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## Complaint Form

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sendmail@washington-ucc.org <sendmail@washington-ucc.org>  
To: safetycommitteewaucc@gmail.com

Fri, Jun 16, 2017 at 4:20 PM

## Complaint Form Request

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### Requester Information

**Name:** Ron Berger  
**Company:** Silver Lake Water and Sewer District  
**Company Phone:** (425)337-3647  
**Company Email:** rberger@slwsd.com  
**Company Address:** 15205 41st Ave SE , Bothell, 98012  
**Ticket Requested:** yes  
**Ticket Number:** 17028477  
**Ticket Date:** 02/02/17

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### Violation Information

**Violation RCW:** RCW 19.122.030  
**Violation Section:** Not reporting damage to mainline sewer pipe.  
**Violation Description:** Full Bore Inc. damaged a District 8" Concrete Sewer Line and failed to report incident to the District. RCW 19.122.053  
**Violation Address:** 11009 30th Drive SE, Everett WA  
**Violation Date:** 02/07/17

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### Alleged Violator

**Violator Name:** Full Bore LLC  
**Violator Phone Number:** (206)259-0415  
**Violator Email:** omar@fullboretrenchless.com  
**Violator Address:** 1546 NW 56th St , Seattle, 98107  
**Violator Employess On Site:** Ron Berger, Brady Osborn, Ricky Gordon, Chris Stecher, Tom Gaffney(SLWSD) Omar Lara-Full Bore

Cesar Lara  
cesar@fullboretrenchless.com

State Licensing  
Trade: General Contractor  
License #: FULLBBI954D1  
Expiration: 04-30-2019

### Other Information

**Other Information:** District has reports, photos, and Invoices sent to contractor. No response from the contractor yet for District claim. Full Bore Inc. is a sub-contractor for Comcast and was installing cable service when the District facility was broken. Repair to the sewer line was made on April 17, 2017 by District staff. Photos taken of the area before District repair show that the sewer line was not potholed for depth or location prior to Full Bore installation. Thank you, Ron Berger

# Washington One Call

**Ticket No:** 16385166  
 2 FULL BUSINESS DAYS  
**Updated by:** 17028477  
**Original Call Date:** 12/03/16 12:58 pm  
**Work to Begin Date:** 12/08/16 12:00 am

## CALLER INFORMATION

**Company Name:** FULL BORE INC  
**Contact Name:** GUADALUPE PANIAGUA  
**Phone:** 425-322-4284  
**Alt. Contact:** MARLEN LEON  
**Phone:** 425-322-4284  
  
**Fax Phone:** 425-322-4512  
**Caller Address:** 1546 NW 56TH ST SEATTLE, WA 98107  
**Email Address:** INFO@FULLBORETRENCHLESS.COM

## DIG SITE INFORMATION

**Type of Work:** INSTALL CATV SERVICE  
**Work Being Done For:** COMCAST

## DIG SITE LOCATION

**State:** WA  
**County:** SNOHOMISH  
**Place:** EVERETT  
**Address:** 11006  
**Street:** 30TH DR SE  
**Intersecting Street:**  
**Location of Work:** LOCATE THE SE SIDE OF THE ABOVE ADDRESS THEN GO 23 FT SE TO CARSON THEN GO 36 FT E ACROSS 30 DR SE THEN GO 6 FT N THEN GO 15 FT E TO POLE  
  
 JT# 227777  
**Remarks:** AREA MARKED IN WHITE  
**Map Coord NW Lat:** 47.8983238  
**Lon:** -122.1929497  
**SE Lat:** 47.8975733  
**Lon:** -122.1914391

## MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair
CC7721	COMCAST CABLE	800-778-9140	800-266-2278	888-824-8289

<b>District</b>	<b>Company Name</b>	<b>Marking Concerns</b>	<b>Customer Service</b>	<b>Repair</b>
EVT01	CITY OF EVERETT	425-760-2172	425-257-8821	425-257-8821
GTE12	FRONTIER COMMUNICATIONS NW INC	800-778-9140	877-462-8188	877-462-8188
PUGG09	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773
SILKWA01	SILVER LAKE WATER DISTRICT	425-337-3647	425-337-3647	425-337-3647
SNOPUD05	SNOHOMISH PUD #1 ELEC	800-778-9140	425-783-1000	425-783-1000

# Washington One Call

**Ticket No:** 17028477  
 2 FULL BUSINESS DAYS  
**Update of:** 16385166  
**Original Call Date:** 02/02/17 12:40 pm  
**Work to Begin Date:** 02/07/17 12:00 am

## CALLER INFORMATION

**Company Name:** FULL BORE INC  
**Contact Name:** JUAN LUNA  
**Phone:** 425-322-4284  
**Alt. Contact:** MARLEN LEON  
**Phone:** 425-322-4284  
  
**Fax Phone:** 425-322-4512  
**Caller Address:** 1546 NW 56TH ST SEATTLE, WA 98107  
**Email Address:** info@fullboretrenchless.com

## DIG SITE INFORMATION

**Type of Work:** INSTALL CATV SERVICE  
**Work Being Done For:** COMCAST

## DIG SITE LOCATION

**State:** WA  
**County:** SNOHOMISH  
**Place:** EVERETT  
**Address:** 11006  
**Street:** 30TH DR SE  
**Intersecting Street:**  
**Location of Work:** LOCATE THE SE SIDE OF THE ABOVE ADDRESS THEN GO 23 FT SE TO CARSON THEN GO 36 FT E ACROSS 30 DR SE THEN GO 6 FT N THEN GO 15 FT E TO POLE

JT# 227777  
 AREA MARKED IN WHITE

**Remarks:**  
**Map Coord NW Lat:** 47.8982661  
**Lon:** -122.1927608  
**SE Lat:** 47.8974858  
**Lon:** -122.1918005

## MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair
CC7721	COMCAST CABLE	800-778-9140	800-266-2278	888-824-8289

<b>District</b>	<b>Company Name</b>	<b>Marking Concerns</b>	<b>Customer Service</b>	<b>Repair</b>
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SILKWA01	SILVER LAKE WATER DISTRICT	425-337-3647	425-337-3647	425-337-3647
SNOPUD05	SNOHOMISH PUD #1 ELEC	800-778-9140	425-783-1000	425-783-1000



