

**COMPLAINT DOCKET
NUMBER:**

OC20-034

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

Industrial Builders, Inc.

Contact Person:

Jay Carney

Phone

(701) 282-4977

Name or Company Name:

Industrial Builders, Inc.

Street Address or PO Box

PO Box 406
Fargo, North Dakota 58104
United States

Email

jay@industrialbuilders.com

Date

Jul 09, 2020

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

Yes

Provide detail including whom you spoke with:

Jon Fish stated he had hit a gas line buried in the base course of the roadway.

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

No

Why or why not?

We were less than 18" deep.

**Do you dispute the alleged
violation of SD One Call
statute or rule occurred?**

Yes

If yes, what specifically do you dispute?

A locate was not required at the depth were working.

**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?**

No

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

Not required.

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?	No
Provide detail: Our work was not below 18" deep.	
Did the complainant correctly describe the damages that resulted from the alleged violation?	No
Provide detail: Our work was not below 18" deep.	

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance? Yes

Please provide a copy of the Damage Ticket
NA

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 contacted by an Operator

Did the complainant correctly describe the damages that resulted from the alleged violation? No

If no, provide detail:
The damage was to a gas line under approximately 6" of cover.

Were damages on public right of way or private property? Public

Did complainant correctly describe how operator service was affected? Yes

Provide detail:
The gas line was cut.

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:
IBI is in compliance.

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.
