



Washington State Dig Law Safety Committee
A Standing Committee of Washington Utilities Coordinating Council
COMMUNICATION – COOPERATION – COORDINATION
P.O. Box 734 • Poulsbo, WA. 98370

July 11, 2014

**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

Dave Lykken, Pipeline Safety Director
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Review Committee Decision - Case Number 14009
Cascade Natural Gas Corporation vs. Precision Underground

Dear Mr. Lykken:

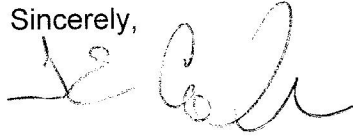
The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122 for work performed in April of 2014. The complaint was filed with the Safety Committee on April 29, 2014. On July 9, 2014 the Review Committee of the Safety Committee heard the complaint. The Complainant in this case is Cascade Natural Gas Corporation and the Respondent is Precision Underground.

The complainant alleged violation of RCW 19.122.030(1)(a); failure to mark the proposed excavation area in white prior to calling for a locate. The Review Committee, after hearing testimony and information provided by both parties, has determined that the Respondent, Precision Underground, did violate RCW 9.122.030(1)(a) by not meeting the requirement of marking the proposed excavation area in white prior to calling in for a locate. Further, the Review Committee has determined that Precision Underground does not meet the criteria established in RCW 19.122.030(1)(b). This allows a contractor not to mark in white if infeasible.

The Review Committee recommends a penalty of \$1,000.00 be assessed for this violation, with the provision that the full \$1,000.00 be deferred for a one-year period as long as Precision Underground has no further confirmed violations of the requirements for marking in white as outlined in RCW 19.122.030(1)(a). If Precision Underground does have a subsequent violation of this provision that is upheld they would then be subject to the \$1,000.00 fine that was held in a deferred status and in addition could be subject to an up to \$5,000.00 additional fine for a subsequent violation as outlined in RCW 19.122.070.

Please let me know if you have any questions regarding the Review Committee's determination. I can be contacted at 206.442.2110.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Cornelius', written in a cursive style.

Jon Cornelius, Chair

Cc: Cascade Natural Gas Corporation
Precision Underground