

**COMPLAINT DOCKET
NUMBER:**

OC20-033

**Reply filed on behalf of
(company name):**

Runge Enterprises

Contact Person:

Dustin Schauer

Phone

(605) 261-3465

Name or Company Name:

Runge Enterprises

Street Address or PO Box4801 n velocity ave
sioux falls, South Dakota 57118
United States**Email**dustin@runge-enterprises.com**Date**

Jun 18, 2020

**Were you previously aware
of these allegations?**

Yes

Provide detail including whom you spoke with:

joe with century link called me about a hit line on hwy 115. at the time joe called I did not know anything about the damage.

**Do you believe the statutes
listed (if any) by the
complainant were violated?**

Yes

Why or why not?

we did not relocate the work area before working.

**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?**

Yes

If yes, please explain:

we were grading a bike path on the east side of hwy 115 through an area we had already graded last year. The excavation with our dozer is running 4-6" deep from the grades we left it last year. All utilities in this area we supposed to have been lower to 2-3' below design grades. its not that I intentionally didn't call in locates, I just didn't believe that I needed them for the shallow work we were doing.

**Was a locate requested
from SD One Call?**

No

If no, please explain why no locate request was made:

we were grading a bike path on the east side of hwy 115 through an area we had already graded last year. The excavation with our dozer is running 4-6" deep from the grades we left it last year. All utilities in this area we supposed to have been lower to 2-3' below design grades. its not that I intentionally didn't call in locates, I just didn't believe that I needed them for the shallow work we were doing.

Did excavation begin before the start date / time on the ticket?

NA

Was a minimum horizontal clearance of 18 inches maintained 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

Was the excavation site pre-marked with white paint?

NA

Was the facility marked accurately (within 18 inches)?

NA

Was there reasonable care to maintain locate marks for the life of project?

NA

Did the complainant correctly describe the type of facility involved?

Yes

Provide detail:

century link 100pair copper, buried less than 6" deep from last years existing grades.

Did the complainant correctly describe the damages that resulted from the alleged violation?

Yes

Provide detail:

A dozer cut through the line.

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance? No

If No, why not?

the hwy 115 project is a widening of an existing hwy. There are many old lines and cable that we run into as we are grading. All active utilities were supposed to have been relocated to a depth of 2-3 feet below proposed grades. We were not grading that deep and assumed the line to be inactive.

Was the operator of the facility immediately notified of the damage, dislocation, or disturbance? No

If No, why not?

the hwy 115 project is a widening of an existing hwy. There are many old lines and cable that we run into as we are grading. All active utilities were supposed to have been relocated to a depth of 2-3 feet below proposed grades. We were not grading that deep and assumed the line to be inactive.

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? Public

Did complainant correctly describe how operator service was affected? Yes

Provide detail:

I don't know how their service was affected other than what joe wrote in his complaint.

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:

Runge Enterprises has had a policy to make sure that locates are called in 48 hours before excavation. We are having a company wide safety meeting with an emphasis to ensure that our rules and policies with 811, locates, and buried utilities are followed.

Has a complaint been filed against you in the past for SD One Call violations?

Yes, I don't recall the date

Please provide any additional information to support your position:

We were grading the bike path on the east side of hwy 115. We have been working on hwy 115 for the past 2 years. Last year we excavated and graded through the area of the damaged line. The hwy was constructed and we graded every thing in ROW including the bike path to rough subgrade elevations. Century link and multiple other utility providers were on the project lowering and moving their lines to accommodate for the new grading. I worked with Trevor and Zack with century links construction side on conflicts of old lines, and one new line that wasn't installed correctly. The line that was damaged was a new line that was supposed to have been installed 2-3' below final grades. In the area of the damage we only cutting 4 to 6" dirt. I didn't think that I needed locates for the shallow grading we were doing. In the direct area of the damage Century links crew repaired the line and reburied below the bike path subgrade, but I hand dug and found spots 20 and 50' south of the damage to be too high for my subgrade. As it sits currently I have a work order in with Zack at century link to have the line that was damaged lowered to a sufficient depth for our bike path grading. Century links line runs directly down the bike path we need to build for 3 miles. It's a new line designed for this project. The line needs to be at a sufficient depth for our grading. We have called in locates for the 2 miles of bike path that we will be working on, and will call in locates before we move into the 3rd mile.

Attachment Information

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