



Washington State Dig Law Safety Committee **D-240859**

1673 S Market Blvd, #121
Chehalis, WA 98532

Received
Records Management
Dec 12, 2024

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**Committee Members
Represent:**

Jeff Killip, Executive Director, and Secretary
UTC Records Center
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Local Government

Natural Gas Utility

Contractors

Re: Review Committee Decision – Complaint Cases 24-088, 24-089, and 24-090
NW Natural Gas vs Drew Excavating, Inc. - Amended

Excavators

Dear Mr. Killip:

Electric Utility

The Washington State Dig Law Safety Committee (committee) received three complaints filed by NW Natural Gas against Drew Excavating, Inc. (Drew Excavating) regarding potential violations of the Washington State Dig Law RCW 19.122.030.

**Consumer
Owned Utility**

Pipeline Utility

Water Utility

On Nov. 5, 2024, the committee formed a peer review board and reviewed Complaint Cases 24-088, 24-089, and 24-090.

**Utilities and
Transportation
Commission**

The peer review board determined that:

**Telecommunications
Company**

Drew Excavating violated RCW 19.122.030(2) one time for failure to provide notice to a one-number locator service not less than two business days before the scheduled excavation date.

**Three
At-Large Positions**

Drew Excavating violated RCW 19.122.040(2)(a) two times for not using reasonable care to avoid damaging underground facilities; by failing to determine the precise location of underground facilities which have been marked.

Drew Excavating violated RCW 19.122.050(1) one time for failure to report damage to an underground facility operator, a one-number locator service, and report the damage as required.

Therefore, the committee recommends a total penalty of \$10,000 be assessed to the respondent as follows:


- \$2,500 for one violation of RCW 19.122.030(2) that occurred on Aug. 16, 2024, at 5156 N 91st Ave, Camas, WA.
- \$2,500 for one violation of RCW 19.122.040(2)(a) that occurred on July 15, 2024, at 1351 N Kalani Loop, Ridgefield, WA.
- \$2,500 for one violation of RCW 19.122.040(2)(a) that occurred on Sept. 24, 2024, at 908 S 29th Place, Ridgefield, WA
- \$2,500 for one violation of RCW 19.122.050(1) that occurred approximately early June 2024, at 908 S 29th Place, Ridgefield, WA, and discovered on Sept. 24, 2024

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Additionally, the committee recommends a deferral opportunity be offered to suspend \$2,500 of the \$10,000 total, based on the conditions that all company management and field crews responsible for excavation at Drew Excavating attend in-person NUCA Dig Safe Training; and the company incurs no additional violations of RCW 19.122 within the next 12 months.

Please let me know if you have any questions regarding this recommendation. You may contact me at 206-794-9823.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Walton". The signature is stylized with a large initial "J" and a long horizontal stroke.

Jim Walton, Chair
WA State Dig Law Safety Committee

cc: Marina Rathbun, UTC
Jaimie Lemke, NW Natural Gas
Mike and Laura Drew, Drew Excavating