



# Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

March 11, 2020

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

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 – Cases 19-051 through 19-054  
Puget Sound Energy vs. Vasiliy's Construction Plus, LLC.

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received four complaints regarding potential violations of Washington State Dig Law RCW 19.122.030 for work performed on April 12, 2019, April 15, 2019, May 2, 2019, and May 3, 2019.

On February 18, 2020, the committee formed a review board and heard Cases 19-051 through 19-054, filed by Puget Sound Energy against Vasiliy's Construction Plus, LLC.

The review board determined that the respondent, Vasiliy's Construction Plus, LLC., violated RCW 19.122.030(2) on two occasions by failing to call for locates, and they violated RCW 19.122.030(5) on one occasion by failing to wait until all locates were complete.

Therefore, the committee recommends a total penalty of \$11000.00 be assessed to the respondent follows;

- Case 19-051 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-052 \$5000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-054 \$5000.00 penalty for one violation of RCW 19.122.030(5)
- Case 19-053 the review board determined the complainant did not provide enough information

The recommended penalties total \$11000.00 with \$5000.00 deferred on the condition the four owners complete NUCA dig safe training and incur no additional violations of RCW 19.122 within twelve months of receiving a penalty assessment order.

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Please let me know if you have any questions regarding this case. I can be contacted at 206-794-9823.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Walton".

Jim Walton, Chair

cc: Lynda Holloway, UTC

Vasiliy Polivoda, Vasiliy's Construction Plus, LLC.

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