

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:	Montana Dakota Utilities
Contact Person:	Marcus Christensen
Phone	(605) 355-4000
Name or Company Name	Montana Dakota Utilities
Street Address or PO Box	PO Box 1060 Rapid City, South Dakota 57709 United States
Email	marcus.christensen@mdu.com
Date	Oct 02, 2020
Name of excavator / facility operator:	Chris Valasek
Phone	(307) 262-4156
Name or Company Name	Wild West Construction LLC
Street Address or PO Box	Po Box 1917 Glenrock, Wyoming 82637 United States
Email	cevalasek@gmail.com
Is this party aware of your allegations?	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 nonexcavation requests.

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.

Street Address / location of alleged violation:	317 Gold St
City	Lead
State	South Dakota
Date of alleged violation:	Sep 21, 2020
Time of alleged violation:	05:15 PM
Describe your allegation:	Contractor was digging under the locate ticket that the home owner had called in. The contractor did not have a valid locate ticket in there name. While removing the old water line to the house it snagged the gas line causing it to break. Gas was blowing, but contractor bent gas line over to stop the flow of gas. 811 was call, 911 was not.
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?	Yes
Explain	The gas line was not hit with the excavator. The damage occurred when the contractor was removing the old water line and it hooked onto the gas line causing it tear in half.
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	Yes
Were facilities marked?	Yes

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)?	Yes
Did the excavator use reasonable care to maintain locate marks for the life of project?	NA
Type of facility involved:	1/2" (P) Gas 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) 355-4000
Depth of Cover (If unsure put N/A)	<12"
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:	Yes. 1/2 gas service line. \$500
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 customer, 2 hours

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.

Contractor may not be familiar with the 811 rules in SD.

Please provide a Fire Department or Emergency Services incident report, if available

Not Available

Attachment Information

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