

Complaint filed on behalf of or by: Montana Dakota Utilities Co.

Contact Person: Marcus Christensen

Phone (605) 355-4035

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 May 29, 2020

Name of excavator / facility operator: GROUND BREAKING CONSTRUCTION

Phone (605) 858-1618

Name or Company Name GROUND BREAKING CONSTRUCTION

Street Address or PO Box 5009 Brownstone Ct
Piedmont, South Dakota 57769
United States

Email GROUNDBREAKINGCONSTRUCTIONLLC@GMAIL.COM

Is this party aware of your allegations? No

ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:

49-7A-8. Location of underground facilities--Marking. An operator shall, upon receipt of the notice, advise the excavator of the location of underground facilities in the proposed excavation area by marking the location of the facilities with stakes, flags, paint, or other clearly identifiable marking within eighteen inches horizontally from the exterior sides of the underground facilities. The board shall promulgate rules, pursuant to chapter 1-26, to establish the response time for operators to mark the underground facilities. The response time shall be no later than forty-eight hours after the receipt of the notice, excluding Saturdays, Sundays, and legal holidays of the state or the excavation start time provided by the excavator, whichever is later. The response time may be less than forty-eight hours for emergency or subsequent inquiries to the original locate request and may be longer than forty-eight hours for nonexcavation requests. 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.

Other information to support your position:

Contractor should have potholed to locate gas line before digging on top the marks. Once the gas line was hit gas

was blowing and contractor entered the gas to bend the line over to stop the gas from blowing. A respot locate ticket should have been called in since marking had deteriorated.

Street Address / location of alleged violation:	603 Farlow
City	Rapid City
State	SD
Date of alleged violation:	May 13, 2020
Time of alleged violation:	11:15 AM
Describe your allegation:	Contractor didnt use caution when digging in the area of the gas line. They should have potholed to get an accurate location. The contractor should have never been digging directly over top of the gas line. Gas was blowing 811 was called and 911 was not. The contractor enter the gas to bend the gas line over to stop the flow. That could have turned into a bad situation.
Do you believe the alleged violation to be intentional?	No
Was a locate requested from SD One Call?	Yes
Locate ticket #:	2012506208
Start date on ticket:	May 06, 2020
Start time on ticket:	05:57 PM
Did the excavator wait until the start date / time on the ticket before commencing excavation?	Yes
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	No
Explain	Contractor hit the gas service line with the excavation equipment tearing it in half.
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?	Yes
Type of facility involved:	3/4" Plastic Natural Gas Line
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)	~24"
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:	Gas service line tore in half. \$700
Were damages on public right of way or private property?	Private
Was anyone injured as a result of facility damage?	No
Were there fatalities?	No

Was operator service affected? Yes

If yes, provide detail (how many customers for how long):

One customer, 2 hours

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.

Contractor had bent the gas line over to stop the gas from escaping. I would assume the contractor is not aware of dangers of entering the gases atmosphere and bent the line over.

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

Attachment Information

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

Attachment

[603 Farlow Ground Breaking Construction MDU .75 Plastic Serv.pdf](#)