the equipment, when operated up to the equipment's maximum working radius, could get closer than twenty (20) feet to a power line, then the operator must notify the utility, verify line voltage, and implement one of the safety options in OSHA 29CFR 1926.1408.

At no time may equipment violate minimum required clearance to an energized power line: ten (10) feet for lines up to 50 kilovolts (kV), or ten (10) feet plus 0.4 inches per one (1) kV over 50 kV. Minimum clearances are provided below for common Chugach system voltages.

CHUGACH SYSTEM VOLTAGES	
Normal Voltage (Phase-to-Phase)	Minimum Clearance Required At All Times
Operations Near High-Voltage Overhead Power Lines to 50 kV	10 Feet
Over 50 kV to 200 kV	15 Feet
Over 200 kV to 350 kV	20 Feet

Specifically, 29CFR1926.1408 (b)(4)(ii) requires a "Safety Observer" during equipment operations if the equipment is operating where it is difficult for the operator to maintain twenty (20) feet of clearance to the overhead power line(s) by visual means. Alaska Statutes (AS) Sections 18.60.670 through Section 18.60.695 govern placement and operation of equipment near electrical lines or conductors. 29CFR1926, Subpart P addresses the specific requirements involved with trenching operations. These include prior notice to utility companies, prior location of utility facilities, and proper supports once the facilities are exposed. Furthermore, 29CFR Sections 1910.180; 1910.333; 1926.416; and 1926.651 regulate activities relative to job site electrical facilities.

In summary, Chugach's concern for the safety of all personnel affected by work adjacent to its energized facilities has led to the development of the attached policy.

ELECTRICAL FACILITY CLEARANCE REQUIREMENTS

The following requirements have been developed to help provide a safer work site to those personnel working adjacent to Chugach's electrical facilities and to protect Chugach facilities that are in proximity to the area of work being done by State or Municipal entities and private construction and maintenance projects.

A. NOTIFICATION

It is recommended that Chugach be informed of construction/maintenance activities as early as possible in the design process and be included in timely plan reviews. Any work that needs to be performed on Chugach facilities must have prior Chugach approval.

1. Overhead Facilities

Any work in the proximity of overhead power lines shall be preceded by a call to Chugach at (907) 762-7679, at least 48 hours in advance, as notification of the planned work and compliance with OSHA 29CFR1926 (1408), and AS 18.60.670. If equipment, tools, machinery, or material must work in proximity closer than the minimum clearances outlined in OSHA 29CFR1926 (1408), and AS 18.60.670, the requirements of AS 18.60.680 shall be implemented before work can proceed. All necessary arrangements with Chugach by the requesting party for compliance with AS 18.60.680 shall be arranged in advance of the project start date.

2. Underground Facilities

Alaska Statutes 42.30.400 through 42.30.490, Anchorage Municipal Code, 24.40 and 26.90, and 29CFR1926, Subpart P place requirements on contractors who will be excavating around or adjacent to underground utilities. Advance notification requirements, underground facility locates, and the responsibilities for protection of utility facilities by contractors are specified in these regulations. All requests for locates of Chugach's underground facilities are to be made through the Alaska Digline at 811. Prior to excavation, Chugach's Line Operations Department shall be contacted at (907) 762-7679 a minimum of two (2) business days in advance of construction.

Locate surface markings are only reasonably accurate to +/- two (2) feet. Chugach and State law require hand-digging within two (2) feet of locate marks. In some cases, hand-digging may be required within three (3) or four (4) feet of the markings, depending on the facility involved and field

conditions at the project site. Maintaining locate marks is the responsibility of the party requesting the locate. Chugach may charge for re-locating and re-marking facilities that were previously marked.

