

Opening – Avista/ELM responded to the locate request and performed to best of their abilities and knowledge. The issue was the result of a utility mapping error that was immediately corrected upon discovery.

Timeline

5/9/2022 – M&L requested a locate [See Exhibit A and B] for “Land Clearing, Utilities” at Meadow River Ln and N River Branch LN. Location of work: Mark entire property. From the intersection of Meadow River Ln and N River Branch Ln, head west on Meadow River Ln for 0.265 mi to the site on the e side of the street. Remarks: Area marked in white.

5/12/2022 – ELM performed the gas locates. At the time of locate, Avista’s utility mapping indicated a plastic gas stub in the south end of the dig area and was recorded by ELM. (See Exhibit C for photo of prints and Exhibit D for explanation.) ELM looked for a stub marker (an empty gas pipe sticking out of ground to indicate the end of live gas) and a marker ball (a device, placed underground and attached to the end of live gas, that can be found electronically to indicate the exact end of pipe), but neither were present. The plastic stub was mapped as being only 12 feet long and would not respond to advanced locate methods for electromagnetic locating, which is modern locating equipment. ELM then placed a triangle with a “?” in it at the approximate/best known location of the plastic stub. (See Exhibit E for the original locate photo and Exhibit F for reference.) ELM looked for additional records on the gas stub at the Avista gas office but there were no records readily available. (See Exhibit G for sketch of where the line was compared to where it was mapped.)

5/24/2022 – M&L was digging on the south end of the locate request, where the triangle with a “?” in it was placed. While digging M&L struck the gas line just east of the triangle. (See Exhibit H to show damage and proximity to unlocatable gas triangle.) Avista was notified of the gas damage at 8:07am. The responding Avista gas serviceman capped what they thought to be a stub, as it was mapped as a stub, and told M&L that there was only a little remaining gas pipe going into the property. M&L continued digging after the Avista gas serviceman left and found additional gas line. Avista was called back on site and discovered that the line damaged by M&L was actually the service line to the shop at the rear of the property at 23508 N Meadow River Ln., nearly 700 feet away from the damage location. (See Exhibit I.) The Avista gas serviceman reported the incorrect gas mapping to the Avista GIS department, and it was updated at 3:24pm the same day. (See Exhibit J.)

Addressing M&L Narrative (page 4): On July 20, 2022, Avista initiated a listening session with M&L and it was facilitated by Jon Cornelius. All parties agreed to not share the contents of the conversation to allow for open communication and a path toward working together. M&L chose to break that agreement by sharing the content discussed to use as evidence against us in this complaint. I spoke with the Avista employee about what information was discussed for this incident. That employee said they gave basic information that there was a service line to the shop and they did not recall where the line was on the mapping but it was likely after the mapping was corrected. M&L contacted their private locator at 4:01pm on May 24, 2022 (after the mapping had already been corrected) for help proving the line was locatable and gave instructions for where to hook-up.

Summary – Short of the mapping being correct, ELM and Avista would have not known to use the meter on the shop of 23508 N Meadow River Ln. to find the gas line that was damaged. While Avista understands and appreciates the necessity of accurate utility maps, this could potentially occur with any underground utility and affects a small portion of Avista’s facilities overall. Avista believes it followed the law and its intent under RCW 19.122.030 regarding unlocatable facilities. Avista made a good faith attempt to comply to this subsection with the information available at the time of the locate. (See Exhibit K for the applicable RCW section.)

Exhibit A
M&L
Construction's
locate
request.

