



Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

July 10, 2019

**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 - Case Numbers 19-023 thru
19-026 Puget Sound Energy vs. DL Concrete LLC

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received complaints regarding a potential violation of the Washington State Dig Law RCW 19.122.030 for work performed on 11/17/2017, 12/20/2017, and 01/31/2019.

On Jun 9, 2019, the Washington State Dig Law Safety Committee Review Board heard complaint Case

The Review Committee determined that the respondent did violate RCW 19.122.030(2). The Committee found that the respondent did violate RCW 19.122.030(2) for failing to provide notice to the One-Call center before digging.

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

- Case 19-023 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-024 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-025 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-026 \$1000.00 penalty for one violation of RCW 19.122.030(2)

The recommended penalties total \$4000.00 with \$3800.00 deferred on the condition that Kevin, the manager for DL Construction LLC attend NUCA dig safe training within 6 months of the penalty assessment and incur no additional violation of RCW 19.122 within 12 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".

Jim Walton, Chair

cc: Lynda Holloway, UTC
Kerrie Drennen

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