



December 22, 2020

South Dakota Once Call Notification Board

RE: Dakota Star Credit Union, 1636 East Saint Patrick Street, Rapid City– MDU Gas Line Failure to Locate

To Whom It May Concern,

RCS Construction is filing a complaint against Montana Dakota Utilities (MDU) for failure to properly locate a gas line for the Dakota Star Credit Union at 1636 East Saint Patrick Street. On Friday September 11, 2020, RCS requested locates for 1636 East Saint Patrick Street ticket #2025500840 (Exhibit #1). We also received an “Unlocatable Facility Notification” made by Erik Smith with ELM at this time (Exhibit #2).

Due to ELM’s previous “Unlocatable Facility Notification”, RCS scheduled a meeting on Friday Dec. 11, 2020, with Andy from MDU to layout the service line route and connection to the 2-inch gas line. The area was marked with white flags and an updated ticket #2034650769 (Exhibit #3) was generated with a special request to mark “MDU line on north side of property must be located as that is what is going to be tied on to”.

On Wednesday Dec. 16, 2020, we proceeded to expose the gas line at the location marked digging seven feet deep by hand and with a machine. We coordinated with MDU’s subcontractor B&B Excavation for a 1:00 pm connection and run the new service line. When they saw we were seven feet deep, they stated something must be off and called MDU. Chuck with MDU showed up and he called ELM to respond to verify the gas line location. Per other direction we pot holed the gas line approximately 150 feet from the connection location and exposed the line and tracer wire. When ELM connected to the tracer wire, the connection location was over 25 feet from the previous location (Exhibit #4).

On Thursday Dec. 17, 2020, we dug down in the new location and exposed the existing gas line and three communication conduits (Exhibit #5). All three existing lines were buried at the same elevation without sand bedding and proper separation.

Locate diagram (Exhibit #6)

Superintendents daily report and pictures (Exhibit #7).

Picture of actual gas line marks (Exhibit #8)

During a site meeting on Thursday Dec. 17, 2020, between RCS Safety Manager Derek Nisly and MDU Engineering Associate Marcus Christensen, Marcus made the comment “this line is locatable”.

**Safety • Quality • Communication • Timeliness**

P.O. Box 9337 • Rapid City, SD 57709  
Phone (605) 342-3787 • Fax (605) 348-4041  
[www.rcsconst.com](http://www.rcsconst.com)



MDU violated 811 law §49-7A-8- Location of Underground Facilities – Marking when they located the 2” gas line for the proposed gas service over 25 feet from the actual location. The excavation for the new service crossed the existing gas line. If we had hit the gas line, the marks were 25 feet off and the line would have been damaged with potential for injury.

In our opinion, MDU the facility owner, missed this locate by over 25 feet and should be fined by 811. We were lucky that we did not damage the 2-inch line when we crossed it and dug to the area marked.

Kind Regards,

RC Scull

President

RCS Construction, Inc.

**Safety • Quality • Communication • Timeliness**

P.O. Box 9337 • Rapid City, SD 57709

Phone (605) 342-3787 • Fax (605) 348-4041

[www.rcsconst.com](http://www.rcsconst.com)

# TICKET 2025500840



Exhibit #1

Ticket Number: 2025500840      Old Ticket:  
Source: Portal Ticket      Type: Normal  
Date: 9/11/2020 4:29 PM  
Update By: 10/2/2020 2:15 PM      Expires On: 10/6/2020 2:15 PM

## RESPONSE STATUS AS OF FRIDAY, DECEMBER 18, 2020 9:29 AM

STATUS	CODE	NAME	FACILITIES
--------	------	------	------------

### COMPANY INFORMATION

RCS CONSTRUCTION      Phone: (605) 342-3787  
PO BOX 9337      Fax:  
RAPID CITY, SD 57709      Type: Excavator

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
Caller	Bob Conway	(605) 342-3787	bobc@rcsconst.com
Contact	Ronnie Hufstutler	(605) 872-1491	ronnie@rcsconst.com
Alt Phone		(605) 545-0235	

### WORK INFORMATION

State:	SD	Work Date:	9/15/2020 2:15 PM
County:	PENNINGTON	Done For:	Dakota Star Credit Un.
Place:	RAPID CITY	Duration:	2 Months
Street:	1636 E St Patrick St	Explosives:	False
Intersection:	Creek Dr	Right of Way:	True
Nature of Work:	Excavation for New Building and Utilities	Tunnel/Bore:	False
Meet Requested:	False	Meet Date/Time:	
TRSQ:		Depth:	15'

### DRIVING DIRECTIONS

Vacant Lot at the NW corner of the intersection of E St Patrick St and Creek Drive.

