

**Case 20-024
Halme vs Avista**

Date of Damage: 5/7/20

Damage Location: S 428 Neyland, Liberty Lake

Alleged Violation: RCW 19.122 failed to properly locate a buried gas line that resulted in a rupture

Summary: ELM locator, Jacob Edwards, mis-located the service that resulted in a natural gas line being damaged by Halme that occurred on 5/7/20 at 428 S Neyland in Liberty Lake, see Exhibit A for vicinity map of damage location. The locator mistakenly located the telephone line that made the service look like it was a split service when in reality it was a service crossing Neyland. See Exhibit B email from ELM accepting responsibility for this damage and an excerpt from ELM's Incident Investigation Report #191852 the Assessment comments completed by Tyler Proszek indicating that it was an inaccurate locate.

There was no cover up by Avista to shift blame to Halme for this damage. Avista's serviceman, Jonathan, did put marks on the ground, but that was to locate out the line so that he knew where the route of the pipeline was so that he could shut it down, determine customer outage, make the appropriate repairs and validate that it was a locate issue which was prior to ELM's arrival to conduct their investigation. See Exhibit C email from Jonathan sending pictures of damage to Avista's photo email for use by the Claims Department. In the email dated 5/7/20 at 1:51 pm, he clearly states that it was an inaccurate locate and to charge the locating company.

Follow Up Actions with Locator: This was the second damage on Neyland that occurred within a short time span by Jacob Edwards. Jacob was told that he would be suspended for 3 days, disqualified in the task of locating and would have to go back through training, be requalified on locating, and have his work audited for a certain amount of time. Jacob chose to quit his job with ELM rather than go through these steps - see email string Exhibit D.

The gas piping locates for this project were validated on 5/9/20 to assure that all marks were accurate.

Exhibit E – F shows photos of the damage location in the street.

Exhibit A – Vicinity map of damage on S 428 Neyland



Exhibit B – Email from ELM to Avista accepting responsibility for this damage dated 5/15/20. ELM, Tyler Proszek, showed up to perform a locating investigation, Incident Investigation report #191852, for the damage at 428 Neyland. Below is Tyler’s assessment comments stating that the service was not accurately located at S 428 Neyland.

[External] ELM# 191852 - 428 S Neyland Rd



Robin Peterson <robin.peterson@elmutility.com>

To: Burger, Linda

Cc: Thomsen, Robin; Peach, Amanda

Reply Reply All Forward Fri 5/15/2020 11:5



Linda;
Attached find our damage report ELM# 191852. ELM is accepting liability pending invoice review.
Thank you

Robin Peterson

ELM Utility Services
Customer Support Services
3021 Palmer Street, Suite C
Missoula, MT 59808
 (406)327-2929
 robin.peterson@elmutility.com

INCIDENT INVESTIGATION #191852



428 S Neyland Rd, Liberty Lake, WA

LOCATION DETAILS

Event Date: 05/08/2020 12:00 AM America/Denver



Right-of-Way:

COMMENTS


Assessment Comments: Proszek- The gas service was damaged in the west lane of traffic along the north property line. The locator failed to accurately locate the service. He located the telephone and indicated the service to be a split with 422, connecting on the west side of the street as opposed to a single service, crossing Neyland. Confirmed inaccurate locates with original locate pictures. No locate marks on site for where the line is.


Exhibit C - Avista serviceman, Jonathan, who was on site of damage at 428 S Neyland on 5/7/20. This email was sent to photos@avistacorp.com on 5/7/20 at 1:51 pm which is the email address where all Avista damage photos are sent for the Claims Department. It clearly indicates that this service was not marked and to charge (ELM) the locating company. There was no cover up by Avista personnel to shift the blame to Halme as was indicated in the complaint.


428 s neyland- liberty lake dig in.


 Dobyms, Jonathan
To  Photos


Retention Policy 3 Year Deletion (3 years) Expires 5/7/2023

 claims completed

 image1.jpeg 39 KB

 ATT00001.txt 68 bytes

 image2.jpeg 42 KB

 ATT00002.txt 89 bytes

Not located- charge locate company.

Reply Reply All Forward

Thu 5/7/2020 1:51 PM

Exhibit D - Email string from Linda Burger to Tyler Proszek requesting that Jacob Edwards be disqualified in the task of locating and Tyler's response indicating that Jacob had quit.

From: Tyler Proszek <Tyler.Proszek@elmutility.com>
Sent: Friday, May 8, 2020 8:13 AM
To: Burger, Linda <linda.burger@avistacorp.com>
Subject: [External] RE: Damage 428 S Neyland

Linda,

This was a mis-locate by Jake Edwards. Following the damage he was suspended for 3 days in preparation to de-OQ him, retrain and re-OQ next week. Later in the evening, he returned all of his equipment to the office and quit. Please remove him from the ALN.

Please let me know if you need any additional information.

Thank you.


Tyler Proszek

Spokane Area Supervisor

Cell: (509) 720-4086

Fax: (509) 893-7576

tyler.proszek@elmutility.com

The logo for ELM Utility Services features the letters "ELM" in a bold, blue, sans-serif font. To the right of "ELM" is the text "Utility Services" in a smaller, blue, sans-serif font. A thin blue arc is positioned above the "M" in "ELM".

111 N. Vista Road Suite 4A

Spokane Valley, WA 99212

From: Burger, Linda <linda.burger@avistacorp.com>

Sent: Thursday, May 07, 2020 3:47 PM

To: Tyler Proszek <Tyler.Proszek@elmutility.com>

Subject: Damage 428 S Neyland

Tyler:

If this damage is due to a mis-locate from Jacob Edwards, you need to disqualify him, train him and have him re-OQ.

Linda Burger

Exhibit E – Photo of damage location



Exhibit F – Photo of damage location