**TO:** Mr. Jon Cornelius  
Washington State Dig Law Safety Committee

**FROM:** Ron Berger  
O&M Manager

**DATE:** July 26, 2017

**RE:** Timeline of Events and Summary RE: Case Number 17-026

This memo outlines the Timeline of Events regarding damages to District Sewer Infrastructure:

- **2-2-2017**  
Full Bore calls in a locate for address 11006-30<sup>th</sup> Drive SE, Everett for installing CATV service for Comcast and is crossing 30<sup>th</sup> Drive SE.
- **2-7-2017**  
Located by District personnel, positive response back to contractor.
- **4-15-2017**  
District duty responder receives a phone call on Saturday that sewage is surfacing from out behind the curb line on each side of 30<sup>th</sup> Drive SE. Crew is assembled and realize that Sewer Mainline is plugged in the street by using a Vactor truck and pulling back rocks and gravel. Crew's shuttle sewage in upper manhole to check customers in service until repair could be made.
- **4-16-2017**  
Easter Sunday crews shuttled sewage in the morning and again in the evening to keep customers in service. Emergency locates called in and a video inspection service was contacted to try and locate the break.
- **4-17-2017**  
Innovac Video Inspection Service was on-site to locate the sewer mainline break location and excavation began. An unmarked 2" PVC conduit that was directly under the asphalt was damaged by the District. Comcast was contacted along with Full Bore Representative, Omar Lara. Repairs were made to the broken 8" Concrete Sewer Line. The broken sewer line showed a hole on each side of the pipe at the break, directly located where the 2" PVC conduit was located.
- **4-24-2017**  
Final paving took place at the site.

- **5-10-2017**  
Silver Lake Water and Sewer District sent a letter and invoice to Full Bore, Inc. and copied Comcast. No response occurred from either.
- **6-2-2017**  
Silver Lake Water and Sewer District sent a certified copy of the letter and invoice to Full Bore and to Comcast. No response occurred from either.
- **6-16-2017**  
Contacted Jon Cornelius (Washington State Dig Law Safety Committee) regarding the District damages and discussed the Safety Committee Review process.
- **6-30-2017**  
A certified demand letter was sent from the District's Attorney, John Milne of Inslee, Best, Doezie, & Ryder urging the contractor to act promptly to prevent potential legal action.
- **7-6-2017**  
The District received a packet from the Washington State Dig Law Safety Committee regarding Complaint Cast Number 17-026.

The District then prepared materials for the Washington State Dig Law Committee.

HOME TICKETS ANALYTICS

Ticket Details: 17028477



Tasks

Print this Ticket

Email this Ticket

Go to Archived Ticket Summary

UULC

Ticket No: 17028477 2 FULL BUSINESS

Send To: SILKWA01 Seq No: 3 Map Ref:

Update Of: 16385166

Transmit Date: 2/02/17 Time: 12:43 pm Op: oradri

Original Call Date: 2/02/17 Time: 12:40 pm Op: webusr

Work to Begin Date: 2/07/17 Time: 12:00 am

State: WA County: SNOHOMISH Place: EVERETT

Address: 11006 Street: 30TH DR SE

Twp: 28N Rng: 5E Sect-Qtr: 20-SE

Twp: Rng: Sect-Qtr:

Legal Given:

Type of Work: INSTALL CATV SERVICE

Location of Work: LOCATE THE SE SIDE OF THE ABOVE ADDRESS THEN GO 2' : CARSON THEN GO 36 FT E ACROSS 30 DR SE THEN GO 6 FT N THEN GO 15' : POLE

: JT# 227777

: AREA MARKED IN WHITE

Remarks:

Company : FULL BORE INC

Contact Name: JUAN LUNA Phone: (425) 322-4284

Alt. Contact: MARLEN LEON Phone: (425) 322-4284

Contact Fax : (425) 322-4512

Work Being Done For: COMCAST

Additional Members:

CC7721 EVT01 GTE12 PUGG09 SNOPOD05

2/2/2017 12:43:54 PM: Received

DETAILS: Ticket received for registration code SILKWA01

2/2/2017 12:43:54 PM: Assigned

DETAILS: Assigned to The Runner by auto process

NOTE: Auto Processed per All Tickets

2/7/2017 9:09:13 AM: Responded

DETAILS: Marked: added by The Runner, Locate Time: 2/7/2017 9:08:42 AM

NOTE: GS

2/7/2017 9:09:14 AM: Positive Response to Excavator Queued



Ron Berger

From: wa@occinc.com
Sent: Sunday, April 16, 2017 5:42 PM
To: Ron Berger
Subject: ++EMERGENCY++ Ticket: 17117049

WASHINGTON UTILITY NOTIFICATION CENTER

\*\*\*DO NOT REPLY TO THIS EMAIL\*\*\*

Washington Ticket#: 17117049 ++EMERGENCY++
Transmit Date: 4/16/17 Time: 5:42 PM
Original Call Date: 4/16/17 Time: 5:31 PM Type: CALL
Work to Begin Date: 4/16/17 Time: 5:45 PM

Caller Information

Company: SILVER LAKE WATER DISTRICT Type: MEMBER
Contact Name: RON BERGER Phone: (425) 337-3647
Alt. Contact: CHRIS STECHER Phone: (425) 750-9666
Best Time: ANYTIME Fax: (425) 337-4399
Address: 15205 41ST AVE SE; BOTHELL, WA 98012-6114
Caller Email: RBERGER@SLWSD.COM

Dig Site Information

Type of Work: EMERGENCY - REPAIR SEWER MAINLINE
Work Being Done For: SILVER LAKE WATER DISTRICT

Dig Site Location

County: SNOHOMISH State: WA
Place: EVERETT
Address / Street: 30TH DR SE
Nearest Intersection: 110TH ST SE

