

COMPLAINT DOCKET NUMBER:	oc20-015
Reply filed on behalf of (company name):	Pedersen Excavating Inc
Contact Person:	Monty Pedersen
Phone	(605) 642-3658
Name or Company Name:	Pedersen Excavating Inc
Street Address or PO Box	PO Box 336 Spearfish, South Dakota 57783 United States
Email	pedexc@rushmore.com
Date	Feb 11, 2020
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?	The initial excavation began with an excavator to break the frost on the top of the ground.
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
If yes, please provide the ticket number and a copy of the locate ticket	1927412172
Locate ticket #	2000846943
Start date on ticket:	Jan 10, 2020
Start time on ticket:	10:15 AM
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?	No
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
Was the excavation site pre-marked with white paint?	NA
Was the facility marked accurately (within 18 inches)?	Yes
Was there reasonable care to maintain locate marks for the life of project?	Yes
Did the complainant correctly describe the type of facility involved?	Yes
Provide detail: The ground was frozen and the topsoil was removed with mechanical equipment which resulted in the gas line being damaged.	
Did the complainant correctly describe the damages that resulted from the alleged violation?	Yes
Provide detail: The only discrepancy is that the gas line was at a deeper depth 15 ft to the south which was exposed and 6 ft to the North, the complaint did not specify in the area where the damage occurred the pipe was far shallow to the surface then the above mentioned. Also we did call 911 and 811 to notify of the damage. The damaged occurred on private property.	
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
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: none	
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:

We are having pre-work (toolbox) meetings to go over the correct procedures for working around existing utilities to help in eliminating damage to underground facilities.

Has a complaint been filed against you in the past for SD One Call violations? No

Please provide any additional information to support your position:

We would like recommendations on which hand tools are to be used to break thru frost in the ground to expose the underground utilities as a shovel does not penetrate the ground and a pick could penetrate the utility.

Attachment Information

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