

**wsdlsafetycommittee@gmail.com**

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**From:** sendmail@washington-ucc.org  
**Sent:** Thursday, June 6, 2019 2:58 PM  
**To:** wsdlsafetycommittee@gmail.com  
**Subject:** Complaint Form

## Complaint Form Request

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### Requester Information

**Name:** Erika HUnter  
**Company:** Puget Sound Energy  
**Company Phone:** (425)456-2854  
**Company Email:** Erika.Hunter@pse.com  
**Company Address:** PO Box 97034, EST-4, Bellevue, 98009  
**Ticket Requested:** no

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### Violation Information

**Violation RCW:** RCW 19.122.030  
**Violation Section:** Excavating without locates; [RCW 19.122.030(2)]  
**Violation Description:** No locate request until after Damage Prevention Rep Roger Arrington had left the job site.  
**Violation Address:** 114 101 Ave SE; Lake Stevens  
**Violation Date:** 02/22/2019

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### Alleged Violator

**Violator Name:** Absolute Excavating, INC  
**Violator Phone Number:** (425)238-0834  
**Violator Email:** unknown@unknown.com  
**Violator Address:** 319 - 118th Dr NE, Lake Stevens, 98258  
**Violator Employess On Site:** Mike Mahlman

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### Other Information

**Other Information:**

**wsdlsafetycommittee@gmail.com**

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**From:** sendmail@washington-ucc.org  
**Sent:** Thursday, June 6, 2019 3:04 PM  
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### Requester Information

**Name:** Erika Hunter  
**Company:** Puget Sound Energy  
**Company Phone:** (425)456-2854  
**Company Email:** erika.hunter@pse.com  
**Company Address:** PO Box 97034, EST-4, Bellevue, 98009  
**Ticket Requested:** no

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### Violation Information

**Violation RCW:** RCW 19.122.030  
**Violation Section:** Excavating without locates; [RCW 19.122.030(2)]  
**Violation Description:** Damage Prevention Rep Jackson Bergland contacted equipment operator Mark on the job site to explain the need for a valid dig ticket. Mark refused to stop excavation and continued to dig.  
**Violation Address:** 1716 NE 130th Pl, Seattle  
**Violation Date:** 04/24/2019

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### Alleged Violator

**Violator Name:** Absolute Excavating, INC  
**Violator Phone Number:** (425)238-0834  
**Violator Email:** unknown@unknown.com  
**Violator Address:** 319 \* 118th Dr NE, Lake Stevens, 98258  
**Violator Employess On Site:** Mark

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### Other Information

**Other Information:**

## **PSE Complaint** Cases 19-046 & 19-047

**Date:** 05/29/2019

**Requestor:**

Erika Hunter  
Damage Prevention Program Manager  
Puget Sound Energy  
PO Box 97034, EST-4  
Bellevue, WA 98009-9734  
425-456-2854

**Alleged Violator:**

Absolute Excavating INC.  
Michael Mahlman  
319 118TH Dr NE  
Lake Stevens, WA 98258  
WA UBI: 603 597 900  
425-238-0834

**Dates:** 02/22/2018, 04/24/2019

**Damage Prevention Representatives:** Roger Arrington and Jackson Bergland

**Violation(s):**

**Complaint #1:** (02/22/2018) 114 101 Ave SE; Lake Stevens, A & J Homes

- Excavating without locates; [RCW 19.122.030(2)]

**Complaint #2:** (04/24/2019) 1716 NE 130<sup>th</sup> Pl, Seattle,

- Excavating without locates; [RCW 19.122.030(2)]

**History Summation:**

Absolute Excavating INC., formerly known as Absolute Construction LLC, has been found working without locates a minimum of six times without damages. Fourteen damages have occurred under both company names since 2014. Four of the damages that occurred between 02/26/2018 and 01/03/2019, 2 of those occurring without locates, were after they relicensed the company in 2016 to Absolute Excavating INC. The earlier ten damages resulted from various unsafe digging practices. The most recent damage was crimped and left unreported until it was discovered by our contract locator ELM later in the day. Multiple efforts have been made by PSE Damage Prevention to educate them about the importance of complying with RCW 19.122 at every job site location. They have continued to be inconsistent in their compliance with the dig law while excavating. Damage Prevention Representatives have explained the safety hazards to the operators on these occasions. Absolute Excavating INC has not made adequate efforts to change their business practices to be compliant and work safely. They do have a history of calling in for locates but are lax on the consistent practice and their field employees have continued to work without valid locate tickets. These violations range in date from 02/22/2018 to 04/24/2019 and have occurred in different developments and in different cities. They were also fined by the WUTC in 2019 for two violations of RCW 19.122 because damage had occurred without locates. These fines were issued for damages that occurred on 09/01/2018 and 10/10/2018.