B. UNDERGROUND CABLE EXCAVATION

1. Any excavation which is within a three (3) foot radius of a cable and parallels a cable for a distance greater than twenty (20) feet in length (see Section H.1 below) may require relocation of that cable. Excavations shorter in length and/or closer may also require relocation. At a minimum, cables that will require exposure must be exposed by *hand-digging* only, by a *qualified person* under the employ of a *qualified electrical contractor* (see Section H). See Drawing No. F-062388 attached.
2. Any excavation, such as a trench which crosses cable and/or conduit, shall be limited to twenty (20) feet in width and have provisions for the exposed cable/conduit to be supported every two (2) feet on a Chugach approved support system, to prevent cable damage. The cable support work and excavation within the three (3) foot radius (see Section H-1) shall be performed by a *qualified person* under the employ of a *qualified electrical contractor*.

NOTE: When excavation must occur within the limits specified in B.1, and B.2, above, reasonable efforts will be made by Chugach to de-energize the cable if system conditions and personnel requirements allow. Even if the cable has been de-energized, a "Cable Watch" by a qualified person under the employ of a qualified contractor is still required. To request the de-energization of the cable, contact the Chugach Line Operations Department at (907) 762-7679 and your call will be directed to the appropriate department for assistance. Requests must be made three (3) business days in advance of the outage date requested. For emergencies, contact Chugach's Dispatch Center at (907) 762-4660.

Under no circumstances will Chugach allow any of its underground cable(s) to remain energized after it has been exposed, unless it is protected by supplementary mechanical protection approved by Chugach or unless a qualified person is on site at all times.

3. Should any cable be exposed by non-qualified personnel, Chugach must be immediately contacted for field investigation before work may resume in the immediate area of such exposed cable.

Chugach recognizes that reasonable continuation of work may be required around energized underground cables after Chugach inspects the site. When this occurs, it is the responsibility of the construction contractor working at the site to arrange for qualified personnel as well as payment of the costs of said personnel and/or equipment. Chugach will neither arrange for, nor provide qualified personnel to satisfy this requirement unless Chugach determines this course of action is in its best interest, on a case-by-case basis. Where Chugach is otherwise forced to subsequently take steps to ensure the safety of the site, Chugach will advise the construction contractor that Chugach will pass these costs to the construction contractor.

4. In all cases, a final minimum burial depth of forty (40) to sixty (60) inches for primary-voltage (above 1000 volts) circuits and thirty (30) inches for secondary voltage (480V or below) circuits shall be maintained. If, however, existing Federal, State, or Municipal permit conditions require depths in excess of forty (40) inches, then the cable/conduit shall be buried at the depth required in the permit. The depth is measured from the top of the cable/conduit to final grade at the shallowest depth. Burial shall be in compliance with Chugach Construction Standard SUR 2-3, 5 or 6 (supplied upon request).
5. Projects that will increase final grade to sixty (60) inches or greater above Chugach direct buried cable shall require relocation at the customer's expense. Where cables are in conduit, review and written approval by Chugach is required for proposed grade changes resulting in a burial depth of sixty (60) inches or greater.
6. Projects which propose to modify the grade over Chugach's underground cables/circuits at voltages above 25kV require review and written approval by Chugach in all cases.
7. Excavations near underground cable/circuits energized above 25kV will require the following:
 - a) Excavation Adjacent to Cables/Circuits Energized Above 24kV
Chugach will require its Locate Contractor to notify excavators when a locate request includes the locating of cables are energized above 25kV.

When excavation is planned that will come within ten (10) feet, expose, parallel, or undermine sections of Chugach's underground cables energized above 25kV, special precaution and safety

consideration must be taken. These distribution and sub-transmission cables operate at voltages of 34.5kV (34,000 volts) and transmission cables operate above 34.5kV up to 230kV (230,000 volts), provide power to tens of thousands of Chugach customers and require extraordinary protection. The following guidelines shall apply:

Chugach Line Operations Department shall be contacted at (907) 762-7679 in advance of the planned excavation a minimum of five (5) business days prior to beginning excavation. Chugach requires that a *qualified person* be on site at all times during excavation activity that comes within ten (10) feet of any circuit cable energized above 24kV. The contractor shall arrange and pay for a *qualified person* from Chugach or, with approval, from one of Chugach's approved and *qualified contractors*. Excavations closer than ten (10) feet shall require exposure of the cables (vac-truck, pot-holing or other approved means) at the intersecting point or at intervals of not less than every twenty-five (25) feet for parallel excavations by *qualified personnel* to determine the exact location of the cable prior to machine excavation.

