

Safe digging is no accident. Always call 811 before digging.



**Know what's below.
Call before you dig.**



AGENDA

**South Dakota One Call Notification Board
Enforcement Panel Conference Call
Location: Watertown Municipal Utilities
901 4TH Ave. SW, Watertown, SD 57201**

**Tuesday, May 20, 2014
2:30 PM Central Time, 1:30 PM Mountain Time**

The Enforcement Panel of the South Dakota One Call Board will meet to consider the following South Dakota One Call Complaints:

OC14-006 - In the Matter of the Complaint Filed by Montana-Dakota Utilities Company (MDU), Rapid City, South Dakota, Against Brewer Construction, Inc. (Brewer), Piedmont, South Dakota, for an Incident Occurring on March 26, 2014, at 6782 Cambridge Ct., Summerset, S.D.

On April 9, 2014, Montana-Dakota Utilities Company filed a complaint alleging that Brewer dug without a locate request and damaged a 40 psi gas line.

Brewer responded to the Complaint on April 30, 2014, stating that there was no locate ticket, but the line was placed only 4" below grade not the 18" it is supposed to be laid at. Brewer also stated that it now has a policy in place that there will be no reason accepted for not having locates called in prior to a dig.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Brewer Construction violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC14-007 - In the Matter of the Complaint Filed by Montana-Dakota Utilities Company (MDU), Rapid City, South Dakota, Against Lind Exco, Rapid City, South Dakota, for an Incident Occurring on March 27, 2014, at 1851 Discovery Circle, Rapid City, SD.

On April 9, 2014, Montana-Dakota Utilities Company filed a complaint alleging that Lind Exco damaged a 40 psi gas line while digging with an expired locate ticket.

Lind Exco responded on April 28, 2014, by stating that the ticket had expired, but an abandoned gas line had been marked, not the active gas line. Lind Exco has made changes to its best practices as a reminder to update tickets while work is taking place.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Lind Exco violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC14-008 - In the Matter of the Complaint Filed by Montana-Dakota Utilities Co., Rapid City, South Dakota, Against Warax Excavating Inc. (Warax), Rapid City, South Dakota, for an Incident Occurring on April 11, 2014, at 616 Watts Ln., Rapid City, S.D.

On April 9, 2014, Montana-Dakota Utilities Company filed a complaint alleging that Warax damaged a 50 psi gas line while digging on an expired locate ticket.

Warax has not responded to the Complaint at this time.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Warax Excavating violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

Only the written information provided by the Complainant and the written response from the Defendant will be considered in making the probable cause determination, per SDCL 49-7A-25. No comments from either party involved in the complaint will be taken during this call.

Note: Please call (605) 339-0529 at least 10 minutes prior to the call for call-in instructions. We have limited ports available on the conference bridge, so if you do plan to call in, please conference in on one line.