

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:

RCS Construction, Inc.

Contact Person:

RC Scull

Phone

(605) 342-3787

Name or Company Name

RCS Construction, Inc.

Street Address or PO Box

PO Box 9337
Rapid City, South Dakota 57709
United States

Email

rc@rcsconst.com

Date

Dec 22, 2020

Name of excavator / facility operator:

Montana-Dakota Utilities

Phone

(605) 355-4035

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

Is this party aware of your allegations?

Yes

Provide detail including whom you spoke with:

We notified Marcus Christensen of the issue and our intention to file a complaint.

ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:

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.

Other information to support your position:

Please refer to attached documents for additional details.

Street Address / location of alleged violation:	1636 East Saint Patrick Street
City	Rapid City
State	SD
Date of alleged violation:	Dec 16, 2020
Time of alleged violation:	01:00 PM
Describe your allegation:	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. Delay and down time resulted in additional costs of approximately \$1,500.00.
Do you believe the alleged violation to be intentional?	Yes
Why or why not?	The marks were more that 25 feet off of the actual gas line location.
Was a locate requested from SD One Call?	Yes
Locate ticket #:	2034650769
Start date on ticket:	Dec 15, 2020
Start time on ticket:	10:00 AM
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?	Yes
Explain	RCS hand dug to 7 feet in the original marked location. Then MDU was notified and they dispatched ELM to come out to relocate the gas line.
Were buried facilities exposed by hand or non-	Yes

invasive equipment prior to excavation?

Were facilities marked?	No
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 line
Operator of facility (if known):	Montana-Dakota Utilities
Operator address (Street or PO Box):	PO Box 1060 South Dakota Rapid City United States
Operator Phone	(605) 355-4035
Depth of Cover (If unsure put N/A)	3 - 4 feet
Pressure: (If none, write none)	High pressure (unknown)
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? NA

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 was notified directly that the gas line was not in the location originally marked and RCS requested assistance to get the gas line location identified.

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.