Excavations within ten (10) feet of cables energized above 25kV can expose unqualified workers to potentially high fault currents and extremely unsafe conditions. Prior planning by the construction contractor with coordination and approval from Chugach for any excavation projects within ten (10) feet of circuits or cables energized above 25kV is mandatory.

Chugach may require a special locate utilizing Ground Penetrating Radar to locate critical facilities. "Pothole" locates utilizing vacuum excavation in conjunction with an air-knife tool may be used, with Chugach approval.

C. STRUCTURE EXCAVATION

1. Equipment Pads or Vaults

Temporary excavation is allowed with a maximum slope of 1:1 beginning three (3) feet from the exterior edge of a concrete pad or vault. The final grade shall consist of a level area radiating out a minimum of four (4) feet, measured from the exterior edge of the pad or vault, and a maximum slope of 2:1 beginning from that four (4) foot distance from the exterior edge of the pad or vault. For both temporary and final grade situations, a level

area extending ten (10) feet out from the edge of the concrete pad in front of equipment doors or access panels is necessary. Refer to Drawing No. F-062388 attached.

If the slope cannot be maintained at the grades specified above, additional protection such as barriers or piling is required. All shoring and excavation (closer than the above limits) shall be done by a qualified person(s) under the employ of a qualified electrical contractor.

2. Concrete-Encased Duct

Excavation wider than five (5) feet under a concrete-encased duct requires a method designed and certified by an Alaska-registered civil engineer and approved by Chugach. Installation of the temporary shoring or bracing shall be done under the supervision of a qualified person under the employ of a qualified electrical contractor.

D. POLE/GUY ANCHOR EXCAVATION

Excavation beginning no closer than a three (3) foot radius from a pole or guy anchor in stable soil conditions or a ten (10) foot radius from a pole or guy anchor in organic/unstable soil conditions is allowed, provided the slope from that point does not exceed 1:1. Refer to Drawing No. F-062388 attached.

Excavation closer than the limits defined above or within a ten (10) foot radius of more than one consecutive pole where excavation will be open while more than one pole is affected, may require shoring of each pole. Chugach review and approval of a shoring plan is required for all excavations where more than one pole is subject to an open excavation. Pole shoring shall be approved by Chugach for the specific excavation. All work for installing poles must be performed within OSHA guidelines. Shoring by other methods requires prior approval by Chugach on a case-by-case basis. Streetlight poles may be temporarily removed, subject to a written agreement with Chugach, prior to excavation.

Any excavation that may expose the pole butt requires a structural analysis of the pole shoring method. The analysis shall be performed by an Alaska-licensed professional engineer familiar with electrical transmission and distribution design standards in use by Chugach. Chugach also reserves the right, at contractor expense, to have a structural engineer examine any excavation deeper than the pole butt within a fifteen (15) foot radius of the pole.

All shoring and excavation (closer than the above limits) shall be done by a qualified person under the employ of a qualified electrical contractor.

E. RELOCATION REQUIRED

Where protection of the cable and structures cannot be maintained, as required in Sections A, B, and C, relocation of those facilities will be required prior to the intended work and at the contracting agency's expense.

F. BACKFILL

Replacement backfill for electrical facilities must be in accordance with Chugach specifications and performed by a qualified person under the employ of a qualified electrical contractor.

A damaged underground facility may not be reburied until it is repaired or relocated to the satisfaction of Chugach.

