

D-150720



**Washington State Dig Law Safety Committee**  
A Standing Committee of Washington Utilities Coordinating Council  
COMMUNICATION – COOPERATION -  
COORDINATION  
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STATE OF WASH.  
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- Contractors
- Excavators
- Electric Utility
- Consumer – Owned Utility
- Pipeline Utility
- Insurance Industry
- Utilities and Transportation Commission
- Telecommunications Company
- Three At – Large Positions

April 28, 2015

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 14-028  
Lake Chelan Reclamation District vs Lakeshore Excavation

Dear Mr. King:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122.030 (1) (a). The complaint was received from Lake Chelan Reclamation District and the respondent in this complaint is Lakeshore Excavation. The Review Committee of the Safety Committee heard the complaint on April 17, 2015.

The complainant alleged violation of 19.122.030 (1) (a) by not calling the one-number locator service to notify all facility operators. Mr. Harding acknowledged the lack of a properly filed locate. The Review Committee finds that the Respondent, Lakeshore Excavation, did violate RCW 19.122.030(1) (a) by excavating without proper notice.

The Safety Committee recommends a penalty of \$1,000 be assessed for this violation, with the provision that \$1000 be deferred if the excavator completes Dig Safe training through NUCA within 90 days. If Lakeshore Construction either fails to perform the training, or commits a further violation of RCW 19.122 within a 12-month period from the UTC confirmation date, then the full \$1,000.00 will be due and payable at that time.

Please let me know if you have any questions regarding this case. I can be contacted at 425.430.7212.

Sincerely,

Dave Christensen, Chair

Cc: Jennifer Collins  
Jim Harding  
Lynda Holloway, UTC