

**ONE CALL COMPLAINT FORM**  
**South Dakota Public Utilities Commission**  
500 East Capitol Avenue  
Pierre, Sd 57501-5070

**COMPLAINT**

**Allegation of Probable Violation(s) of South Dakota One Call Laws**

Received On July 30, 2012 5:34 pm

**I. ACTION REQUESTED BY:**

**COMPLAINT FILED BY:** Company

**PERSON FILING COMPLAINT:** Todd Chambers

**COMPANY:** Watertown Municipal Utilities

**ADDRESS:** 901 4th Ave SW, Watertown SD 57201

**PHONE NUMBER:** (605) 882-6233

**EMAIL:** tchambers@watertownmu.com

**DATE:** July 30, 2012

**ii. ACTION REQUESTED AGAINST:**

**NAME OF EXCAVATOR/FACILITY OPERATOR:** Stromseth Construction

**PHONE NUMBER:** (605) 886-3893

**ADDRESS:** 113 11th Street NE Watertown SD 57201

**WAS A LOCATED REQUESTED FROM SD ONE CALL?** No

**LOCATE TICKET#:**

**START DATE ON TICKET:**

**DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION?** No

**WERE BURIED FACILITIES EXPOSED BY HAND OR NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION?** No

**III. FACILITY INVOLVED (IF ANY)**

**TYPE OF FACILITY INVOLVED:** 2" plastic gas line at 10psi

**OPERATOR OF FACILITY:** Watertown Utilities

**OPERATOR ADDRESS:** 901 4th Ave SW, Watertown SD 57201

**PHONE NUMBER:** (605) 882-6233

**DEPTH OF COVER:** 3 feet

**PRESSURE:** 10 psi

**VOLTAGE:** NA

**NUMBER OF CABLE REPAIRS:** NA

#### IV. MARKING

**WERE FACILITIES MARKED?** Yes

**WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET?** N/A

**DID EXCAVATOR PRE-MARK WITH WHITE PAINT?** No

**WAS THE FACILITY ACCURATELY MARKED (WITHIN 18 INCHES)?** Yes

**DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT?** N/A

**HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY?** Yes

**IS THERE AGREEMENT?** Yes

**IF NO, PLEASE EXPLAIN:**

#### V. DAMAGE (IF ANY)

**FATALITIES:** 0

**INJURIES:** 0

**LENGTH OF HOSPITALIZATION:** 0

**ESTIMATED PROPERTY DAMAGE:** \$1,500.00

**NUMBER OF CUSTOMERS AFFECTED:** 1

**DAMAGED IN:** Private

**PHOTOS OF THE DAMAGED FACILITY:** Yes

**ADDITIONAL INFORMATION:** The damaged gas line was discovered by one of our Utility employees that happen to be going by and smelled the gas. The excavator operator, Albin Stromseth continued to work from the excavator even when the gas was blowing.

#### VI. PROBABLE VIOLATION

**SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED:** 2 specific violations. 49-7A-5 no ticket requested. 20:25:03:05.03 not exposing facility in a manner that does not damage the underground facility. Any other violation under SDCL 49-7A.

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** 11th street NE Watertown LATI school

**DATE/TIME OF PROBABLE VIOLATION:** July 28, 2012 10:00 am

**HAVE YOU DISCUSSED THE PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST?** True

**IF YES, NAME THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION:** Mark Stromseth

**DESCRIPTION OF PROBABLE VIOLATION:** I believe there are two specific violations. 1) digging without a ticket in company name 2)not exposing facility in a manner that does not damage facility.

Eventhough there was not a ticket requested by Stromseth the line was clearly marked from a ticket requested by Gray Construction ticket #122060678.

We discovered that Stromseth did not have a ticket request so i called their office monday morning July 30 and shortly after they did get a Routine ticket requested. However, they continued excavating Saturday after the hit gas line and the following day Sunday and even after I called them and told them they didn't have a ticket on Monday.

Stromseth Construction has previously had violations OC10-010 and OC07-001.

The threat to public safety was elevated because the excavation work continued near the blowing gas line, a nearby road running by the school. The authorities shut down the street for that block in either direction to prevent accidental ignition and keep a safe distance.

No attempt was made to expose the gas line by using non-invasive methods. The excavator only used the excavator bucket to find and damage the gas line.