### REMARKS

Work Date: 9/15/2020 2:15:00 PM Locate Entire Property

### MEMBERS

CODE	NAME
BH1	Black Hills Power and Light Company
UW1	CTLQL-CenturyLink
RCC	City Of Rapid City
GT2	Golden West Communications
TC1	Midcontinent Communications
MT3	Montana-Dakota Utilities Company
4HP	Montana-Dakota Utilities Company

CODE	NAME
SDT	Sdn Communications Llc
OPE	Vast Broadband
REC	Rushmore Electric Power Coop

---

The facility owner and contractor on the ticket must be notified of the unlocatable facility at the time of discovery. This form must also be completed and submitted to Shannon Black (shannon.black@elmutility.com) (208) 866-0801, who will send an email notification. Remember to take a picture of this completed form and attach it to the ticket as well.

Exhibit #2

Locate Technician / Phone #: Erik Smith 605 219 0177

Locate request/Ticket number: 2025500840

Contractor on Ticket: Ronnie Holstutler

Contractor Phone / Email: 605 872 1491

Address / Location of Unlocatable: 1636 E St Patrick St, northern property boundary

Unlocatable Facility Size / Type / Owner: 2" plastic main that stubs out in the row

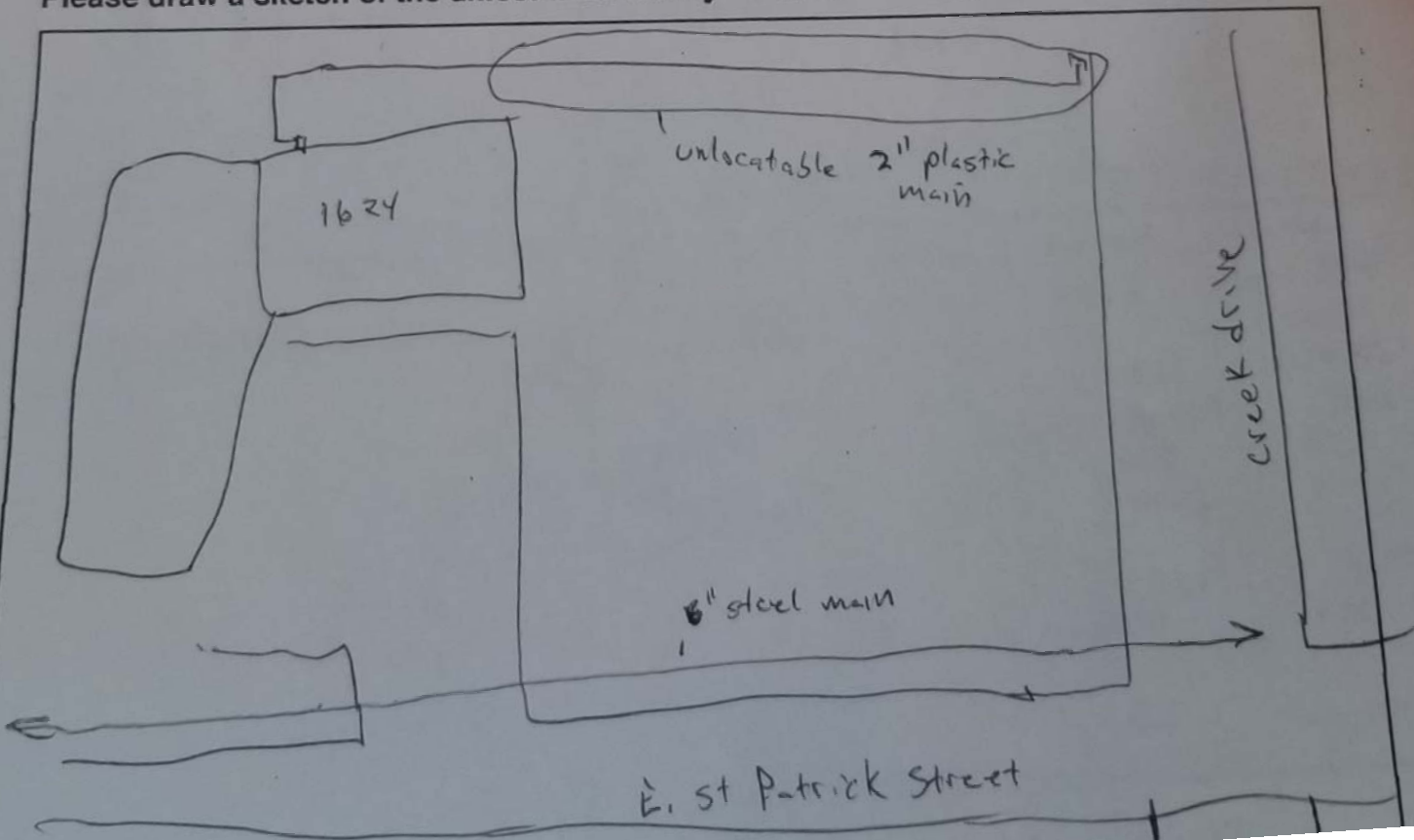
Contractor Representative notified: Yes

Facility Owner Representative notified: Yes

Were the unlocatable lines marked using map information? YES  NO

Description of steps taken to locate facility before determining it as unlocatable: Tried different frequencies. Using the higher frequencies, I ended up jumping onto a power line leading to a power pole. Only got a signal back locating the main to about 20ft to the east of the power box.

