

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

Submitted at 07/09/22 7:05 AM

Complaint Docket Number: oc22-008

Reply filed on behalf of (company name): Groundwater Inc.

Contact Person: Darrel Miles

Phone Number: (605) 370-3722

Ext:

Name or Company Name: Groundwater Inc.

Street Address or PO Box: 927 E 8th St Ste 101
Sioux Falls, SD 57103

Fax:

Email: madhunter4444@yahoo.com

Date: Jul 09, 2022

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?:

I do now....

I simply was replacing trees as stated in complaint, The trees were Balled and Burlap with a basket around root ball.. I simply hooked to the basket and lifted out of ground.. The replacement trees were potted, same caliper though.. So i had to add soil in bottom of hole to get to right level for planting....You can look at our track history, i call locates when we even just move an irrigation head, just to be safe.. This was a simple oversight on my part and i will not make this mistake again.. When we originally planted trees i had called as im sure is noted.. I knew no trees had any roots that had grew just from the fact they were not a year old yet, so giving that fact i just found basket approx. 1 inch below ground level and lifted the old root ball out and added dirt for new tree for correct level and planted...

I simply made a choice based on my knowledge of the project and now know better going forward..

Darrel Miles

Groundwater Inc

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?:

No

If yes, please explain.:

Was a locate requested from SD One Call?:

No

Locate ticket #:

Start date on ticket:

Start time on ticket:

Copy of the locate ticket:

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

No.....

I believe as i stated in above, i really lifted the root ball by the wire basket then added dirt and placed new tree in hole and backfilled with dirt...

Going forward i will make sure i call on ALL excavation no matter the situation...

Darrel Miles

Groundwater Inc

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

N/A

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

N/A

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?:

Not Sure

Was the excavation site pre-marked with white paint?:

N/A

Was the facility marked accurately (within 18 inches)?:

N/A

Was there reasonable care to maintain locate marks for the life of project?:

N/A

Did the complainant correctly describe the type of facility involved?:

No

Provide details:

No locate number

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

No

Provide details:

No locate number

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

No

File:

If No, why not?:

No locate number

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

No

If No, why not?:

No locate number

Was there an escape of any flammable, toxic, or corrosive gas or liquid?: No

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?: No

If no, provide details.: No locate number

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

Did complainant correctly describe how operator service was affected?: No

Provide Details: No locate number

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 locate number

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:

As stated above, I'm calling on everything

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

No

If yes, when was it filed?:

Please provide any additional information to support your position.:

As i said i simply made an honest mistake..

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