



Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

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June 14, 2016

Steven V. King, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *In the Matter of the Penalty Assessment against Watterson Excavation Inc. in the
Amount of \$10,000
Docket DG-160164*

Dear Mr. King:

Enclosed for filing in the above-referenced docket are the original and one copy of
Commission Staff's Exhibit List and Certificate of Service.

Sincerely,

BRETT P. SHEARER
Assistant Attorney General

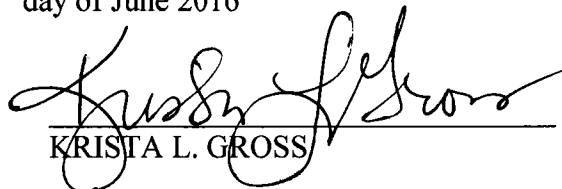
BPS:klg
Enclosures
cc: Parties



Docket DG-160164
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the attached Exhibit List upon the persons and entities listed on the Service List below via electronic and United States mail, addressed as shown below, with first class postage prepaid.

DATED at Olympia, Washington this 14th day of June 2016


KRISTA L. GROSS

Watterson Excavation Inc.
718 Griffin Avenue, Suite 90
Enumclaw, WA 98022

COMMISSION STAFF EXHIBIT LIST

Watterson Excavation Inc.

Docket DG-160164

| NUMBER | WITNESS | A/R | DATE | DESCRIPTION |
|--------|------------------|-----|------|---|
| AD-1 | Anthony Dorrough | | | UTC Incident Investigation Form (2 pgs) |
| AD-2 | | | | Damage Report (2 pgs) |
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UTC Incident Investigation Form

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|-------------------------|--|--------------------------|------|
| Notification ID: | | Investigation ID: | 6510 |
|-------------------------|--|--------------------------|------|

| | |
|---|---|
| Inspector Name: | Anthony Dorrough |
| Date Report Submitted to Chief Engineer: | |
| Date Report Reviewed & Approved by Chief Engineer: | 2/1/16 – Reviewed by Lynda H. and approved for P.A. |

| | |
|------------------------|----------------------------|
| Operator: | Puget Sound Energy |
| District/Unit: | King County - East |
| Locations: | 3618 225th PL SE, Issaquah |
| Incident Dates: | May 28, 2015 |
| Company Name: | Watterson Excavation Inc. |

| |
|---|
| Description: |
| <p>On May 28, 2015, Watterson Excavation, Inc. (Watterson) damaged a Puget Sound Energy (PSE) natural gas pipeline at 3618 225th PL SE, in Issaquah. According to the Damage Incident Report Tool (DIRT) report submitted by PSE, a Watterson crew was removing roots and prepping for a new driveway when they broke a 5/8-inch PE gas service without first calling for a utility locate before excavation.</p> |
| Facts/Chronology of Events: |
| <p>On May 28, 2015, Watterson damaged a PSE natural gas pipeline at 3618 225th PL SE, in Issaquah, removing roots and prepping for a new driveway when they broke a 5/8-inch PE gas service without first calling for a utility locate before excavation.</p> <p>On Jul 2, 2015, PSE submitted a DIRT report to the commission that identified Watterson as the excavator that damaged the company's natural gas facility without first obtaining a valid underground utility locate.</p> <p>Commission staff (staff) sent a technical assistance letter to Watterson on Jul 20, 2015. The letter mentioned three previous damage incidents where staff found that Watterson had not requested utility locates, and which ultimately resulted in a \$4,000 Penalty Assessment Order (DG-144092), issued by the commission, in April, 2015.</p> <p>This latest incident prompted an investigation by staff. On Aug 12, 2015, staff contacted Watterson via telephone about the incident. Watterson's explanation for the incident was that their crew got an order for expanded work and then proceeded with</p> |

UTC Incident Investigation Form

onsite excavation without first notifying their office or calling for utility locates. According to Watterson a seasoned crew was performing the work and the incident took place just before one of their monthly safety meetings.

