

WUCC Complaint Form

Requester Information

Your Name:

Isaac Myhrum

Your Company:

Cascade Natural Gas Corporation

Your Phone Number:

5099758700

Your Email:

isaac.myhrum@mdu.com

Your Address:

8113 W Grandridge Blvd

Your City:

Kennewick

Your State:

WA

Your Zip:

99301

Was a locate requested from the call center? Yes No

Ticket Number:

22382993

Ticket Date:

08/29/2022

Violation Information

Alleged Violation/Damage:

RCW 19.122.030 Must call for marking two (2) full business days prior to digging.

Other

Section of Law Violated:

RCW 19.122.030 (2) and RCW 19.122.030 (5)

Alleged Violation Date:

08/31/2022

Address of alleged violation:

10023 OLD FRONTIER RD

City of Alleged Violation:

SILVERDALE

State of Alleged Violation:

WA

Zip of Alleged Violation:

98383

Basic Description:

Cascade Natural Gas (Cascade or Company) hereby submits to the Washington State Dig Law Safety Committee (Committee) this formal complaint against excavator Evergreen Concrete Cutting (Evergreen), based in Pacific, Washington, for its repeated, and the Company believes, willful, violations of Washington State Dig Laws under RCW 19.122.

The Company cites an incident that occurred on August 31, 2022 under locate request 22382993. The Company has documentation to support the fact that Evergreen had commenced excavation activities prior to the valid locate ticket date (work to begin date) which would have been no earlier than September 1, 2022. Evergreen began such excavation activities prior to the Company marking all known gas utilities in the dig site identified on locate ticket number 22382993.

Allleged Violator

Company Name:

EVERGREEN CONCRETE CUTTING INC

Company Phone Number:

2538267644

Company Email:

MATTW@EVERGREENCONCRETECUTTING.COM

Company Address:

Company City:

PACIFIC

Company State:

WA

Company Zip:

98047

Names of Employees on Site:

Other

Additional Information:

These violations were identified by the Company when its personnel responded to the locate ticket requested by Evergreen and discovered that excavation activities had already commenced prior to a one-number locator service being performed. The Company is in possession of photographs which show Evergreen engaged in excavation activities prior to a completed locate request. The Company believes that Evergreen, through its repeated and willful violations of RCW 19.122 and apparent unwillingness to change its practices demonstrates a clear disregard for the safety of Evergreen's own employees, public safety customers, and the Company's facilities.

By submitting this form I acknowledge that the statements that I alleged are true and accurate to the best of my knowledge.

Cascade Natural Gas (Cascade or Company) hereby submits to the Washington State Dig Law Safety Committee (Committee) this formal complaint against excavator Evergreen Concrete Cutting (Evergreen), based in Pacific, Washington, for its repeated, and the Company believes, willful, violations of Washington State Dig Laws under RCW 19.122.

The Company cites an incident that occurred on August 31, 2022 under locate request 22382993. The Company has documentation to support the fact that Evergreen had commenced excavation activities prior to the valid locate ticket date (work to begin date) which would have been no earlier than September 1, 2022. Evergreen began such excavation activities prior to the Company marking all known gas utilities in the dig site identified on locate ticket number 22382993. This is in violation of both RCW 19.122.030 (2) and RCW 19.122.030 (2) which state:

RCW 19.122.030 (2): "An excavator must provide the notice required by subsection (1) of this section to a one-number locator service not less than two business days and not more than ten business days before the scheduled date for commencement of excavation, unless otherwise agreed by the excavator and facility operators." (emphasis added)

RCW 19.122.03 (5): "An excavator must not excavate until all known facility operators have marked or provided information regarding underground facilities as provided in this section."

Additionally, the Company has documentation, provided in this complaint. In this instance along with multiple other occasions, Evergreen has failed to mark the boundary of Evergreen's proposed excavation area in white paint, which constitutes a violation of RCW 19.122.030 (2) which states:

RCW 19.122.030 (1), which requires excavators to "must mark the boundary of the excavation area with white paint applied on the ground of the worksite, then provide notice of the scheduled commencement of excavation to all facility operators through a one-number locator service."

These violations were noted by the Company when its personnel responded to locate tickets requested by Evergreen (or a related party) and excavation activities had already commenced prior to a one-number locator service being performed. The Company cites two incidents in this complaint which occurred on June 15, 2022 and June 22, 2022 under locate requests WA22263270 and WA22275992 respectively.

The Company's field personnel at the time of the violations communicated directly and in-person to Evergreen's personnel that its actions were in violation of the law. These communications have been documented by the Company. When reached directly by Cascade management regarding these alleged violations, representatives from Evergreen expressed no intention to change their practices. The Company has provided time-stamped photographs of Evergreen's alleged violations which show Evergreen engaged in excavation activities prior to a completed locate request.