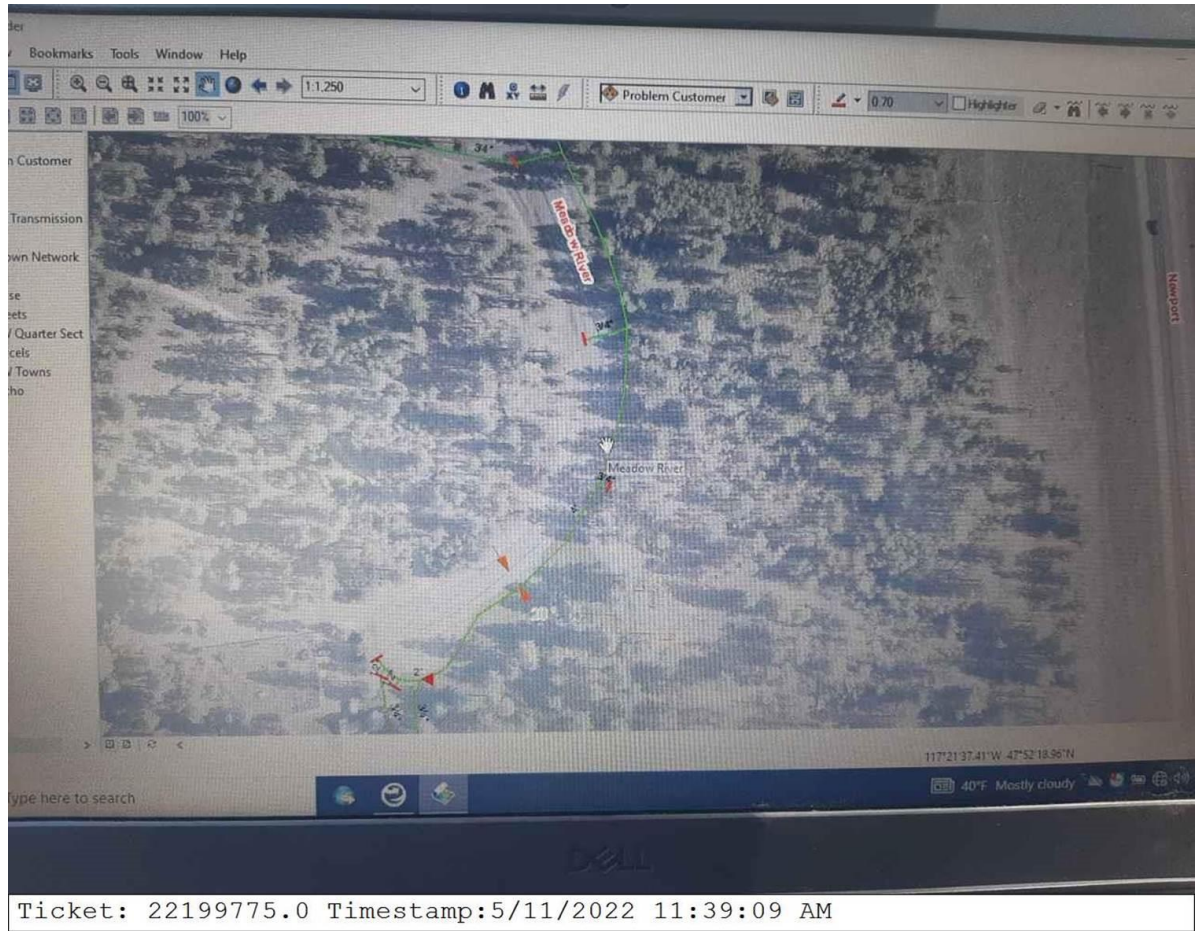
Washington One Call	
Ticket No: 22199775	2 FULL BUSINESS DAYS
Original Call Date: 05/09/22 08:24 am	
Work to Begin Date: 05/12/22 12:00 am	
Expiration Date: 06/23/22 08:30 am	
TICKET ACTIONS	
CALLER INFORMATION	
Company Name: M&L CONSTRUCTION	Type of Excavator: CONTRACTOR
Contact Name: WILL WYKES	Phone: 509-993-0548
Alt. Contact: RAY HATTENBURG	Phone: 509-939-8942
	Fax Phone: 509-482-1764
Caller Address: 4103 DALKE AVE SPOKANE, WA 99217	
Email Address: will@mandlconstruction.net	
DIG SITE INFORMATION	
Type of Work: LAND CLEARING, UTILITIES	Directional Drilling: NO
Type(s) of Excavation Equipment: BACKHOE / TRACKHOE, BULLDOZER	
Work Being Done For: OWNER	
DIG SITE LOCATION	
State: WA	County: SPOKANE
Place: GREEN BLUFF	Address:
Street: MEADOW RIVER LN	
Intersecting Street: N RIVER BRANCH LN	
Location of Work: MARK ENTIRE PROPERTY. FROM THE INTERSECTION OF MEADOW RIVER LN AND N RIVER BRANCH LN, HEAD WEST ON MEADOW RIVER LN FOR 0.265 MI TO THE SITE ON THE E SIDE OF THE STREET.	
Remarks: AREA MARKED IN WHITE PAINT GATE CODE IS #9963	
Map Coord NW Lat: 47.8727736	Lon: -117.3599641
SE Lat: 47.8711435	Lon: -117.3577427

Exhibit B
The dig area for
M&L
Construction's
locate request.
This is from the
One Call
Concepts
website.



