

South Dakota One Call Notification Board
PO Box 187
Rapid City, SD 57709

IMPORTANT: This form is provided only as assistance in preparing your South Dakota One Call Complaint. Although it is not required, we encourage you to use this form. Please be as thorough as possible to assist the Enforcement Panel in making its determination. You may include additional information as necessary.

Complaint filed on behalf of or by:	NorthWestern Energy
Contact Person:	Cassandra Russell
Phone	(605) 353-7615
Name or Company Name	NorthWestern Energy
Street Address or PO Box	600 Market St W Huron, South Dakota 57350 United States
Email	cassandra.russell@northwestern.com
Date	Jun 04, 2021
Name of excavator / facility operator:	MP Nexlevel LLC
Phone	(573) 529-6767
Name or Company Name	Paul Speakman
Street Address or PO Box	500 County Rd 37 NW Maple Lake, Minnesota 55358 United States
Email	paul.speakman@mpnexlevel.us
Is this party aware of your allegations?	Yes

Provide detail including whom you spoke with:

I spoke with Paul Speakman on 05/21/2021 because he hit a natural gas line south of the dig area indicated on the locate 2111691001; plus this locate had expired. I expressed concern over the practices of safety. Not calling in damage locates and not getting locates done properly.

ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:

49-7A-5: Notification of proposed excavation.
The contractor did not have a locate for the dig area

49-7A-12: Notification of damage to underground facility.
The contractor did not call in a damage locate after hitting natural gas service.

Street Address / location of alleged violation:	20 N 5th St
City	Groton
State	SD
Date of alleged violation:	May 20, 2021
Time of alleged violation:	04:45 PM
Describe your allegation:	There was no valid locate at the time of excavation for the dig area and the contractor did not call in a damage locate. They said the locate 2111691001 was their locate; however, that was expired and did not include the excavation site where the hit occurred.
Do you believe the alleged violation to be intentional?	Not Sure
Why or why not?	The contractor had another hit prior to this and they were advised to report to 811 and that they needed to check their locates. That was not taken seriously and a second hit occurred within an hour.
Was a locate requested from SD One Call?	No
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)?	May 17, 2021
If no or not sure, when did excavation begin (time)?	08:00 AM
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	NA
Explain	There were no marks for the area where excavation was occurring.
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?	No
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
Operator of facility (if known):	NorthWestern Energy
Operator address (Street or PO Box):	600 Market St W Huron, South Dakota 57350 United States
Operator Phone	(800) 245-6977
Depth of Cover (If unsure put N/A)	3ft
Pressure: (If none, write none)	20psi
Voltage: (If none, write none)	none
# of cable pairs: (If none, write none)	none
Was the facility damaged?	Yes
If yes, provide detail and an estimate of damage:	Yes, a 1/2" plastic gas service was damaged. Cost of damage
Were damages on public right of way or private property?	Public
Was anyone injured as a result of facility damage?	No
Were there fatalities?	No

Was operator service affected?

Yes

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

One customer for approximately 30 minutes.

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?

No

If No, why not?

The excavator was informed of the 811 law to report; however, they chose not to call.

Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?

Yes

Was there an escape of any flammable, toxic, or corrosive gas or liquid?

Yes and 911 was not called

If Yes, but if 911 was not called, or if you don't know, explain why.

911 was not called as it was easily contained situation and only a small amount of natural gas escaped before the service was squeezed off.

Please provide a Fire Department or Emergency Services incident report, if available

Not Available