G. INSPECTION AND APPROVAL

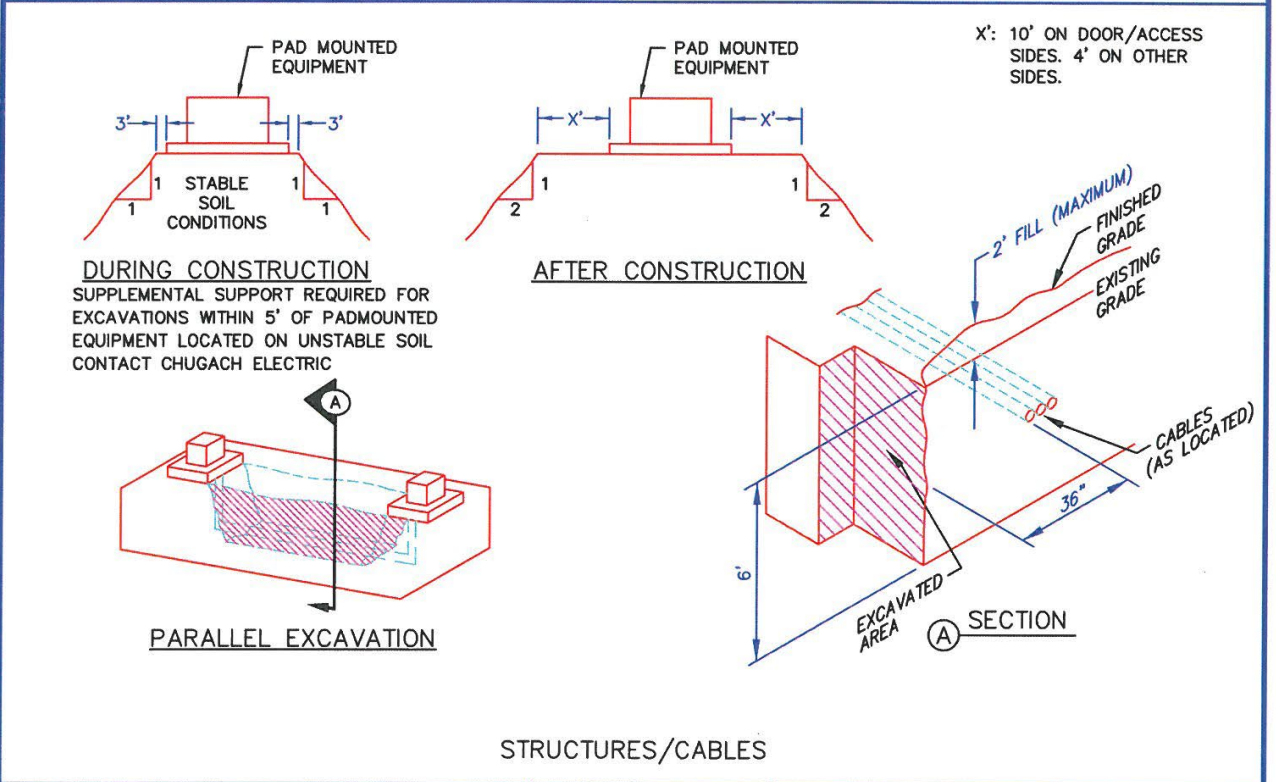
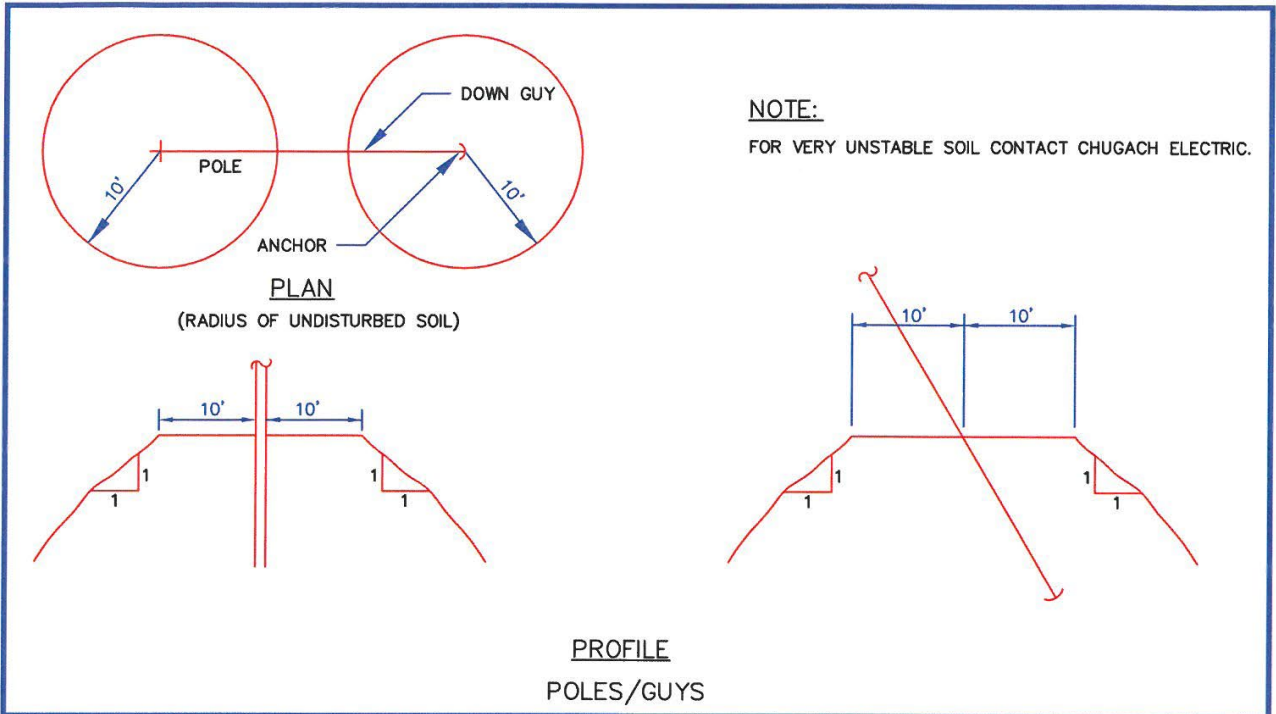
All work on or in the immediate vicinity of Chugach facilities, such as backfilling, temporary support, shoring, and relocations are subject to prior approval and inspection by Chugach. On large projects where inspection time is substantial, all costs for inspection shall be the responsibility of the agency or entity contracting for the work. Reimbursement to Chugach shall be in accordance with Chugach's tariff, Section 8.