Please draw a sketch of the unlocatable facility / area below before submitting this form:



## TICKET 2034650769



Ticket Number: 2034650769      Old Ticket:  
 Source: Voice      Type: Normal  
 Date: 12/11/2020 10:27 AM  
 Update By: 12/31/2020 10:00 AM      Expires On: 1/5/2021 10:00 AM

RESPONSE STATUS AS OF FRIDAY, DECEMBER 18, 2020 2:55 PM

STATUS	CODE	NAME	FACILITIES
--------	------	------	------------

## COMPANY INFORMATION

RCS CONSTRUCTION  
 PO BOX 9337  
 RAPID CITY, SD 57709

Phone: (605) 342-3787

Fax:

Type: Excavator

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
Caller	Bob Conway	(605) 342-3787	bobc@rcsconst.com
Contact	RONNIE HUFSTUTLER	(605) 858-2418	ronnie@rcsconst.com
Alt Phone		(605) 545-0235	

## WORK INFORMATION

State:	SD	Work Date:	12/15/2020 10:00 AM
County:	PENNINGTON	Done For:	Dakota Star Credit Un
Place:	RAPID CITY	Duration:	21
Street:	1636 E Saint Patrick St	Explosives:	False
Intersection:	Creek Dr	Right of Way:	True
Nature of Work:	Trenching for gas service	Tunnel/Bore:	False
Meet Requested:	False	Meet Date/Time:	
TRSQ:		Depth:	4'

## DRIVING DIRECTIONS

## REMARKS

Work Date: 12/15/2020 8:15:00 AM Locate entire property all the way to E St Charles Street MDU Line on north side of property must be located as that is what is going to be tied on to.

## MEMBERS

CODE	NAME
BH1	Black Hills Power and Light Company
UW1	CTLQL-CenturyLink
RCC	City Of Rapid City
GT2	Golden West Communications
TC1	Midcontinent Communications
MT3	Montana-Dakota Utilities Company

CODE	NAME
4HP	Montana-Dakota Utilities Company
SDT	Sdn Communications Llc
OPE	Vast Broadband
REC	Rushmore Electric Power Coop

---

Exhibit #4





Exhibit #5



2 inch Gas Line as it was marked before we started digging

Google Maps 44°04'08.6"N 103°11'09.3"W



White line is the original 2 inch gas line marks

Yellow line is the actual 2 inch gas line marks

Over 25 feet between the white original gas line marks and the yellow actual gas line location

# Dakota Star Site Work

1624 E Saint Patrick St Rapid City, SD 57703

Exhibit #7



Date Wed 12/16/2020

Job # 202034

Prepared By Ronnie Hufstutler



## Weather

6:00 AM

32°

Partly Cloudy

Wind: 7 MPH | Precipitation: .0" | Humidity: 76%

12:00 PM

43°

Partly Cloudy

Wind: 14 MPH | Precipitation: .01" | Humidity: 59%

4:00 PM

39°

Clear

Wind: 11 MPH | Precipitation: .01" | Humidity: 61%

## Work Logs

Name	Description	Quantity	Hours
Jesse Midgett	Dug gas line trench <small>Ronnie Hufstutler   12/17/20   06:15AM</small>	1	8
Ronnie Hufstutler	Dug gas line trench <small>Ronnie Hufstutler   12/17/20   06:15AM</small>	1	0
Scott Haley		0	0
<b>Total</b>		<b>2</b>	<b>8</b>

## General Notes

1. Ronnie spent time on covid  
Scott Haley took the rest of the week off to attend his brother's funeral.  
Had B&B excavation, Chuck with MDU and ELM Locating here. Kevin was the locator.  
Ronnie Hufstutler | 12/17/20 | 06:17AM

## Site Safety Observations

No entry

## Quality Control Observations

1. After spending 3 hrs digging 7 feet (by hand and machine) trying to locate a gas line, MDU and ELM locating

services were called for a verification of marks.

We potholed the gas line approximately 150' west of where we were trying to locate it. Upon finding the gas line, the locator (Kevin) hooked onto the tracer wire that was present on the gas line we potholed. He then located the gas line to where it intersects with our trench. These new locate marks are approximately 23' from the previous marks. We wrapped up our day filling in the overdug trench so we can access the new located line to dig there tomorrow.

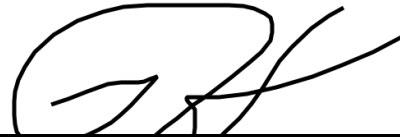
Ronnie Hufstutler | 12/17/20 | 06:31AM

## Survey

Questions	N/A	No	Yes	Description
1. Any accidents on site today?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Any schedule delays occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Did weather cause any delays?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Any visitors on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chuck with MDU B&B excavation Kevin with ELM Locating Ronnie Hufstutler   12/17/20   06:18AM
5. Any areas that can't be worked on?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Any equipment rented on site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

## Attachments





---

I, Ronnie Hufstutler, have reviewed and completed this report.

Ronnie Hufstutler | 12/17/20 | 06:32AM



Actual gas line location

Over 25 feet between the original gas line marks and the actual gas line location

Original gas line marks