

**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.

<b>COMPLAINT DOCKET NUMBER:</b>	oc20-071
<b>Reply filed on behalf of (company name):</b>	heavy constructors
<b>Contact Person:</b>	David Ulrich
<b>Phone</b>	(605) 342-3144
<b>Ext:</b>	106
<b>Name or Company Name:</b>	heavy constructors
<b>Street Address or PO Box</b>	PO Box 3239 Rapid City S.D. 57709 4101 Deadwood AVE., South Dakota Rapid City United States
<b>Email</b>	<a href="mailto:daveu@heavyconstructors.com">daveu@heavyconstructors.com</a>
<b>Date</b>	Oct 21, 2020
<b>Were you previously aware of these allegations?</b>	Not Sure
<b>Do you believe the statutes listed (if any) by the complainant were violated?</b>	No
<b>Do you dispute the alleged violation of SD One Call statute or rule occurred?</b>	No
<b>Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?</b>	No
<b>Was a locate requested from SD One Call?</b>	No

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

the superintendent was new to the company and did not get a relocate before he started digging.

**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?** No

**Were facilities marked?** No

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

**Was the excavation site pre-marked with white paint?** No

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

**Was there reasonable care to maintain locate marks for the life of project?** No

**Did the complainant correctly describe the type of facility involved?** Yes

**Provide detail:**

2" gas line was hit with an excavator while digging MDU repaired the line.

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

**Provide detail:**

heavy constructors was digging with an excavator when they hit a 2" 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 not called

**If Yes, but if 911 was not called, or if you don't know, explain why.**  
MDU was on site when gas line was hit so they shut off gas and made repairs.

**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:**  
operator services were not 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:**  
we had a stand down meeting with the crew and went over proper procedure before the start of any excavation.

**Has a complaint been filed against you in the past for SD One Call violations?** Yes, I don't recall the date

**Please provide any additional information to support your position:**  
the operator was new to the crew and trying to impress the boss he dug further than he was instructed to thinking he was doing a good thing.

## **Attachment Information**

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

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