For any questions or approvals involving these requirements contact Chugach Line Operations at (907) 762-7679 and your call will be directed to the appropriate department for assistance.

H. MISCELLANEOUS

1. Depending on the soil type, depth and length of the excavation, type of Chugach facility involved, and the certainty of the cable locate markings, excavations can be approved within a two (2) foot radius of cable on a case-by-case basis.
2. Stable soil conditions are defined as all dry and non-organic. Soil conditions shall be evaluated and approved on a case-by-case basis by Chugach. The evaluation will be done using 29CFR1926, Subpart P, "*Excavations*" as a guide.

3. Excavation, except as noted, shall be defined as mechanically performed by a backhoe, trencher, scraper, grader, auger, or other equipment.
4. Cables are defined as insulated conductors whether buried directly or in conduit. The guidelines for cables also include 600-Volt pedestals and other small electrical apparatus associated with cables but not included under pads or vaults.
5. Spare conduit is not included in these provisions except to the extent of providing temporary support when exposed and inspected by Chugach prior to the placement of proper backfill.
6. Chugach defines a *qualified electrical contractor* as a contractor registered in the State of Alaska who has an Electrical Administrator's License in the Outside Linework category; or who has an employee with an Electrical Administrator's License in the same category registered with the contractor.
7. Chugach defines a *qualified person* as a journeyman lineman who holds a current Certificate of Fitness in the Journeyman Lineman category issued by the State of Alaska.
8. Chugach defines *hand-digging* as the removal of soil with hand tools, an air-knife tool (compressed air jet), or a vacuum truck.



REV. NO.: 3 DATE: 1/28/98
 Standards Engineer: _____
 Mgr., Dist. Engineering: _____
 Mgr., Const. & Maint.: _____
 Dir., T&D Services Div.: _____



EXCAVATION LIMITS
 DEFINITION OF LIMITS REQUIRING
 NO ADDITIONAL STRUCTURAL SUPPORT

DRAWING NUMBER: **F-062388** SHEET 1 OF 1

Sec. 42.30.450. Waiver of requirements by written agreement.