Location of Work:

EXCAVATION SITE IS ON BOTH SIDES OF THE ROAD. SITE IS 80FT S OF ABV INTER...MARK BOTH SIDES OF THE STREET TO AND INCLUDE CURB TO CURB GOING N AND S FOR 75FT STARTING INFRONT OF 11009 30TH DR SE

Remarks:

CREW IS ON SITE NOW CALL REQEST MARKINGS ASAP AREA IS MARKED IN WHITE

Caller Twp: 28N Rng: 5E Sect-Qtr: 20
Map Twp: 28N Rng: 5E Sect-Qtr: 20-SE

Excavation Coordinates for # Polygons: 1

Poly 1: NW Lat: 47.8980716 Lon: -122.1927006 SE Lat: 47.8973151 Lon: -122.1914374

Members Notified

Table with 5 columns: District, Company, Marking Concerns, Customer Service, Repair. Rows include CC7721 (COMCAST CABLE), EVT01 (CITY OF EVERETT), GTE12 (FRONTIER COMMUNICATIONS NW INC), and PUGG09 (PUGET SOUND ENERGY GAS).

## Case 17-026

SILKWA01	SILVER LAKE WATER DISTRICT	(425)337-3647	(425)337-3647	(425)337-3647
SNOPUD05	SNOHOMISH PUD #1 ELEC	(800)778-9140	(425)783-1000	(425)783-1000

### Excavator Responsibilities

- Please click on the following link to verify and confirm that the area covered represents the correct and complete work site area.
- \* [Link To Map for C\\_EMAIL](#)
  - \* If the area covered is incomplete or inaccurate, it is your responsibility to notify the center immediately to update and correct the locate. Failure to do so could result in a delay or an incomplete utility locate.
  - \* Any other utilities or notification centers not listed, you will need to contact separately.

Did you know that you can submit your tickets online?

- Eliminate hold times.
  - \* - Immediately receive a ticket number.
  - View, Search, Update, Duplicate, and Print tickets.
- Click the link below to Register for ITIC and start submitting your tickets on line today!
- [Washington ITIC](#)



**TO:** Patrick Curran  
General Manager

**FROM:** Ron Berger  
O & M Manager

**DATE:** April 27, 2017

**RE:** 11009 30<sup>th</sup> Drive SE Everett - Sewer Problem

**Saturday, April 15, 2017, 7:30 p.m.**

Duty responder Jeff Enns, received a call from a customer, Karl Rasmussen, located at 11009 30<sup>th</sup> Drive SE, Everett, regarding sewage surfacing behind the curb in the homeowner’s front yard. Jeff responded to the site at 7:30 p.m. and saw the sewage surfacing out of the ground and running down the gutter at approximately 1 gallon per minute. The end manhole inspected revealed a backed up sewer main line and was approximately five feet deep in the manhole. The Vactor truck was dispatched and made attempts to dislodge the plugged sewer main line. The Vactor main line was unable to penetrate the line and was pulling a large quantity of pea gravel back with each pass. Crew Lead Tom Gaffney and I decided to drawdown the surcharged manhole and relieve the surcharge until repairs could be made. A TV Inspection truck will be needed to find the exact location for street excavation and repair. The homeowner onsite stated that a drilling contractor had bored across the road in February and was having difficulty with this bore job, taking 12 hours to complete. No customers have called with any sewage backup issues at this time.

Date	Labor	Equipment
4-15-17	Tom Gaffney 4.5-Hours	Truck #46
	Jeff Enns 6 -Hours	Vactor #38
	Ricky Gordon 4- Hours	Truck #53

**Sunday, April 16, 2017, 9:00 a.m.**

Jeff Enns and Ricky Gordon met at the District HQ and dispatched to the sewer backup site with the Vactor Truck. The manhole was surcharged and crew used the Vactor truck to drawdown the manhole contents.

**6:00 p.m.**, Ron Berger arrived on site and determined that the manhole needed to be sucked out an additional time so the customers could remain in service until Monday morning. Due to the Easter Holiday, weekend overtime pay, and TV Video Inspection truck availability, we decided that repairs would wait until Monday morning to begin.

Jeff Enns brought Vactor #38 to the site to drawdown the manhole and decant the liquid off of the truck at the District Headquarter site. Emergency locates were called in at the site, and Innovac Video was contacted for Monday morning video and locating service at the site.

Date	Labor	Equipment
4-16-17	Jeff Enns 6-Hours	Vactor #38
	Ricky Gordon 3-Hours	Truck #46
	Ron Berger 3-Hours	Truck #64

**Monday, April 17, 2017, 8:30 a.m.**

A Flagging zone was set up on 110<sup>th</sup> Street SE and Innovac Video Service was dispatched to the site and entered at Manhole F-9 on 110<sup>th</sup> and traveled south 100' until a complete pipe collapse was viewed. The site was located and marked as 6.5 deep. Crews brought equipment to the site to excavate and make repair to the damaged sewer line. Crews began by using the Track Hoe to excavate, but stopped due to an unmarked 2" PVC pipe in the ground. Vactor #37 and #38 were used to excavate. At 12:00 p.m., while excavating, the broken pipe relieved its contents and the top of the broken pipe was exposed.

The 8" Concrete pipe was broken with the top of the pipe completely gone. It also appeared the pipe had a hole running through it. Located at each side of the broken pipe appeared a bore hole, in alignment with the road crossing at this location. The pipe line break and hole are located directly below the unmarked PVC line that is installed 8" deep under the asphalt. At 1:30 p.m., Comcast was called to the site to look at the damaged PVC pipe and to make repairs. Comcast contractor, "Full Bore" was contacted and arrived on-site at 2:30 p.m. Full Bore representative, Omar Lara, arrived on-site and stated that his crews did not break the District pipe line and would not install their pipelines this deep. I pointed out where the sewage was surfacing on Saturday and stated that it was traveling from the District broken sewer main line and relieving the backup at the surface.