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8113 W. Grandridge Blvd
Kennewick, WA 99336
888-522-1130 | www.cngc.com

**Know what's below.
Call 811 before you dig.**

The Company believes that Evergreen, through its repeated and willful violations of RCW 19.122 and apparent unwillingness to change its practices demonstrates a clear disregard for the safety of Evergreens own employees, customers, and the Company's facilities. The Company believes these actions by Evergreen warrant an investigation by the Committee.

These violations were identified by the Company when its personnel responded to the locate ticket requested by Evergreen and discovered that excavation activities had already commenced prior to a one-number locator service being performed. The Company is in possession of photographs which show Evergreen engaged in excavation activities prior to a completed locate request. The Company believes that Evergreen, through its repeated and willful violations of RCW 19.122 and apparent unwillingness to change its practices demonstrates a clear disregard for the safety of Evergreen's own employees, public safety customers, and the Company's facilities.

RCW 19.122.030 (2) and RCW 19.122.030 (5)

Hendrickson, Teresa

From: Bossard, Chris
Sent: Wednesday, August 31, 2022 4:40 PM
To: Myhrum, Isaac
Subject: FW: 10023 OLD FRONTIER RD

Isaac,

Bernie Jenkins submitted Form 23094 today for two Dig Law violations for Evergreen Concrete Cutting. The excavation area was not premarked with white paint and the excavation was completed prior to the work to begin date.

Locate: # WA22382993
PCAD Job Number: Mdug-20220829-21727

Please formally file two complaints against Evergreen Concrete Cutting with the WUTC.

Thanks,

Chris

From: Jenkins, Bernard <Bernard.Jenkins@cngc.com>
Sent: Wednesday, August 31, 2022 2:33 PM
To: Bossard, Chris <Chris.Bossard@cngc.com>
Subject: 10023 OLD FRONTIER RD

Good Afternoon Chris.

Provided are the images that I've attached to the Form 23094 submitted this afternoon.





B Jenkins

Bernie Jenkins
Service Mechanic A



"In the Community to Serve"

A Subsidiary of MDU Resources Group Inc

Cell: (360)633-5654

bernard.jenkins@cngc.com

"The meaning of life, is a life of meaning."

-Robert Byrne

Order Summary

PCAD Job ID FA ID Service Code

Customer

Address Attachments: 0

Order Information

FA Instructions¹

Account ID Appointment Code FA Taken By

Requested By and Phone Call Ahead Info

Meter Information

Meter Number	ERT Number	Previous Read	Meter Location	Meter Location Details ²	Bypassable Meter Set	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Meter Set Date	ERT Type	Previous Read Date	Meter Size	Number of Dials	Read Instructions ⁴	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Serial Number	Regulator 1	Regulator 2	Delivery Pressure	Billing Pressure	Meter Manufacturer	Meter On/Off Status
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="N/A"/>
Multiplier	Drive Rate	Press. Compensated	Temp. Compensated	HPSS	Excess Flow Valve	Premise Warning
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Service Line #	Estimated Read Ind.	Previous Read 2	Meter Low Range	Meter High Range	External Relief Valve	Meter Rd Rte/Cycle ⁶
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Premise ID	Phase/Wire	Class	Amps	Form	SP Voltage	Meter Voltage
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Maximo Directions³

Maximo Work Log I

Maximo Location IT

Maximo Location D

Section ID

Owner Group

Premise Information

Alert⁷

Appliances⁹

Unsafe/Unsatisfactory Condition⁸

Service Point ID

Landlord Agreement

Premise Time Zone Premise Type

Disconnect Location Life Support Sensitive¹¹

Additional Address Key ID

Order History

Order Date 1	FA Type 1	Employee 1	Comments 1 ¹²
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Order Date 2	FA Type 2	Employee 2	Comments 2 ¹³
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Order Date 3	FA Type 3	Employee 3	Comments 3 ¹⁴
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Account Information

Account Status	Customer Class	Rate	Business Phone	Work Phone	Cellular Phone
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Last Payment	Last Payment Date	Balance Due	Due Date		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>		

FA Instructions ¹	ASPHALT CUTTING
Meter Location Details ²	
Maximo Directions ³	
Read Instructions ⁴	
Maximo Work Log History ⁵	
Meter Rd Rte/Cycle ⁶	
Alert ⁷	

Unsafe/Unsatisfactory Condition ⁸	
Appliances ⁹	
Maximo Location Description ¹⁰	
Life Support Sensitive ¹¹	
Comments 1 ¹²	
Comments 2 ¹³	
Comments 3 ¹⁴	

Order Summary

PCAD Job ID FA ID Service Code
 Customer
 Address
 Attachments: 0

Locate Completion

Completed Positive Response CGI CGI Reason

Marking Method Grid Number Office Review? Reviewer

Comments¹ Review Reason²

Facility Located? Choose All that Apply

Gas Electric Fiber

Select 1 Reason Below

Near Miss? Facility Not Marked Due To: Facility Marked Inaccurately Due To:

Excavator Notified Person Notified Notifier

Locate Comments³ Unusual Circumstances⁴ Excavator Comments⁵

Comments ¹	LOCATED AND MARKED 4" P.E. MAIN ON WEST SIDE OF OLD FRONTIER RD PARALLEL TO EXISTING SAW-CUT IN ASPHALT. NO WHITE PAINT TO IDENTIFY EXCAVATION AREA. UTILIZED LOCATE TICKET INSTRUCTIONS ONLY. PHONED "SCOTT" WITH EVERGREEN CONCRETE (AS INSTRUCTED IN LOCATE REQUEST TICKET), NO ANSWER, AND NO CALLBACK AFTER VOICEMAIL WITH CONTACT INFO. NOTIFIED MAX WAGNER WITH EVERGREEN CONCRETE CUTTING (INCLUDING CNG BREMERTON MANAGEMENT: S. O'NEILL, K. YOUNGBLOOD, AND C. BOSSARD) OF MONITOR REQUIREMENT.
Review Reason ²	LOCATED AND MARKED 4" P.E. MAIN ON WEST SIDE OF OLD FRONTIER RD PARALLEL TO EXISTING SAW-CUT IN ASPHALT. NO WHITE PAINT TO IDENTIFY EXCAVATION AREA. UTILIZED LOCATE TICKET INSTRUCTIONS ONLY. PHONED "SCOTT" WITH EVERGREEN CONCRETE (AS INSTRUCTED IN LO
Locate Comments ³	LOCATED AND MARKED 4" P.E. MAIN ON WEST SIDE OF OLD FRONTIER RD PARALLEL TO EXISTING SAW-CUT IN ASPHALT. NO WHITE PAINT TO IDENTIFY EXCAVATION AREA. UTILIZED LOCATE TICKET INSTRUCTIONS ONLY. PHONED "SCOTT" WITH EVERGREEN CONCRETE (AS INSTRUCTED IN LO
Unusual	

Circumstances ⁴	
Excavator Comments ⁵	

Washington One Call

Ticket number 22382993 **Type/header** 2 FULL BUSINESS DAYS ITIC2.0
Original call date 08/29/22 11:24 am
Work to begin date 09/01/22 12:00 am
Expiration date 10/13/22 11:30 am

Excavator information

Company name EVERGREEN CONCRETE **Type of excavator** CONTRACTOR
CUTTING
Contact name MATT WAGNER **Phone** 253-826-7644
Alt. contact JESSICA FERRIS **Phone** 253-826-7644
Address 767 VALENTINE AVE **Fax phone**
PACIFIC, WA 98047
Email address MATTW@EVERGREENCONCRETECUTTING.COM

Excavation information

Type of work ASPHALT CUTTING
Work being done for PIVETTA BROTHERS CONSTRUCTION
Directional drilling Maybe
Type(s) of excavation equipment Unknown / Other

Location information

State WA **County** KITSAP
Place SILVERDALE **Address** 10023
Street OLD FRONTIER RD
Intersecting street
Location of work DUPLICATE SAME MARKS AS TICKET# 22360952. CONTACT SCOTT 253-797-1031 FOR CUT LOCATIONS.
Remarks AREA MARKED IN WHITE PAINT

NW Lat 47.6545619 Lon -122.7077603 SE Lat 47.6537742 Lon -122.7061778

Members notified

District	Company name	Marking concerns	Customer service	Repair	Status
CNG06	CASCADE NATURAL GAS BREMERTON	360-373-1405	888-522-1130	888-522-1130	Marked, Complete
KITDPW01	KITSAP COUNTY PUBLIC WORKS	360-337-5777	360-337-5777	360-337-5777	Clear, No Utility Owned Facility in Excavation Area
KITDPW02	KITSAP COUNTY PUBLIC WORKS	360-337-5710	360-337-5777	360-337-5777	Does not report
KITDPW03	KITSAP COUNTY PUBLIC WORKS	360-337-5777	360-337-5777	360-337-5777	Does not report
PUGE04	PUGET SOUND ENERGY ELECTRIC	888-728-9343	888-225-5773	888-225-5773	Marked, Complete
QLNWA16	CTLQL-CENTURYLINK	800-778-9140	800-283-4237	800-573-1311	Ongoing Job
SILWTR01	SILVERDALE WATER DIST#16	360-447-3500	360-447-3500	360-447-3500	Does not report
WDOTOR02	WSDOT OLYMPIC REGION-AREA 2	360-874-3050	360-874-3050	360-874-3050	Does not report
XITPU02	KITSAP COUNTY PUD #1	800-778-9140	360-779-7656	360-779-7656	Due Date Extended

Map

