

Complaint filed on behalf of or by*:	Northern Natural Gas Company
Contact Person:	Jim Talcott
Phone	(402) 398-7003
Address or PO Box	1111 S. 103rd St. Omaha, Nebraska 68124 United States
Email	jim.talcott@nngco.com
Date	Nov 16, 2016
Name of excavator / facility operator:	Ernie Fryer
Phone	(605) 413-5470
Address	unknown Hartford, South Dakota 57033 United States
Is this party aware of your allegations?	No
Street Address / location of alleged violation:	NE 1/4 Sec 26, T102N, R51W, Minnehaha County, South Dakota
City	Hartford
State	South Dakota
Date of alleged violation:	Nov 05, 2016
Time of alleged violation:	03:30 PM
Describe your allegation:	On Saturday November 5th, 2016 @ 1530 hours, the Harrisburg, South Dakota Northern Natural Gas Company on call technician responded to an emergency locate ticket for a water main leak 125' from the Aberdeen Mainline M471B at MP 81.51 in Minnehaha County, South Dakota. Upon arrival, the technician noticed there were no utilities marked in the area and an excavation had already taken place that ruptured a waterline. The responsible excavator was not on site upon the technician's arrival. The technician discussed what had happened with a home owner just east of the excavation location, and learned an excavator was removing tree stumps in the area and hit a water line. Minnehaha Community Water Corp. called in the emergency locate ticket to repair the damaged water line.
Do you believe the alleged violation to be intentional? Yes	
Why or why not?	The contractor excavated without first placing a one-call.
Was a locate requested from SD One Call?	No
Did the excavator wait until the start date / time on the No ticket before commencing excavation?	
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	NA
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	NA
Were facilities marked?	NA
Was the marking complete prior to the start time on the ticket?	NA
Did the excavator pre-mark with white paint?	

NA

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

Operator address (Street or PO Box):

United States

Was the facility damaged? No

Was anyone injured as a result of facility damage? No

Were there fatalities? No

Was operator service affected? No

Specific statute(s) or rule(s) you believe were violated:
SDCL 49-7A, including 49-7A-5

Other information to support your position:

Brian Benda, (605) 201-5970, from the Minnehaha Community Water Corporation, responded to the water line break. Minnehaha Community Water Corporation called in an emergency one-call ticket.

Attachment #1 [One call violation report.doc](#)

Attachment #2 [Emergency one call ticket.pdf](#)

Attachment #3 [Excavation Site Inspection.pdf](#)

Attachment #4 [PIC 2_Aberdeen ML M471B MP81_51\(2\)_jpg.mht](#)

Attachment#5 [PIC 3_Aberdeen ML M471B MP81_51_jpg.mht](#)