The damaged pipe was cut out and the new 8" PVC pipe was installed in its place. Two Fernco fittings were used for this repair. One yard of Pea gravel was used to bed in the pipe. The site is backfilled with five yards of 1 1/8" crushed gravel and steel sheeted for the night.

Date	Labor	Equipment
4-17-17	Tom Gaffney 8-Hours regular, 2 hours OT	Truck #46
	Ron Berger 10-Hours regular	Truck #64
	Chris Stecher 2-Hours regular , 2 hours OT	Truck #54
	Brady Osborn 8-Hours regular, 2 hours OT	Truck Dump/Track Hoe
	Jeff Enns 6.5-Hours, regular, 2 hours OT	Vactor #38/Vactor #38
	Ricky Gordon 8-Hours regular, 2 hours OT	Truck #60
	Lucas Allen 8-Hours regular, 2 hours OT	Truck #56

**Monday, April 24, 2017**

Final Paving at this site took place. Quilceda Paving performed the work. Comcast repaired the broken conduit pipe prior to paving.

District crews removed and hauled the steel sheets from the site.

Date	Labor	Equipment
4-24-17	Brady Osborn    2-Hours	Truck #55
	Ricky Gordon    2-Hours	Truck #56

**Conclusion and final observation:** The District invited the Comcast Contractor, “Full Bore” out to this site while the excavation for repair occurred. Representative Omar Lara stated that he would inquire with his crews if they had problems with this bore. The 8” Concrete Sewer Pipe was broken in the exact same alignment as the 2” Conduit that was buried just under the asphalt at approximately 8” deep. As the photos indicate, there are bore holes on each side of the broken sewer pipe indicating that someone bored deep and did not use this alignment in favor of something shallower. According to two homeowner eyewitnesses at the site, they both stated that the Full Bore crews seemed to have been having difficulties with the bore and that it took the Full Bore crews 12 hours to get across the road. I have left messages for Omar Lara but he has not returned my phone calls.

The District is seeking full compensation for this repair of the damaged broken sewer line. The total is \$13,240.92, (please see attached invoices).

CC: Attachment



VIA CERTIFIED & REGULAR U.S. MAIL

May 10, 2017

Omar Lara  
Full Bore, Inc.  
1546 NW 56<sup>th</sup> St.  
Seattle, WA 98107

**Re: Invoice #8284 for \$13,240.92 for Damage to Underground Sewage Facility**

Dear Mr. Lara:

Silver Lake Water & Sewer District (District) received a request on February 2, 2017 (Ticket No. 17028477) to locate any underground facilities it had in the area where Full Bore, Inc. intended to install a CATV service on behalf of Comcast on or about February 7, 2017. The District then marked its 8" concrete sewer main and side sewer laterals, water mains and services, located in 30<sup>th</sup> Drive SE, Everett, Washington, in compliance with the requirements of Chapter 19.122 RCW.

On Saturday, April 15, 2017, the District was notified by a customer residing at 11009 30<sup>th</sup> Drive SE that sewage was surfacing behind the curb in the homeowner's front yard. The District immediately investigated the report and determined that sewage was surfacing from the ground on both sides of 30<sup>th</sup> Drive, and that sewage was backed up in the sewage main located in the right-of-way in 30<sup>th</sup> Drive SE and was approximately five feet deep in a manhole at the end of 30<sup>th</sup> Drive SE as depicted on as-built sewer design enclosed. District staff were unable to unplug the sewer main and immediate action was undertaken to prevent the manhole from over-flowing with sewage. At that time District staff observed sewage surfacing from the ground on both sides of 30<sup>th</sup> Drive SE.

While District staff were at the site, a homeowner advised that a contractor had bored across 30<sup>th</sup> Drive SE in February, 2017, in the area of the sewage, and had experienced considerable difficulty with the bore job, taking approximately twelve hours to complete the bore.

On Sunday, April 16, the District undertook further action to prevent the manhole from overflowing and emergency locates were called in at the site so that exploratory work could be performed to determine the reason for the sewer main back-up.

On Monday, April 17, 2017, work was undertaken to video inspect the sewer main which identified a section of the sewer main which had collapsed. The site was located approximately 100' south of intersection manhole and marked as 6.5 feet deep. Equipment was then brought to the site to excavate and repair the damaged sewer main. However, upon commencing excavation, an unmarked 2" PVC pipe installed at a depth of 8" under the asphalt was encountered and worked stopped. When excavation resumed, the broken sewer main was exposed and it was determined

the sewer main had a hole running through it. A bore hole was observed on each side of the broken pipe, in alignment with the 2" PVC installed crossing the road in that area. The sewer main break and hole are located directly below the unmarked 2" PVC pipe. Comcast then came to the site and the PVC pipe was repaired. Representatives from Full Bore were also contacted and came to the site. While on-site, District staff showed the Full Bore representative where the sewage was surfacing on both sides of 30<sup>th</sup> Drive SE where Full Bore had undertaken its boring activities. It is clear the sewage from the broken sewer main surfaced through the boring undertaken by Full Bore. See the attached photos which show the boring channel, the bore hole through the District sewer main, and the catastrophic damage to the sewer main. The District then repaired the broken sewer main and sewer service to the area was restored.

It is clear that Full Bore damaged the District sewer main through its boring activities in the area in February, 2017. Full Bore no doubt experienced difficulties in boring through the District's sewer main, extricating the boring tool from the sewer main, and then attempting to insert the 2" PVC for the CATV service through the sewer main. After many hours (12, as reported by witnesses), your crew then ceased attempting to install the PVC pipe at the deeper bore and simply bored under the asphalt at an 8" depth. However, your personnel failed to notify the call service that they had encountered an underground facility, and certainly did not contact the District despite the District's markings locating the District sewer main. These actions are actionable under applicable civil remedies for the damages that Full Bore inflicted on the District sewer main, as well as under the provisions of Chapter 19.122 RCW. However, it is fortunate the District through its immediate actions prevented a significant sewage overflow and environmental degradation.

