



# Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

D-220630

July 27, 2022

**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**

Amanda Maxwell, Executive Director and Secretary  
Members of the Commission  
Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Received  
Records Management  
08/22/22 07:57  
State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

Re: Review Committee Decision – Case 22-023 City of Spokane vs. Northwest Fence

Dear Amanda Maxwell:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of Washington State Dig Law RCW 19.122.030 for work performed on June 1, 2022.

On July 27, 2022, the committee formed a review board and heard Case 22-023 filed by the City of Spokane against Northwest Fence.

The review board determined that the respondent Northwest Fence violated RCW 19.122.030(1)(a) for failing to mark the excavation area's boundary with white paint.

Therefore, the committee recommends a total penalty of \$1000 being assessed to the respondent as follows:

- \$1000 for one violation of RCW 19.122.030(1)(a)

The recommended penalties total \$1000 with an opportunity to suspend \$800 on the condition that supervisors and field crew responsible for excavation complete NUCA dig safe training within 90 days and incur no additional violations of RCW 19.122 within twelve months of receiving a penalty assessment order.

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Please let me know if you have any questions regarding this case. You contact me at 206-794-9823.

Sincerely,

A handwritten signature in black ink that reads 'Shelley Cornelius'.

Jim Walton, Chair

Cc: Lynda Holloway

Sam Poffenroth, Northwest Fence

Rick Russell, City of Spokane