

Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370



Committee Members
Represent:

Local Government

Natural Gas Utility

Contractors

Excavators

Electric Utility

Consumer – Owned Utility

Pipeline Utility

Insurance Industry

Utilities and Transportation
Commission

Telecommunications
Company

Three At – Large Positions

May 30, 2018

Mark Johnson, 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 Numbers 18-021 thru 024
Puget Sound Energy vs Builders Supply

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received three complaints regarding potential violations of the Washington State Dig Law RCW 19.122.030(2) for work performed on 01/06/2017, 01/26/2017, and two occasions on 03/13/2018, all at various locations.

On May 23, 2018, the Washington State Dig Law Safety Committee Review Board heard complaint Cases 18-021 thru 18-024 Puget Sound Energy vs Builder's Supply.

The Review Committee determined that the respondent, did violate RCW 19.122.030(2) for excavation without a valid locate at each location.

The Review Committee recommends the following penalty be assessed to the respondent:

- Case 18-021 \$1000.00
- Case 18-022 \$5000.00
- Case 18-023 \$5000.00
- Case 18-024 \$5000.00

The Review Committee recommends that of the \$16,000.00 total fined, \$10,000.00 be deferred on the condition that no further violations of RCW 19.122.030 occur within 12 months and that the ownership and field supervision of Builder's Supply attend NUCA Dig Safe Training within 120 days of receiving the penalty assessment order from the UTC. Builder's Supply's past penalty history with the

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UTC led to the committee's decision to only defer \$10,000.00 versus a potential deferment of \$15,000.00, if this had been a first-time violation.

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

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Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Christensen".

Dave Christensen, Chair

Cc: Lynda Holloway, UTC

Erika Hunter, PSE

Builder's Supply