An operator and an excavator may, by written agreement, waive the requirements of AS 42.30.400 - 42.30.490 that the excavator notify the operator of planned excavations and that the operator locate underground facilities. The agreement must identify the geographic areas to which the waiver applies and the time period for which the waiver is valid.

Sec. 42.30.460. Underground facility owner.

If the operator of an underground facility is not the owner of the facility and if the operator cannot be identified or has been identified but cannot be reached in a reasonable amount of time, the excavator may give the notice required by AS 42.30.400 - 42.30.490 to the owner of the underground facility and the owner shall assume the duties and responsibilities of the operator under AS 42.30.400 - 42.30.490.

Sec. 42.30.490. Definitions.

(1) "damage" means

(A) the substantial weakening of structural or lateral support of an underground facility;

(B) penetration, impairment, or destruction of any underground protective coating, housing, or other protective device; and

(C) the partial or complete severance of an underground facility to the extent that the project owner or facility operator determines that repairs are required;

(2) "emergency" means

(A) a condition that constitutes a clear and present danger to life, health, or property; or

(B) an unplanned service interruption;

(3) "excavation" means

(A) an activity in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means;

(B) road maintenance that changes the original road grade;

(C) demolition or movement of earth by equipment, tools, or explosive device except tilling of the soil less than 12 inches in depth for agricultural purposes;

(4) "excavator" means a person who conducts excavation in the state;

(5) "inaccessible" means impossible or unreasonably difficult to reach due to conditions beyond the control of the underground facility operator;

(6) "notification center" or "center" means a service through which a person is able to call one number to notify member operators of underground facilities that an excavation is proposed and to request the operators to mark facilities located inside of the proposed excavation area;

(7) "operator" means a person who supplies a service for commercial or public use by means of an underground facility;

(8) "person" means any individual, public or private corporation, political subdivision, government agency, municipality, industry, partnership, copartnership, association, firm, trust, estate, or any other entity whatsoever;

(9) "remote" means not accessible by road;

(10) "underground facility" means a pipe, sewer, conduit, cable, valve, line, or wire, including attachments and those parts of poles or anchors that are below ground, for use in connection with the storage or conveyance of water, sewage, telecommunications, cable television, electricity, petroleum, petroleum products, hazardous liquids, or flammable, toxic, or corrosive gas;

(11) "unstaffed" means not normally staffed with employees;

(12) "working day" means a day on which an underground facility operator is open for regular business.

ALASKA STATUTES

TITLE 42

PUBLIC UTILITIES & CARRIERS

Sec. 42.30.400. Excavator's notice of proposed excavation.

(a) Before beginning an excavation, an excavator shall give notice of the proposed excavation to each underground facility operator who has an underground facility in the area of the proposed excavation and request the operator to field mark the location of its underground facility. The excavator shall notify an underground facility operator who subscribes to a notification center by giving notice to the center. The excavator shall notify an underground facility operator listed in the applicable telephone directory who is not a subscriber to a notification center by giving notice directly to the operator.

(b) Except in the case of an emergency locate request or a request to locate in a remote, unstaffed, or inaccessible location, the excavator shall notify an underground facility operator who may have a facility in the area of a proposed excavation at least two but not more than 15 working days before the date scheduled for beginning the excavation. In the case of a request to locate in a remote or unstaffed location, the excavator shall notify the operator at least 10 but not more than 20 working days before the scheduled date for beginning excavation.

(c) In an emergency, the excavator shall immediately notify each underground facility operator in the area of the emergency and of the need for the excavation and request prompt location of underground facilities.

Sec. 42.30.410. Operator's response to request to locate; immunity related to unmarked or inaccurately marked facilities.

(a) An underground facility operator shall accept requests to locate underground facilities during the operator's regular business hours. An operator who receives a request to locate shall maintain for at least one year an accurate record of the request and responses to the request.