The District incurred fees, costs and expenses to identify and fix the damage to its sewer main inflicted by Full Bore in the amount of **\$13, 240.92** (see the attached invoice). Full Bore by law is responsible to pay to and reimburse the District for those damages. Please pay and reimburse to the District that amount within twenty days of the date of this letter to avoid the need for further proceedings.

Please call me if you have any questions or would like to discuss this matter further at 425-337-3647. Otherwise, please give this matter your immediate attention.

Sincerely,



Curt Brees  
General Manager

Enclosures: Ticket Details, Asbuilt, Photos, Invoice #8284

Cc: John W. Milne, District Attorney  
KLCOMPUTAX Inc., Registered Agent for Full Bore  
Rod Youngren, Comcast

# Invoice



## Silver Lake Water & Sewer District

PO BOX 13888  
MILL CREEK WA 98082-1888  
425-337-3647

Date	Invoice #
5/9/2017	8284

Bill To:
Full Bore, Inc. Omar Lara 1546 NW 56th St Seattle, WA 98107

P.O. No.	Terms	Project
	Due upon receipt	11009 30th Dr SE

Description	Qty	Rate	Amount
Compensation To Silver Lake Water & Sewer District For Damages To Underground Sewage Facility.		13,240.92	13,240.92

Please include the invoice number on your check.

<b>Subtotal</b>	\$13,240.92
<b>Sales Tax (8.9%)</b>	\$0.00
<b>Total</b>	\$13,240.92
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$13,240.92

15205 41st Ave SE  
Bothell, WA 98012-6114  
P. 425.337.3647 F. 425.337.4399  
Email [service@slwsd.com](mailto:service@slwsd.com) web [www.slwsd.com](http://www.slwsd.com)





**CERTIFIED COPY**

June 2, 2017

Omar Lara  
Full Bore, Inc.  
1546 NW 56<sup>th</sup> St.  
Seattle, WA 98107

**Re: Invoice #8284 for \$13,240.92 for Damage to Underground Sewage Facility**

Dear Mr. Lara:

Silver Lake Water & Sewer District (District) received a request on February 2, 2017 (Ticket No. 17028477) to locate any underground facilities it had in the area where Full Bore, Inc. intended to install a CATV service on behalf of Comcast on or about February 7, 2017. The District then marked its 8" concrete sewer main and side sewer laterals, water mains and services, located in 30<sup>th</sup> Drive SE, Everett, Washington, in compliance with the requirements of Chapter 19.122 RCW.

On Saturday, April 15, 2017, the District was notified by a customer residing at 11009 30<sup>th</sup> Drive SE that sewage was surfacing behind the curb in the homeowner's front yard. The District immediately investigated the report and determined that sewage was surfacing from the ground on both sides of 30<sup>th</sup> Drive, and that sewage was backed up in the sewage main located in the right-of-way in 30<sup>th</sup> Drive SE and was approximately five feet deep in a manhole at the end of 30<sup>th</sup> Drive SE as depicted on as-built sewer design enclosed. District staff were unable to unplug the sewer main and immediate action was undertaken to prevent the manhole from over-flowing with sewage. At that time District staff observed sewage surfacing from the ground on both sides of 30<sup>th</sup> Drive SE.

While District staff were at the site, a homeowner advised that a contractor had bored across 30<sup>th</sup> Drive SE in February, 2017, in the area of the sewage, and had experienced considerable difficulty with the bore job, taking approximately twelve hours to complete the bore.

On Sunday, April 16, the District undertook further action to prevent the manhole from overflowing and emergency locates were called in at the site so that exploratory work could be performed to determine the reason for the sewer main back-up.

On Monday, April 17, 2017, work was undertaken to video inspect the sewer main which identified a section of the sewer main which had collapsed. The site was located approximately 100' south of intersection manhole and marked as 6.5 feet deep. Equipment was then brought to the site to excavate and repair the damaged sewer main. However, upon commencing excavation, an unmarked 2" PVC pipe installed at a depth of 8" under the asphalt was encountered and worked stopped. When excavation resumed, the broken sewer main was exposed and it was determined

the sewer main had a hole running through it. A bore hole was observed on each side of the broken pipe, in alignment with the 2" PVC installed crossing the road in that area. The sewer main break and hole are located directly below the unmarked 2" PVC pipe. Comcast then came to the site and the PVC pipe was repaired. Representatives from Full Bore were also contacted and came to the site. While on-site, District staff showed the Full Bore representative where the sewage was surfacing on both sides of 30<sup>th</sup> Drive SE where Full Bore had undertaken its boring activities. It is clear the sewage from the broken sewer main surfaced through the boring undertaken by Full Bore. See the attached photos which show the boring channel, the bore hole through the District sewer main, and the catastrophic damage to the sewer main. The District then repaired the broken sewer main and sewer service to the area was restored.

It is clear that Full Bore damaged the District sewer main through its boring activities in the area in February, 2017. Full Bore no doubt experienced difficulties in boring through the District's sewer main, extricating the boring tool from the sewer main, and then attempting to insert the 2" PVC for the CATV service through the sewer main. After many hours (12, as reported by witnesses), your crew then ceased attempting to install the PVC pipe at the deeper bore and simply bored under the asphalt at an 8" depth. However, your personnel failed to notify the call service that they had encountered an underground facility, and certainly did not contact the District despite the District's markings locating the District sewer main. These actions are actionable under applicable civil remedies for the damages that Full Bore inflicted on the District sewer main, as well as under the provisions of Chapter 19.122 RCW. However, it is fortunate the District through its immediate actions prevented a significant sewage overflow and environmental degradation.

The District incurred fees, costs and expenses to identify and fix the damage to its sewer main inflicted by Full Bore in the amount of **\$13, 240.92** (see the attached invoice). Full Bore by law is responsible to pay to and reimburse the District for those damages. Please pay and reimburse to the District that amount within twenty days of the date of this letter to avoid the need for further proceedings.

Please call me if you have any questions or would like to discuss this matter further at 425-337-3647. Otherwise, please give this matter your immediate attention.