Causes/Contributing Factors:

Staff has determined that this incident was caused by a failure to follow procedures. According to Watterson management, the crew responsible for the damage did not follow their own company procedures, which states that before any excavation, a request for a utility locate will be called in to their office. The crew got an order for expanded work, which involved excavation and then just proceeded with the excavation. A contributing factor may have been, a lack of understanding as to the importance of following proper procedure and public safety, as it relates to Washington's Dig Law, despite regular safety meetings and discussion.

Regulatory Analysis/ Violations:

After reviewing supporting documentation from PSE and Watterson, as well as interviewing Brad Boren, General Manager with Watterson, staff finds that on May 28, 2015 Watterson violated RCW 19.122.030(1)(a) by failing to request a dig ticket before performing an excavation. RCW 19.122.055(1)(a) states, in part, that any excavator who fails to notify a one-number locator service and causes damage to a hazardous liquid or gas facility is subject to a civil penalty of not more than ten thousand dollars for each violation.

Follow up/ Recommendations:

Because of the three previous violations resulting in a \$4,000 Penalty Assessment, a demonstrated lack of understanding about following proper procedure in regard to public safety related to Washington's Dig Law, and the short span of time between their penalty assessment in April 2015, Staff recommends that Watterson be issued a \$10,000 penalty for this latest violation of RCW 19.122.030(1)(a).

View Damage Report

Watterson Escav.

Page 1 of 2

| DIRT ID | Company/Organization | Stakeholder Group | Event Type |
|---------|--------------------------|-------------------|-----------------------|
| 2328056 | Puget Sound Energy (PSE) | Natural Gas | Underground (default) |

Part B: Date and Location of the event

| Date Of Event | Date Submitted | State | County | City | Address | Nearest Intersection |
|---------------|----------------------|------------|---------|----------|------------------------|----------------------|
| 2015-05-28 | 2015-07-02 12:55 MDT | Washington | WA-King | ISSAQUAH | 3618 225TH PL SE | |

Part C: Affected Facility Information

| Right of Way Type | Facility Operation Affected | Facility Type Affected | Joint Trench | One Call Member |
|----------------------|-----------------------------|------------------------|--------------|-----------------|
| Private - Land Owner | Natural Gas | Service/Drop | | |

Part D: Excavation Information

| Type Of Excavator | Type of Excavation Equipment | Type of Work Performed |
|-------------------|------------------------------|------------------------|
| Contractor | Backhoe/Trackhoe | Driveway |

Part E: Notification

| Was One-Call center notified? | One-Call Center name | One-Call Center ticket number |
|-------------------------------|----------------------|-------------------------------|
| false | | |

Part F: Locating and Marking

Information N/A. One-call center was not notified.

Part G: Excavator Downtime

| Did the excavator incur downtime? | If yes, how much time? | Estimated cost of downtime? |
|-----------------------------------|------------------------|-----------------------------|
| Yes | (unknown) | (unknown) |

Part H: Description of Damage

| Was there damage to a facility? | Was there an interruption in service? | If yes, duration of the outage | How many customers were affected? | Estimated cost of damage repair/restoration | Number of people injured | Number of fatalities |
|---------------------------------|---------------------------------------|--------------------------------|-----------------------------------|---|--------------------------|----------------------|
| true | Y | (not collected) | (unknown) | (unknown) | (unknown) | (unknown) |

Part I: Description of Root Cause

-- No notification made to the one-call center

Part J: Additional Comments

CONTRACTOR REMOVING ROOTS AND PREPPING FOR NEW DRIVEWAY BROKE 5/8" PE SERVICE. NO LOCATES WERE CALLED.###

Images and Attachments

| Thumbnail | File Name | Size | Last Modified | Action |
|---------------|-----------|------|---------------|--------|
| <i>(none)</i> | | | | |