

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

Submitted at 06/14/22 2:16 PM

Complaint filed on behalf of or by:

Magellan Midstream Partners, LP

Contact Person:

Mike Hampton

Phone Number:

(918) 574-7453

Ext:

Name or Company Name:

Magellan Midstream Partners, LP

Street Address or PO Box:

One Williams Center
MD OTC - 9
Tulsa, OK 74121

Fax:

Email:

michael.hampton@magellanlp.com

Date:

Jun 14, 2022

Name of excavator / facility operator:

Toy Litzel (Landowner)

Phone:

(605) 662-7416

Ext:

Name or Company Name:

Toy Litzel (Landowner)

Street Address or PO Box:

PO Box 212
Edgemont, SD 57735

Fax:

Email:

michael.hampton@magellanlp.com

Is this party aware of your allegations?:

Yes

****Mr Litzel did not provide email address for reporting. ****

The South Dakota One Call Board expects communication to occur between both parties before filing complaints. Please provide details of who you spoke with, including the date and time, and what was discussed.:

On June 8, 2022, Area Supervisor was traveling on highway 18 west of Edgemont, SD, which parallels Magellan's pipeline, 2 miles west of the WY/SD state line. Supervisor observed excavation equipment near MPL ROW. Supervisor called technician to inquire if there was an active One Call ticket in place. Upon investigation, technician noted that he was unaware of a ticket and unable to find a ticket on Korweb. Technician called One Call supervisor to verify that there was no ticket in place. Area Supervisor unsuccessfully tried to contact the owner of the property upon which the excavation equipment was located. Technician dispatched to the site to investigate. Technician arrived at the site and located the pipeline in the area of the excavation, noted GPS locations of extent of trench, equipment and pipeline at both extremes of trench. Location is between MP 94 and 95 on the Rapid City Lateral. Pipeline was found to be 500 feet from and paralleling the trench. A new livestock tank was located directly in line with the trench which appeared to be the final destination of the trench. Landowner was contacted via telephone. Landowner stated that as it is on his own land and he is aware of the location, he didn't feel the need to submit the One Call request. Landowner was made aware of the requirement to submit the One Call request and agreed to do the same.

Statutory Violations:

9-7A-1. Definition of terms. Terms used in this chapter mean:

(3) "Emergency," an occurrence which demands immediate action to prevent significant environmental damage or loss of life, health, property, or essential public services including the reerecting of critically needed traffic control signs or devices;

(4) "Excavation," any operation in which earth, rock, or other material in or below the ground is moved or otherwise displaced by means of tools, equipment, or explosives, and includes grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, and cable or pipe plowing or driving, except

Other information to support your position:

Mr Litzel admitted he did not call in a one call ticket or notify Magellan prior to excavation. He stated he understands the one call locate request and stated he will place One calls for all future work.

Street Address / location of alleged violation:

Farm land : Lattitude 43.3006
Longitude -104.0229
Edgemont, SD

Date of alleged violation:

Jun 08, 2022

Time of alleged violation:

10:00 AM

Describe your allegation:

Farmer dug and installed trench for livestock tank parallel to Magellan underground high pressured pipeline without a one call ticket or prior communication to Magellan.

Do you believe the alleged violation to be intentional?:

No

Why or why not?:

While Mr. Litzel has been mailed our annual pipeline safety brochures due to his proximity to the pipeline, he stated to Magellan technician he did not know of

the requirement to call 811. After talking to technician stated he would call in one call tickets for future projects.

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?:

Not Sure

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?:

N/A

Explain:

NO One Call ticket was placed

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:

N/A

Were facilities marked?:

N/A

Was the marking complete prior to the start time on the ticket?:	N/A
Did the excavator pre-mark with white paint?:	N/A
Was the facility marked accurately (within 18 inches)?:	N/A
Did the excavator use reasonable care to maintain locate marks for the life of project?:	N/A
Type of facility involved:	Refined Products
Operator of facility (if known):	Magellan Midstream Partners
Operator address (Street or PO Box):	
Operator Phone:	
Depth of Cover (If unsure put N/A):	30 inches
Pressure (If none, write none):	Varies
Voltage (If none, write none):	none
# of cable pairs (If none, write none):	none
Was the facility damaged?:	No

If yes, provide detail and an estimate of damage.:	
Were damages on public right of way or private property?:	N/A
Was anyone injured as a result of facility damage?:	N/A
If yes, provide detail.:	
Length of hospitalization:	
Were there fatalities?:	No
If yes, provide detail.:	
Was operator service affected? :	No
If yes, provide detail (how many customers for how long).:	
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:	No
If No, why not?:	no Damage with this incident it was a near miss
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:	No

<p>If No, why not?:</p>	<p>Incident was discovered by Magellan Supervisor driving by area and observing heavy machinery near Magellan Right of way.</p>
<p>Was there an escape of any flammable, toxic, or corrosive gas or liquid?:</p>	<p>No</p>
<p>If Yes, but if 911 was not called, or if you don't know, explain why.:</p>	
<p>Please provide a Fire Department or Emergency Services incident report, if available :</p>	<p>Not Available</p>
<p>Attachment:</p>	
<p>Attachment Information: File names should not include symbols. Example:(\$, &, *, %) etc. If submitting multiple files, please zip all files into one folder.:</p>	<p>View File</p>

Copyright © 2022 Formstack, LLC. All rights reserved. This is a customer service email.

Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

CAUTION: Do not click links or open attachments from unsolicited emails, even if they are from a trusted contact! Please use the established process to report questionable or suspicious em