Exhibit C

ELM's photo of the Avista gas prints at the time of the original locate.



Ticket: 22199775.0 Timestamp: 5/11/2022 11:39:09 AM

Exhibit D – Sketch/explanation showing damage location and mapping error.

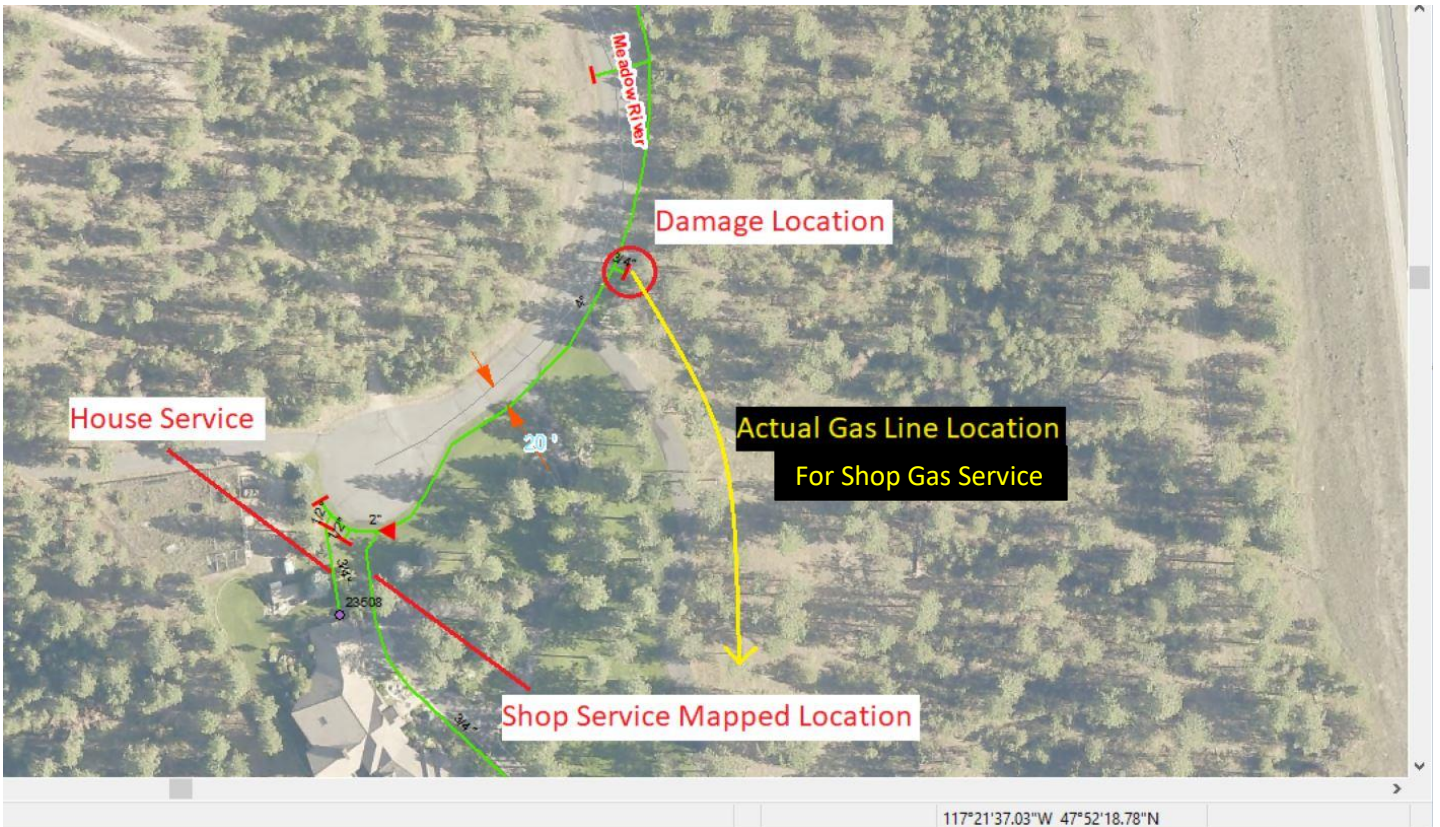
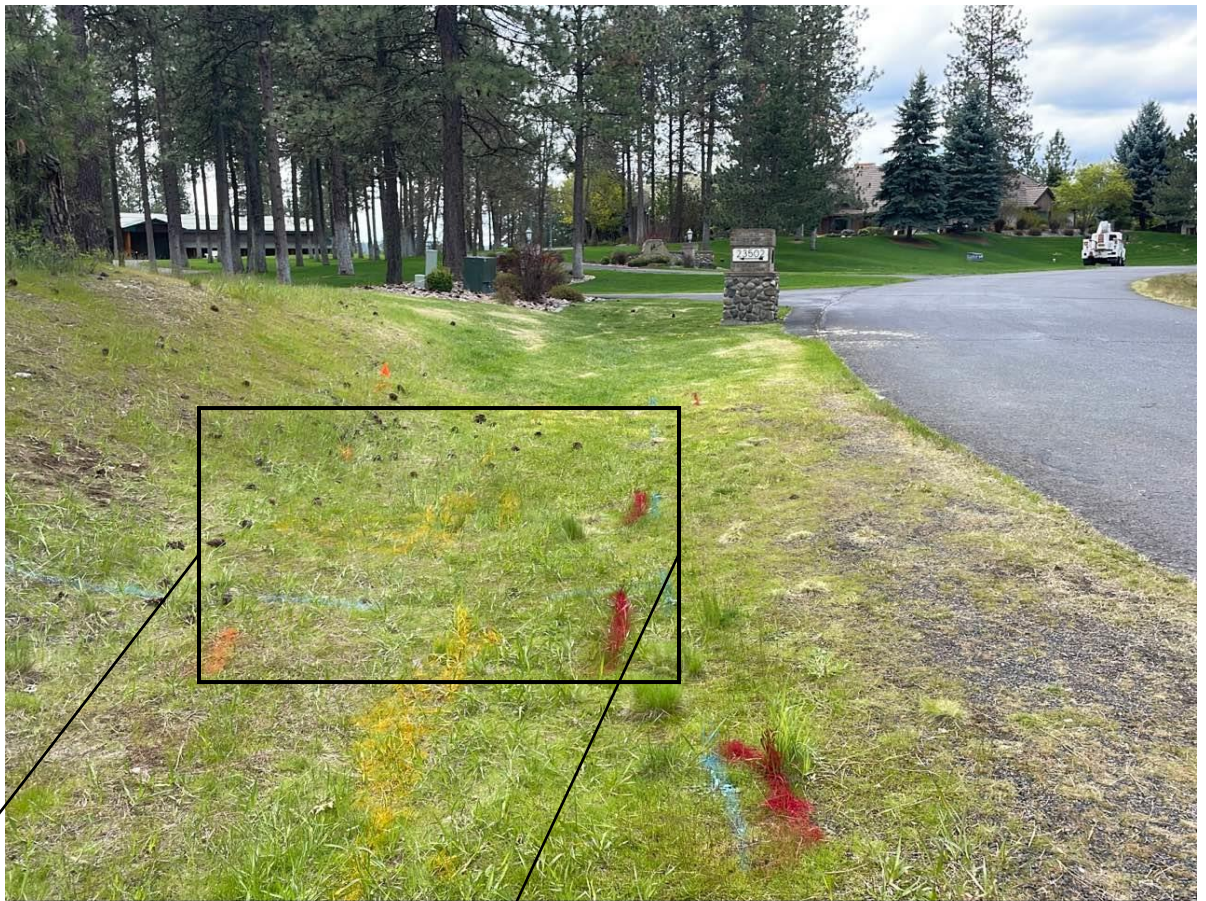


Exhibit E

ELM's photo of the Avista gas main and triangle to the east (left).



