

Complaint filed on behalf of or by:	Montana Dakota Utilities Co.
Contact Person:	Marcus Christensen
Phone	(605) 355-3035
Name or Company Name	Montana Dakota Utilities Co.
Street Address or PO Box	PO Box 1060 Rapid City, South Dakota 57709 United States
Email	marcus.christensen@mdu.com
Date	Feb 07, 2020
Name of excavator / facility operator:	Monty
Phone	(605) 641-0843
Name or Company Name	Perterson Excavating
Street Address or PO Box	3425 E Fairgrounds Loop # B Spearfish, South Dakota 57783 United States
Is this party aware of your allegations?	No
ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:	
49-7A-8..... Excavators shall maintain a minimum horizontal clearance of eighteen inches between a marked underground facility and the cutting edge of any mechanical equipment. If excavation is required within eighteen inches, horizontally, the excavator shall expose the facility with hand tools or noninvasive methods approved pursuant to rule and shall protect and support the facility prior to further excavation with mechanical equipment.	
Street Address / location of alleged violation:	27th and Windmill Dr
City	Spearfish
State	SD
Date of alleged violation:	Jan 22, 2020
Time of alleged violation:	10:15 AM
Describe your allegation:	
Contractor was just beginning to do work by removing the top layer of soil. The top layer of soil was frozen so instead of using less invasive mean of starting to dig near utilities they used a backhoe. Contractor should use more caution when digging to expose utilities when needing to cross.	
Do you believe the alleged violation to be intentional?	No
Was a locate requested from SD One Call?	Yes
Locate ticket #:	2000846943
Did the excavator wait until the start date / time on the ticket before commencing excavation?	Yes

If no or not sure, when did excavation begin (date)?	Jan 10, 2020
If no or not sure, when did excavation begin (time)?	10:15 AM
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	No
Explain	The contractor hit a 2" Plastic gas main with the bucket of the backhoe.
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
Did the excavator pre-mark with white paint?	No
Was the facility marked accurately (within 18 inches)?	Yes
Did the excavator use reasonable care to maintain locate marks for the life of project?	NA
Type of facility involved:	2" Plastic Gas Main
Operator of facility (if known):	Montana Dakota Utilities Co.
Operator address (Street or PO Box):	PO Box 1060 Rapid City, South Dakota 57709 United States
Operator Phone	(605) 355-3035
Depth of Cover (If unsure put N/A)	18"-36"
Pressure: (If none, write none)	40 psig
Voltage: (If none, write none)	none
# of cable pairs: (If none, write none)	none
Was the facility damaged?	Yes
If yes, provide detail and an estimate of damage:	\$500
Were damages on public right of way or private property?	Public
Was anyone injured as a result of facility damage?	No
Were there fatalities?	No

Was operator service affected? No

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? No

Please provide a Fire Department or Emergency Services incident report, if available Not Available

Attachment Information

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