**Complaint #1:** (02/22/2018) 114 101 Ave SE; Lake Stevens, A & J Homes

- **Ticket Number:** No locate request until after Damage Prevention Rep Roger Arrington had left the job site.
- **Original Call Date:** N/A the first ticket called was date of violation at 4:35pm
- **02/22/2018:** Damage Prevention Rep Roger Arrington contacted owner/operator Mike Mahlman by phone to explain the need for a valid locate ticket at his job site
- **Damage Prevention Representatives further actions:** Roger Arrington took pictures of the work area.
  - **Documented the site through pictures:**
    - Lack of locate marks on the ground on 02/22/2018
    - Excavation on site
    - Picture of truck with employees standing near
    - Ticket list showing locate ticket #18066011 called in at 4:35pm
    - Time/Date stamp of pictures taken by Damage Prevention Rep Roger Arrington at 10:52am

Lack of locate marks on the ground on 02/22/2018



Excavation on site

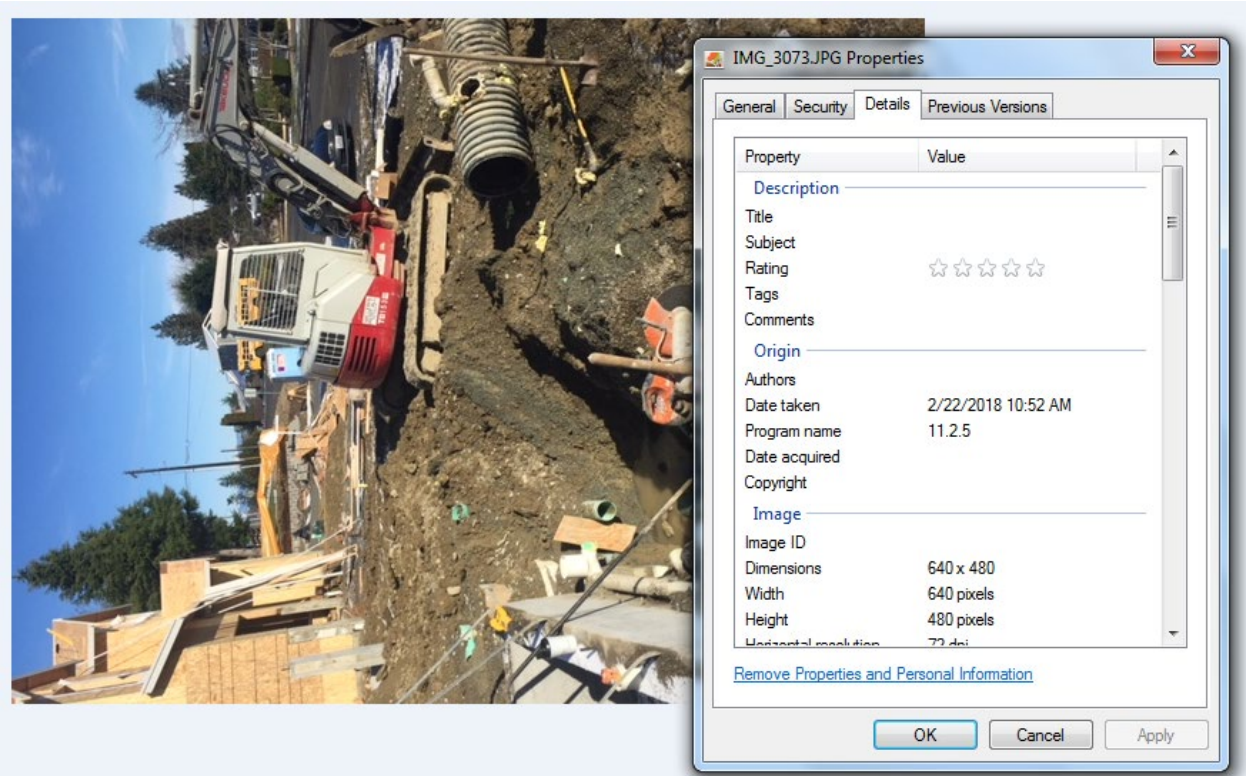
Picture of truck with employees standing near and a shovel in the ground



