

COMPLAINT DOCKET NUMBER:	OC19-056
Reply filed on behalf of (company name):	High Plains Construction, Inc
Contact Person:	Ryan Hughes
Phone	(605) 641-5999
Name or Company Name:	High Plains Construction, Inc
Street Address or PO Box	PO Box 833 Spearfish, South Dakota 57783 United States
Email	highplainsconstruction@live.com
Date	Oct 03, 2019
Were you previously aware of these allegations?	No
Do you believe the statutes listed (if any) by the complainant were violated?	Yes
Why or why not?	We did pothole around the utilities. The gas stub was more than 2 ft from the locate.
Do you dispute the alleged violation of SD One Call statute or rule occurred?	No
Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?	No
Was a locate requested from SD One Call?	Yes
Locate ticket #	1925901709
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?	Yes
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	NA
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)?	No
Was there reasonable care to maintain locate marks for the life of project?	Yes
Did the complainant correctly describe the type of facility involved?	No
Provide detail: There was a Y shaped mark around the gas line 2 ft on each side and the gas stub was hit.	
Did the complainant correctly describe the damages that resulted from the alleged violation?	No
Provide detail: On the ELM damage investigation report it is stated that contractor admitted to ELM tech on site that the markings were within 18 inches of the locate and that is not correct.	
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?	Yes
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. We called MDU and the 811 center. Nobody said anything about needing to call 911.	
Did the complainant correctly describe the damages that resulted from the alleged violation?	Yes
Were damages on public right of way or private property?	Private
Did complainant correctly describe how operator service was affected?	Yes
Provide detail: Not sure how to answer.	
Was anyone injured as a result of facility damage?	No
Were there fatalities?	No
Describe your plans and procedures to ensure compliance with SD One Call statutes and rules: Try to pothole more. Would like to see better locates and more communication between contractors, locaters and utility companies.	
Has a complaint been filed against you in the past for SD One Call violations?	No

Attachment Information

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