Sincerely,



Curt Brees  
General Manager

Enclosures: May 10, 2017 Letter, Invoice #8284

Cc: May 10, 2017 Letter  
John W. Milne, District Attorney  
KLCOMPUTAX Inc., Registered Agent for Full Bore  
Rod Youngren, Comcast

# Invoice



PO BOX 13888  
 MILL CREEK WA 98082-1888  
 425-337-3647

Date	Invoice #
5/9/2017	8284

**Bill To:**

Full Bore, Inc.  
 Omar Lara  
 1546 NW 56th St  
 Seattle, WA 98107

P.O. No.	Terms	Project
	Due upon receipt	11009 30th Dr SE

Description	Qty	Rate	Amount
Compensation To Silver Lake Water & Sewer District For Damages To Underground Sewage Facility.		13,240.92	13,240.92

Please include the invoice number on your check.

15205 41st Ave SE  
 Bothell, WA 98012-6114  
 P. 425.337.3647 F. 425.337.4399  
 Email [service@slwsd.com](mailto:service@slwsd.com) web [www.slwsd.com](http://www.slwsd.com)

<b>Subtotal</b>	\$13,240.92
<b>Sales Tax (8.9%)</b>	\$0.00
<b>Total</b>	\$13,240.92
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$13,240.92

**Case 17-026**

**U.S. Postal Service**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

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<p>Certified Mail Fee \$ <u>3.35</u></p> <p>Extra Services &amp; Fees (check box, add fee as appropriate)</p> <p><input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ <u>2.75</u></p> <p><input type="checkbox"/> Return Receipt (electronic) \$ _____</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$ _____</p> <p><input type="checkbox"/> Adult Signature Required \$ _____</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$ _____</p> <p>Postage \$ <u>.46</u></p> <p>Total Postage and Fees \$ <u>6.56</u></p> <p>Sent To <u>Silver Lake Water + Sewer District</u>        Street and Apt. No., or PO Box No. <u>P.O. Box 13888</u>        City, State, ZIP+4® <u>Mill Creek WA 98082-1888</u></p>	<p>Postmark Here</p>
---	--------------------------

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

(transfer from service label)

**SECTION ON DELIVERY**

Agent  
 Addressee

(Printed Name) Leard C. Date of Delivery 6/5/2017

Address different from item 1?  Yes  
 delivery address below:  No

---

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

6149

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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<p>Certified Mail Fee \$ <u>3.35</u></p> <p>Extra Services &amp; Fees (check box, add fee as appropriate)</p> <p><input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ <u>2.75</u></p> <p><input type="checkbox"/> Return Receipt (electronic) \$ _____</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$ _____</p> <p><input type="checkbox"/> Adult Signature Required \$ _____</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$ _____</p> <p>Postage \$ <u>.46</u></p> <p>Total Postage and Fees \$ <u>6.56</u></p> <p>Sent To <u>Silver Lake Water + Sewer District</u>        Street and Apt. No., or PO Box No. <u>P.O. Box 13888</u>        City, State, ZIP+4® <u>Mill Creek WA 98082-1888</u></p>	<p>Postmark Here</p>
---	--------------------------

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

(transfer from service label)

**SECTION ON DELIVERY**

Agent  
 Addressee

(Printed Name) \_\_\_\_\_ C. Date of Delivery 6-5-17

Address different from item 1?  Yes  
 delivery address below:  No

---

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

6156

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Case 17-036

COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature X [Signature]  Agent  Addressee  
B. Received by (Printed Name) Rod Sula Ford C. Date of Delivery 6/5/2017

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

1. Article Addressed to:  
Omar Lara  
Full Bore, Inc  
1546 NW 56th St.  
Seattle, WA 98107

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7016 1370 0000 2618 6149

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-154

Save this receipt for your records.  
Certified Mail service provides a record of mailing, including the date and time of mailing, the name and address of the sender, and the name and address of the recipient. It also provides a record of delivery, including the date and time of delivery, the name and address of the recipient, and the name and address of the sender. This record is maintained in a computerized database and is available to you and the recipient. Certified Mail service is available for all mailpieces, including letters, postcards, and flats. It is not available for parcels, Registered Mail, Insured Mail, or Priority Mail. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office.

COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature X [Signature]  Agent  Addressee  
B. Received by (Printed Name) C. Date of Delivery 6-5-17  
D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

1. Article Addressed to:  
Comcast  
Rod Youngren  
1525 75th St SW  
Suite 200  
Everett, WA 98203

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7016 1370 0000 2618 6156

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Save this receipt for your records.  
Certified Mail service provides a record of mailing, including the date and time of mailing, the name and address of the sender, and the name and address of the recipient. It also provides a record of delivery, including the date and time of delivery, the name and address of the recipient, and the name and address of the sender. This record is maintained in a computerized database and is available to you and the recipient. Certified Mail service is available for all mailpieces, including letters, postcards, and flats. It is not available for parcels, Registered Mail, Insured Mail, or Priority Mail. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office. Certified Mail service is not available for mailpieces that are addressed to a post office box or a post office.



John W. Milne  
Attorney at Law  
Dir: 425.450.4237  
jmilne@insleebest.com

June 30, 2017

**VIA CERTIFIED AND FIRST CLASS MAIL**

Mr. Omar Lara  
Full Bore, Inc.  
1546 NW 56th Street  
Seattle, Washington 98107

Re: Damage to Underground Sewage Facility  
11009 30<sup>th</sup> Drive, Everett, Washington

Dear Mr. Lara:

Please be advised that this office represents Silver Lake Water & Sewer District (the "District") regarding the above-referenced matter. You are instructed to direct all further communications to me.

The District has previously communicated with you about the damages Full Bore caused to its underground facilities as Full Bore was performing construction services on behalf of Comcast along 30<sup>th</sup> Drive in Everett. I have enclosed true and correct copies of the District's letters dated May 10, 2017 and June 2, 2017, along with their enclosures. The District's previous letters recite the background facts and I will not repeat them here.

