

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.

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| COMPLAINT DOCKET NUMBER: | OC20-074 |
| Reply filed on behalf of (company name): | Pedersen Excavating Inc |
| Contact Person: | Monty Pedersen |
| Phone | (605) 642-3658 |
| Name or Company Name: | Pedersen Excavating Inc |
| Street Address or PO Box | 3206 W Fairgrounds loop Spearfish, South Dakota 57783 United States |
| Email | pedexc@rushmore.com |
| Date | Oct 09, 2020 |
| Were you previously aware of these allegations? | No |
| Do you believe the statutes listed (if any) by the complainant were violated? | No |
| Why or why not? | The gas line was potholed on the west side of the road and was 47" deep. |
| Do you dispute the alleged violation of SD One Call statute or rule occurred? | Yes |
| If yes, what specifically do you dispute? | We did expose the gas line on the west side of the road prior to grading operations on the road and ditch. |
| Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation? | No |

Was a locate requested from SD One Call? Yes

If yes, please provide the ticket number and a copy of the locate ticket
2025297747

Locate ticket # 2025297747

Start date on ticket: Sep 10, 2020

Start time on ticket: 12:00 PM

Did excavation begin before the start date / time on the ticket? No

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? Yes

Were facilities marked? Yes

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

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

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

Was there reasonable care to maintain locate marks for the life of project? Yes

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

Provide detail:

A 3/4 gas line was damaged. MDU

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

Yes

Provide detail:

a 3/4 " gas line was damaged due to road grading efforts.

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?

Yes

Please provide a copy of the Damage Ticket

2026708846

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

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:

Yes, the line was damaged and one household was effected for about 2 1/2 hours.

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 believe in this incident we did take the necessary steps as required by law.

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:

Montana Dakota Utility did not get all the information prior to filing this complaint. The gas line was potholed on the west side of the road and was found at 47" deep. The line was hit in the middle of the road at less than 12" deep during road grading operations. There is no reason we would be lead to believe that 15 ft away the gas line would be so shallow. ELM provided information that the line was at 6" deep at the spot of damage. After the line was damaged and our crew along with MDU crew hand dug on East side of road to accomplish squeeze off operation the line was found at approximately 39" deep. The crew from MDU used their own locator to check depth on the west side of the road and found it at 48" deep, they themselves could not understand why it was shallow in the middle of the road. This damage that occurred by Pedersen Excavating Inc was not done by negligence or a violation of statue. The damage occurred because of improper installation or inspection of buried depth. Even after the incident and talking with MDU about the need for lowering and the possibly upsizing the line, they opted to leave it as is which may result in another contractor in this very same situation.

Attachment Information

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