Ticket list showing locate ticket #18066011 called in at 4:35pm

Ticket #	Type	Call Date	Excavator Company	Addr	Street	City
<a href="#">18066011</a>	Phone	02/22/18 16:35:38	ABSOLUTE EXCAVATING INC	114	101ST AVE SE	LAKE STEVENS
<a href="#">18067194</a>	Phone	02/23/18 14:34:05	ABSOLUTE EXCAVATING INC	19682	MARINE VIEW DR SW	NORMANDY PARK
<a href="#">18068063</a>	Phone	02/26/18 08:43:18	ABSOLUTE EXCAVATING INC	15202	DAYTON AVE N	SHORELINE
<a href="#">18103625</a>	Phone	03/20/18 12:10:46	ABSOLUTE EXCAVATING INC	16227	NE 81ST PL	KENMORE
<a href="#">18105855</a>	Phone	03/21/18 11:06:04	ABSOLUTE EXCAVATING INC	29025	3RD AVE NE	STANWOOD
<a href="#">18132108</a>	Phone	04/06/18 15:53:35	ABSOLUTE EXCAVATING INC	17861	BURKE PL N	SHORELINE
<a href="#">18132120</a>	Phone	04/06/18 15:58:34	ABSOLUTE EXCAVATING INC	1809	N 180TH ST	SHORELINE
<a href="#">18150893</a>	Phone	04/18/18 14:46:56	ABSOLUTE EXCAVATING INC	17854	WALLINGFORD AVE	SHORELINE
<a href="#">18225672</a>	Phone	05/30/18 14:52:45	ABSOLUTE EXCAVATING INC	2610	231ST ST SW	BRIER
<a href="#">18239820</a>	Phone	06/06/18 18:24:36	ABSOLUTE EXCAVATING INC	4203	SUNNYSIDE BLVD	MARYSVILLE
<a href="#">18246078</a>	Phone	06/11/18 14:07:51	ABSOLUTE EXCAVATING INC	2817	228TH ST SW	BRIER
<a href="#">18277559</a>	Phone	06/28/18 15:32:20	ABSOLUTE EXCAVATING INC	541	NE 130TH ST	SEATTLE
<a href="#">18291300</a>	Phone	07/09/18 14:48:53	ABSOLUTE EXCAVATING INC	2651	232ND ST	BRIER
<a href="#">18326481</a>	Phone	07/30/18 07:19:50	ABSOLUTE EXCAVATING INC	22804	27TH AVE W	BRIER
<a href="#">18327707</a>	Phone	07/30/18 13:14:40	ABSOLUTE EXCAVATING INC	6604	282ND AVE SE	ISSAQUAH
<a href="#">18360314</a>	Phone	08/17/18 14:53:00	ABSOLUTE EXCAVATING INC	1714	MADISON WAY	LYNNWOOD
<a href="#">18365421</a>	Phone	08/21/18 15:44:57	ABSOLUTE EXCAVATING INC	16321	81ST PL NE	KENMORE
<a href="#">18365442</a>	Phone	08/21/18 15:49:09	ABSOLUTE EXCAVATING INC	16315	81ST PL NE	KENMORE
<a href="#">18365625</a>	Phone	08/21/18 16:50:11	ABSOLUTE EXCAVATING INC	22811	29TH AVE W	BRIER
<a href="#">18378992</a>	Phone	08/29/18 16:22:14	ABSOLUTE EXCAVATING INC	15831	23RD AVE SW	BURIEN
<a href="#">18410349</a>	Phone	09/18/18 13:26:26	ABSOLUTE EXCAVATING INC	2721	53RD AVE SW	SEATTLE
<a href="#">18452246</a>	Phone	10/15/18 11:35:20	ABSOLUTE EXCAVATING INC	7329	BEVERLY LN	EVERETT

Time/Date stamp of pictures taken by Damage Prevention Rep Roger Arrington at 10:52am



**Complaint #2:** (04/24/2019) 1716 NE 130<sup>th</sup> Pl, Seattle

- **Ticket Number:** No locate request before or after Damage Prevention Rep Jackson Bergland had left the job site.
- **Original Call Date:** N/A
- **04/24/2019:** Damage Prevention Rep Jackson Bergland contacted equipment operator Mark on the job site to explain the need for a valid dig ticket. Mark refused to stop excavation and continued to dig.
- **Damage Prevention Representatives further actions:** Jackson Bergland took pictures of the work area.
  - **Documented the site through pictures:**
    - Lack of locate marks on the ground on 04/24/2019
    - Excavation on site
    - Picture of truck's license plate
    - Ticket list showing locate tickets called in from 04/09/2109 to present and none were for the address of complaint
    - Time/Date stamp of pictures taken by Damage Prevention Rep Jackson Bergland at 11:30am