In both letters, the District demanded that Full Bore reimburse the fees, costs and expenses the District incurred to identify and fix the damage Full Bore caused to its sewer main. Inexplicably, both you and Comcast have chosen to ignore the District's demand letters.

Be advised that the District intends to utilize any and all appropriate legal means – and to pursue any and all responsible parties – to recover the costs associated with investigating and repairing the damages caused by Full Bore, pursuant to applicable statutes and otherwise. If litigation is commenced, the District will also seek an award of reasonable attorneys' fees, as authorized by RCW 19.122.040(4) and any other authority.

If full payment of the amount owed to the District is not made by the close of business on **Friday, July 14, 2017**, the District will consider commencing litigation against any and all appropriate parties to recover all damages, including fees. I urge you to act promptly to prevent potential legal action.

Mr. Omar Lara  
June 30, 2017  
Page 2 of 2

Please contact me if you have any questions.

Very truly yours,

INSLEE BEST DOEZIE & RYDER, P.S.



John W. Milne

JWM:bb  
Enclosures

cc: KLCOMPUTAX, Inc., Registered Agent (w/enc)  
Rod Youngren, Comcast (w/enc)  
Silver Lake Water & Sewer District (w/o enc)

# Washington State Dig Law Safety Committee

P.O. Box 749 • Poulsbo, WA 98370



July 6, 2017

Silver Lake Water and Sewer District  
Attn: Ron Berger  
15205 41<sup>st</sup> Ave SE  
Bothell, WA 98012

**Re: Complaint Case Number 17-026**

Dear Mr. Berger,

The Washington Dig Law Safety Committee has received your request to review an alleged violation of RCW 19.122.030.

Full Bore, LLC has been notified of this request via mail with return receipt.

Your review will be held August 15, 2017 at the Utilities and Transportation Commission Office (directions enclosed), starting at 9:00. *This will be a 40 minute meeting only, 20 minutes for each side.*

Please provide ten (10) color and numbered copies of any documentation you feel will support your case on day of review. And (1) copy via Email [wdsafetycommittee@gmail.com](mailto:wdsafetycommittee@gmail.com) at least ten (10) days prior to the hearing.

If you have any questions, please contact me at 425-835-3451.

Sincerely,

A handwritten signature in blue ink that reads "Shelley Cornelius".

