

BEFORE THE SOUTH DAKOTA
ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE COMPLAINT
FILED BY MAGELLAN MIDSTREAM
PARTNERS, LP, TULSA, OK AGAINST
QUINN CONSTRUCTION, INC., RAPID
CITY, SD, FOR AN INCIDENT
OCCURRING ON MARCH 22, 2021
NORTH OF HOMESTEAD STREET,
RAPID CITY, SD.

**ORDER ADOPTING ENFORCEMENT
PANEL RECOMMENDATION TO THE
SOUTH DAKOTA ONE CALL BOARD**

OC21-001

On March 22, 2021, the South Dakota One Call Board received a Complaint filed by Magellan Midstream Partners, LP (herein "Claimant"), against Quinn Construction, Inc. (herein "Respondent") for an incident occurring on March 22, 2021, north of Homestead Street, Rapid City, South Dakota. The Complaint alleges violations of SDCL 49-7A-5 when Respondent failed to call in a locate ticket.

On March 25, 2021, the Notice of Complaint and Offer of Complaint Resolution was sent to the Respondent in this action with the following conditions:

1. The penalty payment of **\$250** must be made to the **South Dakota One Call Notification Board, P.O. Box 187, Rapid City, SD 57709**, within 30 days of the Board Order.
2. Respondent must attend a Damage Prevention meeting in 2021.
3. Respondent must conduct an in-house safety meeting to discuss South Dakota One Call laws. Detail of the discussion material, date, and length of the meeting along with printed and signed names of attendees will be submitted to the Executive Director of South Dakota One Call within 30 days of the Board Order.
4. Respondent will arrange a face-to-face meeting with Claimant to review the damage, dangers while working around utilities, and safe practices. This meeting is to take place within 30 days of the Board Order being issued.

South Dakota One Call received the accepted the Offer of Complaint Resolution on April 12, 2021. The Board reviewed the acceptance of the Offer of Complaint Resolution at its May 11, 2021 meeting pursuant to SDCL 49-7A-27. The Offer of Complaint Resolution was approved by the Board. It is now, therefore:

ORDERED, that the South Dakota One Call Board adopts the Offer of Complaint Resolution as a final resolution of this Complaint; and it is now, therefore

ORDERED, that if the resolution is not paid within thirty (30) days of this order, that the Board shall pursue any rights it has under the law regarding collections.

The South Dakota One Call Notification Board has jurisdiction over this matter pursuant to SDCL 1-26 and 49-7A and ARSD Article 20:25, specifically SDCL 49-7A-5, 49-7A-18, 49-7A-20, 49-7A-22, and 49-7A-26.

Dated thi s 12th day of July, 2021.

BY ORDER OF THE SOUTH DAKOTA
ONE CALL NOTIFICATION BOARD:

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to consist of two main parts: a smaller, more complex initial on the left and a larger, more fluid signature on the right.