Ticket: 22199775.0 Timestamp: 5/12/2022 11:19:53 AM



Exhibit F – Perspective of photo for Exhibit E

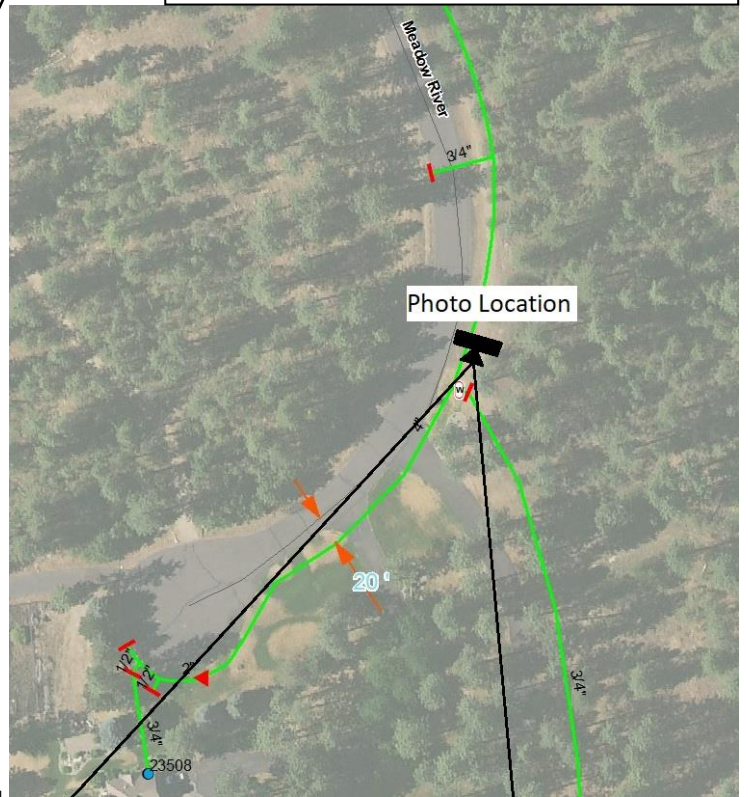


Exhibit G

Sketch of where the gas line was mapped compared to where it was damaged using ELM locate photo.

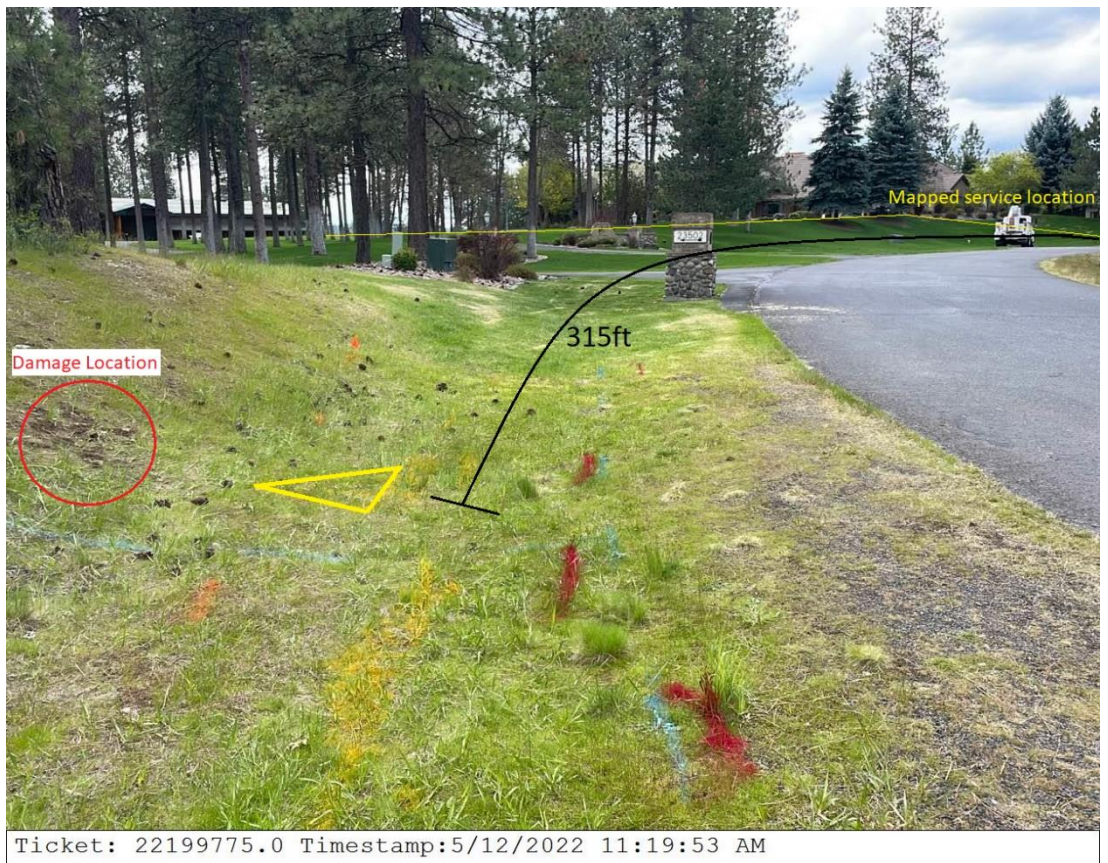
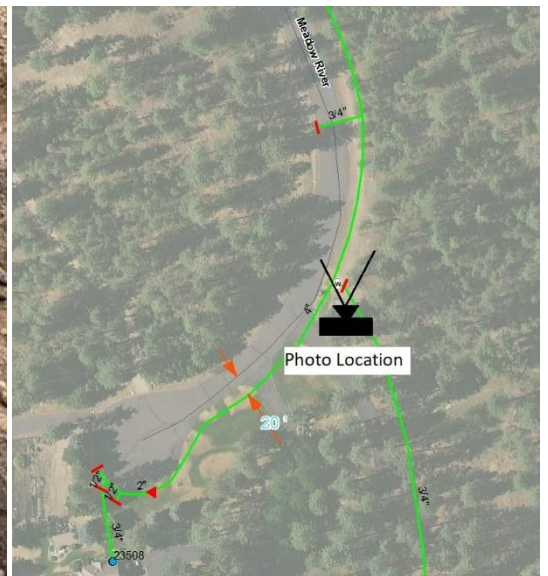