Shelley Cornelius  
Administrative Assistant  
WSDL Safety Committee

- 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













04.17.2017 09:39

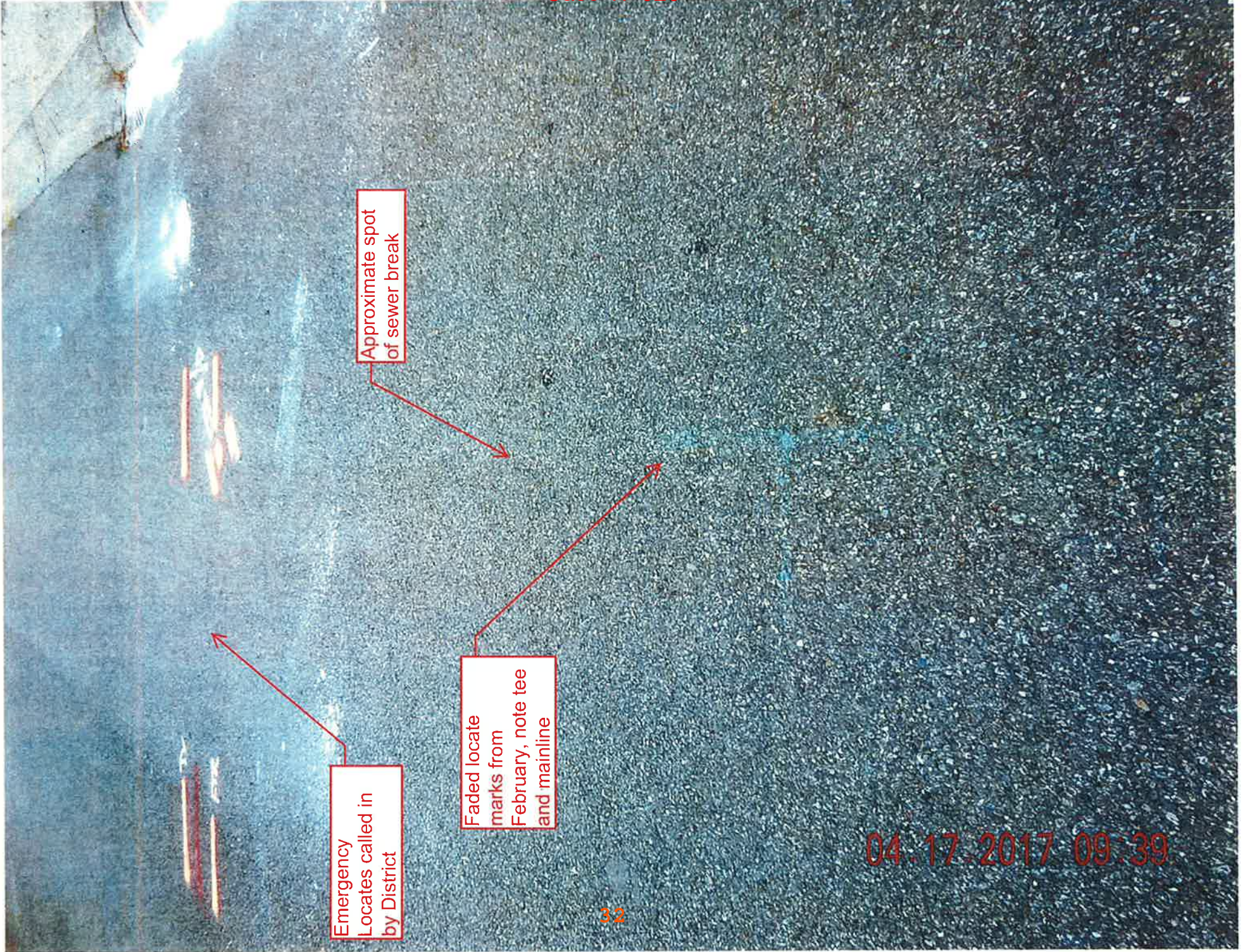
Case 17-026



04.17.2017 09:41



04.17.2017 09:41



Approximate spot  
of sewer break

Emergency  
Locates called in  
by District

Faded locate  
marks from  
February, note tee  
and mainline

04.17.2017 09:39



Case 17-026



04.17.2017 10:15

Case 17-026



04.17.2017 10:15

Case 17-026



04.17.2017 11:26



04.17.2017 11:46

Case 17-026



04.17.2017 11:59

Case 17-026



04.17.2017 12:05



Case 17-026



04.17.2017 12:54



Case 17-026



04.17.2017 12:54

Case 17-026

04.17.2017 12:54



Case 17-026

04.17.2017 13:04

Case 17-026

04.17.2017 13:05



Case 17-026

04.17.2017 13:05

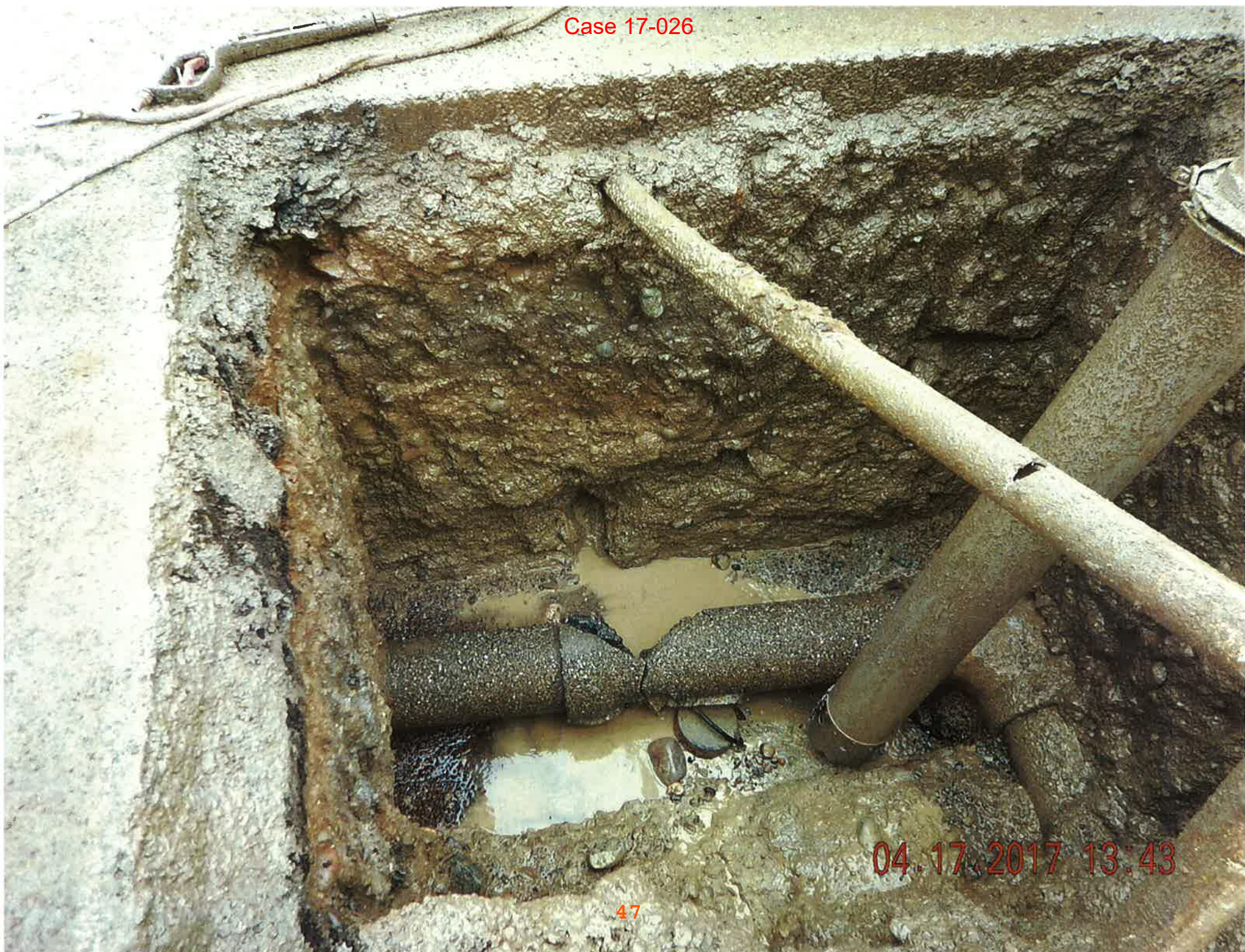


Case 17-026

04.17.2017 13:43



Case 17-026



04.17.2017 13:43

Case 17-026



04.17.2017 13:43



Case 17-026



04.17.2017 13:50

Case 17-026



04.17.2017 14:33

Case 17-026



04.17.2017 15:38

Case 17-026



04.17.2017 15:39

Case 17-026



04.17.2017 15:45

Case 17-026



04.17.2017 16:14

Case 17-026



04.24.2017 12:26

Millcreek 110th St SE & 30th Dr SE

MH F-9 MH F-8 ←

(Circular 8inch Concrete Pipe (non-reinforced))

2017-04-17

103.30 ft



Millcreek 110th St SE & 30th Dr SE

MH F-9 MH F-8 <

Circular 8inch Concrete Pipe (non-reinforced)

103.30 ft

2017-04-17

Millcreek 110th St SE & 30th Dr SE

MH F-9 MH F-8 <-

Circular 8inch Concrete Pipe (non-reinforced)



2017-04-17

103.74 ft

Manhole that District crews used to shuttle sewage (using Vector truck) after it surcharged to keep customers in service until repair could be made

Sewage surfacing in the curb line on west side of 30th at bore site

Approximate trajectory of the bore and approximate site of the District broken sewer line

Sewage surfacing just behind the curb line around bore site

