

**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 10, 2020
<b>Name of excavator / facility operator:</b>	Scott Anderson
<b>Phone</b>	(605) 520-0787
<b>Name or Company Name</b>	F16 Services
<b>Street Address or PO Box</b>	19731 HUNTER RD LAWRENCE, South Dakota 57783 United States
<b>Email</b>	<a href="mailto:THERMOECHANICHEL@HOTMAIL.COM">THERMOECHANICHEL@HOTMAIL.COM</a>
<b>Is this party aware of your allegations?</b>	No

**ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:**  
49-7A-5. Notification of proposed excavation.

No excavator may begin any excavation without first notifying the one-call notification center of the proposed excavation. The excavator shall give notice by telephone or by other methods approved by the board pursuant to rules promulgated pursuant to chapter 1-26 to the one-call notification center at least forty-eight hours prior to the commencement of the excavation, excluding Saturdays, Sundays, and legal holidays of the state. The board may promulgate rules to reduce the forty-eight-hour interval for emergency or subsequent inquiries to the original locate request and may lengthen the forty-eight-hour interval for non-excavation requests.

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.

49-7A-12. Notification of damage to underground facility--Repairs--Flammable, toxic, or corrosive gas or liquid.

If any underground facility is damaged, dislocated, or disturbed in advance of or during excavation work, the excavator shall immediately notify the one-call notification center and, if known, the operator of the facility of the damage, dislocation, or disturbance. No excavator may conceal or attempt to conceal any damage, dislocation, or disturbance, nor may that excavator attempt to make any repair to the facility unless authorized by the operator of the facility. If the damage, dislocation, or disturbance results in the escape of any flammable, toxic, or corrosive gas or liquid, the excavator shall immediately report the escape to the authorities by calling the 911 emergency telephone number and notifying the one-call notification center and, if known, the operator of the facility.

### **Other information to support your position:**

Contractor was installing a septic system when they hit 1in steel gas service line. Contractor did not have a valid locate ticket at the time of damage. While the contractor was digging using there backhoe they hit the gas line causing gas to blow. 811 was not notified, but 911 was.

### **Street Address / location of alleged violation:**

20898 Maitland Rd

### **City**

Deadwood

### **State**

SD

### **Date of alleged violation:**

Aug 29, 2020

### **Time of alleged violation:**

02:50 PM

### **Describe your allegation:**

Contractor was installing a septic system when they hit 1in steel gas service line. Contractor did not have a valid locate ticket at the time of damage. While the contractor was digging using there backhoe they hit the gas line causing gas to blow. 811 was not notified, but 911 was.

### **Do you believe the alleged violation to be intentional?**

No

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

No

### **Did the excavator wait until the start date / time on the ticket before commencing excavation?**

No

**Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?**

No

**Explain**

Contractor hit the gas line with there backhoe causing the damage.

**Were buried facilities exposed by hand or non-invasive equipment prior to excavation?**

No

**Were facilities marked?**

No

**Was the marking complete prior to the start time on the ticket?**

NA

**Did the excavator pre-mark with white paint?**

NA

**Was the facility marked accurately (within 18 inches)?**

NA

**Did the excavator use reasonable care to maintain locate marks for the life of project?**

NA

**Type of facility involved:**

1" Gas Service Line

**Operator of facility (if known):**

Montana Dakota Utilities

**Operator address (Street or PO Box):**

PO Box 1060  
Rapid City, South Dakota 57709  
United States

**Operator Phone**

(605) 355-4035

**Depth of Cover (If unsure put N/A)**

~18"-24"

**Pressure: (If none, write none)**

50psig

**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:**

Steel service line was damaged - \$1300

**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):**

1 home and no service until septic work is done.

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

**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

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

**Attachment Information**

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