

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.

Complaint filed on behalf of or by:	Matt Askland Askland ditching
Contact Person:	Matt Askland
Phone	(605) 209-3306
Name or Company Name	Askland Ditching
Street Address or PO Box	P.O. Box 9511 Rapid city, South Dakota 57709 United States
Email	Asklandditching@yahoo.com
Date	Sep 24, 2020
Name of excavator / facility operator:	Montana Dakota Utilities
Phone	(605) 342-0160
Name or Company Name	Montana Dakota Utilities
Street Address or PO Box	718 Steele ave Rapid city, South Dakota 57701 United States
Email	Mdu@mdu.com
Is this party aware of your allegations?	No

ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:
49-7A-8

Other information to support your position:

We were notified Mdu could not locate this line but they put marks on the ground anyways. The marks put down were not correct. I was notified by locater and he told me to contact Mdu to have them there while working. So we did that and arranged to meet and dig.

We attempted to hand dig the marks put down but the employee of Mdu was in a rush so he told my crew to use excavator. He thinks the line might not be there. But could not prove it. Anyways he told us to use our excavator on the marks. We don't appreciate putting our equipment and employees at risk by having us dig on the marks. There was no gas line there luckily

Street Address / location of alleged violation:	5007 LANGENBERG
City	Rapid city
State	South Dakota
Date of alleged violation:	Sep 05, 2020
Time of alleged violation:	08:00 AM
Describe your allegation:	My crew was instructed to dig on marks put down by locator by an Mdu employee. I didn't feel safe using our equipment to find a 2" gas main that they cannot properly locate. The gas line was not there luckily so they just guessed by putting down mark right through our work area. The locator and Mdu employee both were in a rush. My crew attempted to hand dig our work are but Mdu employee was in a rush so he said to use excavator. I guess somebody should of done a better job not sure who either locator or Mdu
Do you believe the alleged violation to be intentional?	Yes
Why or why not?	We attempted to hand dig but was instructed to use mechanical equipment with no proof high pressure gas line was not there.
Was a locate requested from SD One Call?	Yes
Locate ticket #:	2024896771
Start date on ticket:	Sep 04, 2020
Start time on ticket:	05:00 PM
Did the excavator wait until the start date / time on the ticket before commencing excavation?	Yes
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	No
Explain	Mdu was in rush and told us this is ok to do
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
Did the excavator pre-mark with white paint?	Yes
Was the facility marked accurately (within 18 inches)?	No
Did the excavator use reasonable care to maintain locate marks for the life of project?	Yes
Type of facility involved:	Gas
Operator of facility (if known):	Montana Dakota Utilities
Operator address (Street or PO Box):	716 Steele ave Rapid city, South Dakota 57701 United States
Operator Phone	(605) 342-0160
Depth of Cover (If unsure put N/A)	N/a
Pressure: (If none, write none)	High
Voltage: (If none, write none)	None
# of cable pairs: (If none, write none)	None
Was the facility damaged?	No
Were damages on public right of way or private property?	NA
Was anyone injured as a result of facility damage?	No
Were there fatalities?	No

Was operator service affected? No

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

If No, why not?

Mdu employee uses us to find out personally with excavator so he witnessed mis mark

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? No

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

Attachment Information

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