

## 1. ACTION REQUESTED BY

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

**Contact Person:** Ron Blum

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

**Ext:**

**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 20, 2016

## 2. ACTION REQUESTED AGAINST

**Name of excavator / facility operator:** Boom Construction

**Phone:**(605) 877-2922

**Ext:**

**Street Address or PO Box:** 550 N. Fifth St

Rapid City, South Dakota 57701

United States

**Fax:**

**Email Address:**

**Is this party aware of your allegations?:** No

**Provide detail including whom you spoke with:**

## 3. BASIC FACTS

**Street Address / location of alleged violation:**1203 Juneau Dr

**City:** Box Elder

**State:** SD

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

**Time of alleged violation:** 12:00 PM

**Describe your allegation:** Contractor dug through 3/4" natural gas service line while installing sprinklers.

He didn't have locates.

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

**Why or why not?:** Boom is an experienced contractor who frequently calls for locations. His worker at the site told one of our responders that he was told by his boss that he didn't need locates.

#### **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?:** NA

**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:** 3/4" natural gas service line

**Operator of facility (if known):** Monatana-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:** 12"

**Pressure:** 35 psig

**Voltage:**

**# of cable pairs:**

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

**Was the facility damaged?:** Yes

**If yes, provide detail and an estimate of damage:** 3/4" plastic natural gas service line was severed. Repair costs are estimated between \$500 and \$1000.

**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?:** Yes

**If yes, provide detail (how many customers for how long):** Service was interrupted to the residential customer for a couple of hours during the response and repair.

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

**Specific statute(s) or rule(s) you believe were violated:** Section 49-7A-5. Notification of proposed excavation. Not excavator may begin any excavation without first notifying the one-call notification center of the proposed excavation.

No underground locations were requested.

**Other information to support your position:** The contractor hit another line later in the day under similar circumstances at another location later in the day.