

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

IMPORTANT: This form is provided only as assistance in preparing your South Dakota One Call Complaint. 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. You may include additional information as necessary.

<b>Complaint filed on behalf of or by:</b>	Montana Dakota Utilities
<b>Contact Person:</b>	Marcus Christensen
<b>Phone</b>	(605) 355-4035
<b>Name or Company Name</b>	Montana Dakota Utilities
<b>Street Address or PO Box</b>	PO Box 1060 Rapid City, South Dakota 57709 United States
<b>Email</b>	<a href="mailto:marcus.christensen@mdu.com">marcus.christensen@mdu.com</a>
<b>Date</b>	Sep 02, 2020
<b>Name of excavator / facility operator:</b>	SANDFORD LOGGING
<b>Phone</b>	(605) 210-3427
<b>Name or Company Name</b>	SANDFORD LOGGING
<b>Street Address or PO Box</b>	PO Box 8063 374 Evans Ln Spearfish, South Dakota 57783 United States
<b>Email</b>	<a href="mailto:KWDANIELS75@YAHOO.COM">KWDANIELS75@YAHOO.COM</a>
<b>Is this party aware of your allegations?</b>	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 was working on installing a culvert to cross the road when they struck the 4" Poly main that was located in the area. Contractor did have a valid locate ticket at the time of damage but did not pot prior to digging or maintain the 18" of separation. 811 and 911 were notified. Gas was blowing.

<b>Street Address / location of alleged violation:</b>	Crook Mountain Rd
<b>City</b>	Whitewood
<b>State</b>	SD
<b>Date of alleged violation:</b>	Aug 26, 2020
<b>Time of alleged violation:</b>	11:00 AM
<b>Describe your allegation:</b>	Contractor was working on installing a culvert to cross the road when they struck the 4" Poly main that was located in the area. Contractor did have a valid locate ticket at the time of damage but did not pot prior to digging or maintain the 18" of separation. 811 and 911 were notified. Gas was blowing.
<b>Do you believe the alleged violation to be intentional?</b>	No
<b>Was a locate requested from SD One Call?</b>	Yes
<b>Locate ticket #:</b>	2022781476
<b>Start date on ticket:</b>	Aug 18, 2020
<b>Start time on ticket:</b>	09:45 AM
<b>Did the excavator wait until the start date / time on the ticket before commencing excavation?</b>	Yes
<b>Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?</b>	No
<b>Explain</b>	Hit the 4" gas main with back hoe
<b>Were buried facilities exposed by hand or non-invasive equipment prior to excavation?</b>	No
<b>Were facilities marked?</b>	Yes
<b>Was the marking complete prior to the start time on the ticket?</b>	Yes
<b>Did the excavator pre-mark with white paint?</b>	No
<b>Was the facility marked accurately (within 18 inches)?</b>	Yes
<b>Did the excavator use reasonable care to maintain locate marks for the life of project?</b>	Yes
<b>Type of facility involved:</b>	4" (P) Gas Main
<b>Operator of facility (if known):</b>	Montana Dakota Utilities

<b>Operator address (Street or PO Box):</b>	PO Box 1060 Rapid City, South Dakota 57709 United States
<b>Operator Phone</b>	(605) 355-4035
<b>Depth of Cover (If unsure put N/A)</b>	~36"
<b>Pressure: (If none, write none)</b>	50psig
<b>Voltage: (If none, write none)</b>	none
<b># of cable pairs: (If none, write none)</b>	none
<b>Was the facility damaged?</b>	Yes
<b>If yes, provide detail and an estimate of damage:</b> 4" Gas main, Gas blew for 4 hours - \$2000	
<b>Were damages on public right of way or private property?</b>	Public
<b>Was anyone injured as a result of facility damage?</b>	No
<b>Were there fatalities?</b>	No
<b>Was operator service affected?</b>	No
<b>Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?</b>	Yes
<b>Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?</b>	Yes
<b>Was there an escape of any flammable, toxic, or corrosive gas or liquid?</b>	Yes and 911 was contacted by an Excavator
<b>Please provide a Fire Department or Emergency Services incident report, if available</b>	Not Available

**Attachment Information**

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