(b) When an underground facility operator receives a request to locate, it shall notify the excavator of the location of the underground facilities that the operator is able to field mark with reasonable accuracy and field mark those facilities. If the operator owns, uses, or operates an underground facility that is identified as being in the area of the proposed excavation but that the operator cannot field mark with reasonable accuracy, the operator shall provide the excavator with the best information available to the operator about its location and shall provide on-site assistance until the facility is located or until the excavator no longer needs assistance in locating that facility.

(c) The field marks for an underground facility buried 10 feet deep or less must be located within 24 horizontal inches of the outside dimensions of the facility. For a facility buried deeper than 10 feet, the operator shall locate the field marks within 30 horizontal inches of the outside dimensions of the facility. The operator shall use stakes, paint, or other clearly identifiable material to show the field location of the underground facility. The marker used to designate the approximate location of an underground facility must follow the current color code standard used by the American Public Works Association.

(d) Except for an underground facility in a remote, unstaffed, or inaccessible location, an underground facility operator shall respond to a request to locate promptly. A response is considered to be prompt if it is made within two working days after the operator receives the request or at a later time so long as the response occurs before the beginning of the excavation. For an underground facility in an accessible remote or unstaffed location, the operator shall respond within 10 working days after the operator receives the request or at a later time

so long as the response occurs before the beginning of excavation.

(e) After an operator has field marked an underground facility, the excavator is responsible for maintaining the markings.

(f) An excavator may not begin to excavate until each underground facility has been field marked.

(g) When an operator has field marked an underground facility once at the request of an excavator, the operator has the right to receive compensation from the excavator for costs incurred in responding to subsequent requests to locate the same underground facility during the same excavation project if the excavator failed to maintain the original marking.

(h) If an excavator discovers an underground facility that was not field marked or was inaccurately field marked, the excavator shall immediately stop excavating in the vicinity of the facility and shall notify the operator of the discovery. The excavator may notify the operator by means of a notification center. The operator shall treat the notification as a request to locate in an emergency and shall respond accordingly. An excavator may not be held liable for inadvertent damage caused to an unmarked or an inaccurately marked underground facility.

(i) Unless the request to locate is made in response to an emergency, an underground facility operator has the right to receive compensation for costs incurred in responding to a request to locate that gives the operator less notice than the minimum notice required by this section. This subsection may not be interpreted to require the operator to respond to the request to locate within the time requested in the notice.

Sec. 42.30.420. Responsibility of construction project owners.

The owner of a construction project that will require excavation shall indicate in bid documents or contracts for construction the existence of underground facilities that the project owner knows are located inside of the proposed area of excavation. This requirement does not release the

excavator from the excavator's responsibility under AS 42.30.400 - 42.30.490.

Sec. 42.30.430. Obligations concerning the conduct of excavations.

(a) An excavator shall use reasonable care to avoid damaging an underground facility. The excavator shall

(1) determine, without damage to the facility, the precise location of an underground facility whose location has been marked;

(2) plan the excavation to avoid damage to and minimize interference with an underground facility in or near the excavation area; and

(3) to the extent necessary to protect a facility from damage, provide support for an underground facility in and near the construction area during the excavation.

(b) An excavator who, in the course of excavation, contacts or damages an underground facility shall notify the operator. If the damage causes an emergency, the excavator shall also alert appropriate local public safety agencies and take reasonable steps to ensure public safety. A damaged underground facility may not be reburied until it is repaired or relocated to the satisfaction of the operator. The operator of an underground facility that was damaged during excavation shall arrange for repair or relocation of the facility as soon as practical.

Sec. 42.30.440. Penalties; injunctive relief.

(a) In addition to all other remedies provided by law, a person who violates a provision of AS 42.30.400 - 42.30.490 is subject to a civil penalty of not less than \$50 nor more than \$1,000 for each offense if the violation results in or significantly contributes to damage to an underground facility.

(b) If the court finds that an excavator is violating or threatening to violate a provision of AS 42.30.400 - 42.30.490 and the violation may result in damage to an underground facility, the court may grant injunctive relief to the underground facility operator.