



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 19-039 through 19-042
Puget Sound Energy vs. Bach Drilling Company

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received complaints regarding potential violations of Washington State Dig Law RCW 19.122.030 for work performed on 4/25/2019.

On February 18, 2019, the committee formed a review board and heard Cases 19-039 through 19-042 Puget Sound Energy vs. Bach Drilling Company.

The review board determined that the respondent did violate RCW 19.122.030 on three occasions. Bach Drilling Company violated RCW 19.122.030(1) in Case 19-039 by excavating outside the identified dig area, violated RCW 19.122.030(2) in Case 19-041 by digging before the required two business days, and RCW 19.122.030(5) on Case 19-042 by failing to wait until all locates are marked or communicated. The review board determined Bach Drilling Company did not violate RCW 19.122.030 (1) by using pink vs. white paint to outline the work area in Case 19-040.

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

- Case 19-039 \$1000.00 penalty for one violation of RCW 19.122.030(1)
- Case 19-041 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-042 \$5000.00 penalty for one violation of RCW 19.122.030(5)
- Case 19-040 the WSDL Safety Committee will issue a warning letter

The recommended penalties total \$7000.00 with \$6500.00 deferred on the condition that Jeremy Bach attends NUCA dig safe training and incur no additional violations of RCW 19.122 withing 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 that reads "Jim Walton". The signature is written over a horizontal line.

Jim Walton, Chair

cc: Lynda Holloway, UTC

Jeremy Bach, Bach Drilling Company

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