

**South Dakota One Call Notification Board
PO Box 187
Rapid City, SD 57709**

IMPORTANT: This form is provided only as assistance in preparing responses to South Dakota One Call Complaints. Although it is not required, we encourage you to use this form. Please be as thorough as possible to assist the Enforcement Panel in making its determination.

COMPLAINT DOCKET NUMBER:	OC20-057
Reply filed on behalf of (company name):	Oftedal Construction Inc.
Contact Person:	Luke Wallace
Phone	(307) 277-7155
Name or Company Name:	Oftedal Construction Inc.
Street Address or PO Box	2376 7 Mile Rd Casper, Wyoming 82604 United States
Email	lwallace@oftedalconstruction.com
Date	Sep 18, 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?	Oftedal employees were hand digging around the buried gas line and using an excavator to move some of the loose soil that had been hand dug. During this process the excavator bucket contacted a rock that then came into contact with the gas line, damaging it.
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
Locate ticket #	2022378238
Start date on ticket:	Aug 12, 2020
Start time on ticket:	03:15 PM
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?	NA
Did the complainant correctly describe the type of facility involved?	Yes
Provide detail:	
Complainant was accurate in describing the 2" gas line	

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

Provide detail:

Complainant correctly described the damage but not in how it occurred. According to the project team on the SheridaIn Lake Rd job, the excavator bucket did not contact the gas line. The excavator bucket hit a rock that then fell and damaged the gas line.

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 contacted by an Excavator

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:

Complainant correctly described how service was affected

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:

Oftedal's upper management and the project team had a meeting and discussed with them that all marked

utilities must be pot-holed and located before any mechanical digging could occur. Oftedal employees will use shovels and hand dig around all utility lines and will not get within 18" of a utility line.

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

If yes, when was it filed? Jul 16, 2020

Please provide any additional information to support your position:
Oftedal employees were hand digging to locate the buried 2" gas line. Oftedal used an excavator to move some of the loose soil that had been dug and made contact with a rock that then fell onto the gas line damaging it.

Attachment Information

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