Lack of locate marks on the ground on 04/24/2019





Excavation on site







Picture of truck's license plate



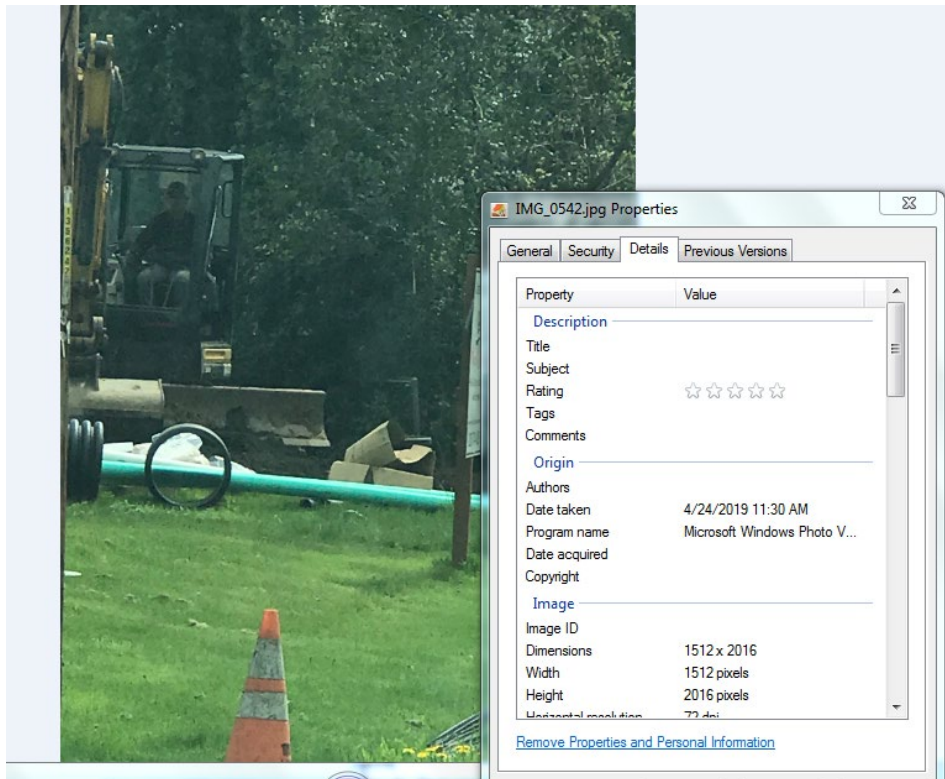
Ticket list showing locate tickets called in from 04/09/2109 to present and none were for the address of this complaint

51 - 61 of 61 Results  
Go to Record #:

Ticket #	Type	Call Date	Excavator Company	Addr	Street	City
<a href="#">19132730</a>	Phone	04/09/19 07:21:31	ABSOLUTE EXCAVATING INC	14906	NE WOODINVILLE DUVALL ROAD	WOODINVILLE
<a href="#">19140378</a>	Phone	04/12/19 12:28:31	ABSOLUTE EXCAVATING INC	6830	96TH AVE SE	MERCER ISLAND
<a href="#">19169116</a>	Phone	04/29/19 14:36:35	ABSOLUTE EXCAVATING INC	19130	OLYMPIC VIEW DR	EDMONDS
<a href="#">19169585</a>	Phone	04/29/19 16:28:11	ABSOLUTE EXCAVATING INC	1403	NW 198TH ST	SHORELINE
<a href="#">19180325</a>	Phone	05/05/19 10:44:33	ABSOLUTE EXCAVATING INC	2221	NE 8TH ST	RENTON
<a href="#">19187127</a>	Phone	05/08/19 10:39:32	ABSOLUTE EXCAVATING INC	12038	33RD AVE NE	SEATTLE
<a href="#">19187144</a>	Phone	05/08/19 10:43:48	ABSOLUTE EXCAVATING INC	12032	33RD AVE NE	SEATTLE
<a href="#">19203375</a>	Phone	05/16/19 11:21:14	ABSOLUTE EXCAVATING INC	1101	164TH ST SW	LYNNWOOD
<a href="#">19212566</a>	Phone	05/22/19 10:33:01	ABSOLUTE EXCAVATING INC	1816	10TH ST W	KIRKLAND
<a href="#">19213366</a>	Phone	05/22/19 14:09:11	ABSOLUTE EXCAVATING INC	430	91ST AVE NE	LAKE STEVENS
<a href="#">19222482</a>	Phone	05/29/19 08:30:09	ABSOLUTE EXCAVATING INC	16121	54TH ST NE	LAKE STEVENS

51 - 61 of 61 Results  
Go to Record #:

Time/Date stamp of pictures taken by Damage Prevention Rep Jackson Bergland at 11:30am



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