

## 1. ACTION REQUESTED BY

**Complaint filed on behalf of or by:** Montana-Dakota Utilities Co.

**Contact Person:** Ron Blum

**Phone:** (605) 355-4004

**Ext:** none

**Street Address or PO Box:** PO Box 1060

Rapid City, South Dakota 57709

United States

**Fax:**

**Email:** [ron.blum@mdu.com](mailto:ron.blum@mdu.com)

**Date:** May 12, 2016

## 2. ACTION REQUESTED AGAINST

**Name of excavator / facility operator:** Jim Meyer Construction

**Phone:**(605) 391-4235

**Ext:** none

**Street Address or PO Box:** PO Box 366

Rapid City, South Dakota 57709

United States

**Fax:**

**Email Address:**

**Is this party aware of your allegations?:** Yes

**Provide detail including whom you spoke with:** Various conversations took place on the job site with the operator and supervisor concerning the extreme hazard and near catastrophe.

## 3. BASIC FACTS

**Street Address / location of alleged violation:**1530 Samco Rd.

**City:** Rapid City

**State:** SD

**Date of alleged violation:** Feb 16, 2016

**Time of alleged violation:** 11:30 AM

**Describe your allegation:** Contractor was digging in rear of lot without a valid locate ticket.

**Do you believe the alleged violation to be intentional?:** Yes

**Why or why not?:** Contractor appeared to have locates for another area near by.

**4. EXCAVATION / LOCATE INFORMATION: if applicable**

**Was a locate requested from SD One Call?:** No

**Locate ticket #:**

**Start date on ticket:**

**Start time on ticket:**

**Did the excavator wait until the start date / time on the ticket before commencing excavation?:** No

**If no or not sure, when did excavation begin (date)?:**

**If no or not sure, when did excavation begin (time)?:**

**Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?:** NA

**Explain:**

**Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:** No

**Were facilities marked?:** No

**Was the marking complete prior to the start time on the ticket?:** NA

**Did the excavator pre-mark with white paint?:** NA

**Was the facility marked accurately (within 18 inches)?:** NA

**Did the excavator use reasonable care to maintain locate marks for the life of project?:** NA

**Type of facility involved:** natural gas pipeline

**Operator of facility (if known):** Montana-Dakota Utilities Co.

**Operator address (Street or PO Box):** PO Box 1060

Rapid City, South Dakota 57709

United States

**Operator Phone:** (605) 355-4004

**Depth of Cover:** unknown

**Pressure:** 155 psig

**Voltage:**

**# of cable pairs:**

**5. DAMAGES: (Please provide pictures)**

**Was the facility damaged?:** Yes

**If yes, provide detail and an estimate of damage:** Steel gas main was gouged and dented for approximately 20 feet. The pipe was severely damaged but no leak developed. Estimated repairs between \$5000 and \$10,000.

**Were damages on public right of way or private property?:** Private

**Was anyone injured as a result of facility damage?:** No

**If yes, provide detail:**

**Length of hospitalization:**

**Were there fatalities?:** No

**If yes, provide detail:**

**Was operator service affected?:** No

**If yes, provide detail (how many customers for how long):**

**6. STATUTORY VIOLATION (if known):**

**Specific statute(s) or rule(s) you believe were violated:** 49-7A-5 No excavator may begin any excavation without first notifying the one-call notification center of the proposed excavation.

**Other information to support your position:** The attached photo shows the extent of the damage before repairs we made.

**LOCATE TICKETS, PHOTOS, WITNESS STATEMENTS AND ANY OTHER DOCUMENTATION TO SUPPORT YOUR ARGUMENT MUST BE ATTACHED WHEN SUBMITTING THIS FORM.**

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