

Formstack Submission For: [South Dakota One Call Reply Form](#)

Submitted at 07/19/21 11:43 AM

Complaint Docket Number:	OC21-009
Reply filed on behalf of (company name):	Anderson Contractors, Inc.
Contact Person:	Brian Buchholtz
Phone Number:	(605) 223-3244
Ext:	
Name or Company Name:	Anderson Contractors, Inc.
Street Address or PO Box:	P.O. Box 442 Pierre, SD 57501
Fax:	(605) 223-2678
Email:	brian@andersoncontractors.com
Date:	Jul 19, 2021
Were you previously aware of these allegations?:	No
Provide detail including whom you spoke with.:	
Do you believe the statutes listed (if any) by the complainant were violated?:	Yes
Why or why not?:	Digging within 18" of a marked utility with mechanical equipment.

Do you dispute the alleged violation of SD One Call statute or rule occurred?:

No

If yes, what specifically do you dispute?:

Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:

Yes

If yes, please explain.:

they state this work was done under ticket # 2114816873. I show that this work was done under ticket 2113204077 dated 5/12/21. After the concrete was removed we did an update and remark ticket 2114816791 on 5/28/21.

Was a locate requested from SD One Call?:

Yes

Locate ticket #:

2113204077

Start date on ticket:

May 14, 2021

Start time on ticket:

11:15 AM

Copy of the locate ticket:

[View File](#)

If no, please explain why no locate request was made.:

Did excavation begin before the start date / time on the ticket?:

No

Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment? :

No

Were buried facilities exposed by hand or non-invasive equipment prior to excavation? :	No
Were facilities marked? :	Yes
Was the marking complete prior to the start time on the ticket?:	Yes
Was the excavation site pre-marked with white paint?:	No
Was the facility marked accurately (within 18 inches)?:	Yes
Was there reasonable care to maintain locate marks for the life of project?:	Yes
Did the complainant correctly describe the type of facility involved?:	Yes
Provide details:	We completed the one call and had been working on the opposite corner too. On the NE corner of Oneida Ave. the gas line depth was 42". And on the NW corner where the damage was the depth was 18". The complaint references a 'Josh' We don't have a Josh on staff.
Did the complainant correctly describe the damages that resulted from the alleged violation?:	Yes
Provide details:	yes a gas line was damaged. We have paid MDU for the damages as billed.
Was the one-call notification center	Yes

immediately notified of the damage, dislocation, or disturbance?:

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If No, why not?:

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

If No, why not?:

Was there an escape of any flammable, toxic, or corrosive gas or liquid?: Yes and 911 was contacted by an Excavator

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

Did the complainant correctly describe the damages that resulted from the alleged violation?: Yes

If no, provide details.:

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

Did complainant correctly describe how operator service was affected?: Yes

Provide Details: Yes, a gas line was damaged and needed to be repaired.

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

If yes, provide details.:

Length of hospitalization:

Were there fatalities?: No

If yes, provide details.:

Other information regarding injuries or damages: No injuries. The damage was to the MDU gas line.

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.: We will have weekly meetings to review excavations, one calls. A ditch witch vac truck will be used to pothole utilities. and hand dig if within 18" of a utility marking. I would also like to have a one call meeting for the field personnel so they can see first hand the severity and importance of this work.

Has a complaint been filed against you in the past for SD One Call violations?: Yes

If yes, when was it filed?: Jun 28, 2021

Please provide any additional information to support your position.: This was an accident of damaging a gas line. One the previous corner the depth was 42" and this one 18". We submitted multiple one call tickets for this area in an attempt to not have damages. We have worked in this business for 47 years and this is the first time we have had these issues with a gas line that I recall. We strive to be a very safe company and this will be addressed and stressed for future locations.

Attachment Information:
File names should not include symbols.
Example:(\$, &, *, %,)
etc.: