



Washington State Dig Law Safety Committee

A Standing Committee of Washington Utilities Coordinating Council

COMMUNICATION – COOPERATION – COORDINATION

P.O. Box 734 · Poulsbo, WA 98370

September 22, 2014

Steve King, Executive Director and Secretary
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Review Committee Decision - Case Number 14016
Charles E. Austin vs. Advance Environmental, Inc.

Dear Mr. King:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122 for work performed in March of 2014. The complaint was filed with the Safety Committee on July 16, 2014. On September 10, 2014 the Review Committee of the Safety Committee heard the complaint. The Complainant in this case is Charles E. Austin (property owner), and the Respondent is Advance Environmental, Inc.

The complainant alleged violation of RCW 19.122.030(1) (a), failure to request a dig ticket prior to performing excavation. The Review Committee finds that the respondent, Advance Environmental, Inc., did violate RCW 19.122.030(1)(a), by not requesting a dig ticket prior to performing excavation as part of an oil tank removal at 1309 Alder St. SE, Lacey. The excavator, Advanced Environmental, was under the wrong impression that because they were excavating on private property, they did not need to call in for a locate dig ticket. Further research indicates that Advance Environmental does utilize the dig ticket system for many of its projects, but simply needs to understand the full requirement under the law.

The Review Committee recommends that a \$1,000.00 penalty be assessed for this violation, with a stipulation that the \$1,000.00 be deferred if Advance Environmental agrees to Dig Safe Training for the owner and his staff. This training must be completed within 90 days of the UTC review and confirmation of this decision. If Advance Environmental either fails to perform the training, or commits a further violation of RCW 19.122.030 within a 12-month period from the UTC confirmation date, then the \$1,000.00 will be due and payable at that time.

STATE OF WASH.
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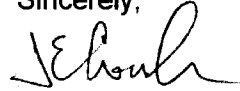
Utilities and Transportation
Commission

Telecommunications
Company

Three At – Large Positions

Please let me know if you have any questions regarding this case. I can be contacted at 206.442.2110.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Cornelius". The signature is fluid and cursive, with the first letter "J" being particularly large and stylized.

Jon Cornelius
Chair

Cc: Charles E. Austin
Advance Environmental, Inc.
Lynda Holloway, UTC