Exhibit H - Photos taken by Avista serviceman after damage took place.



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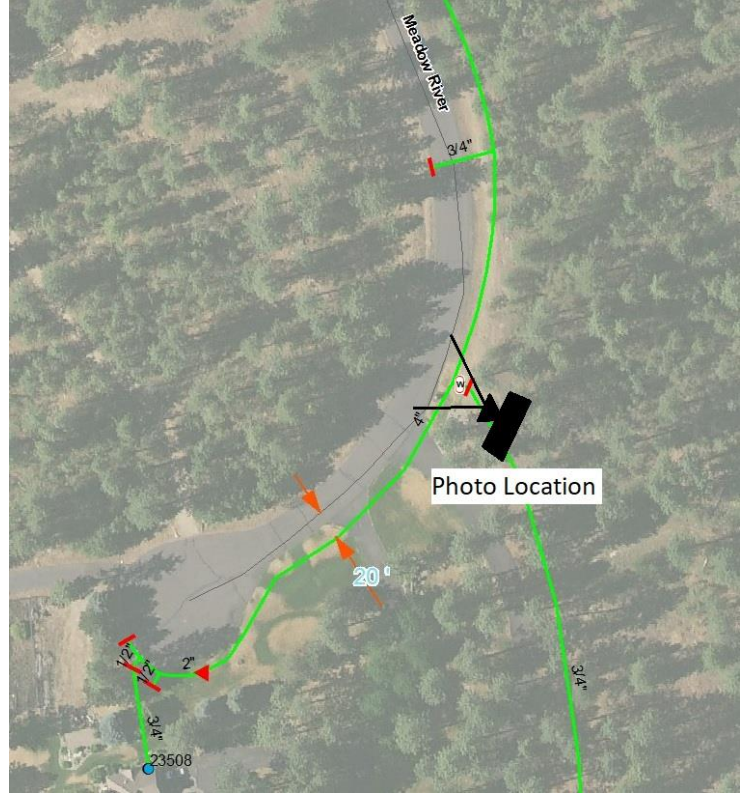


Exhibit I – Avista GIS mapping showing the full service of 23508: Shop and its distance from the damage location.

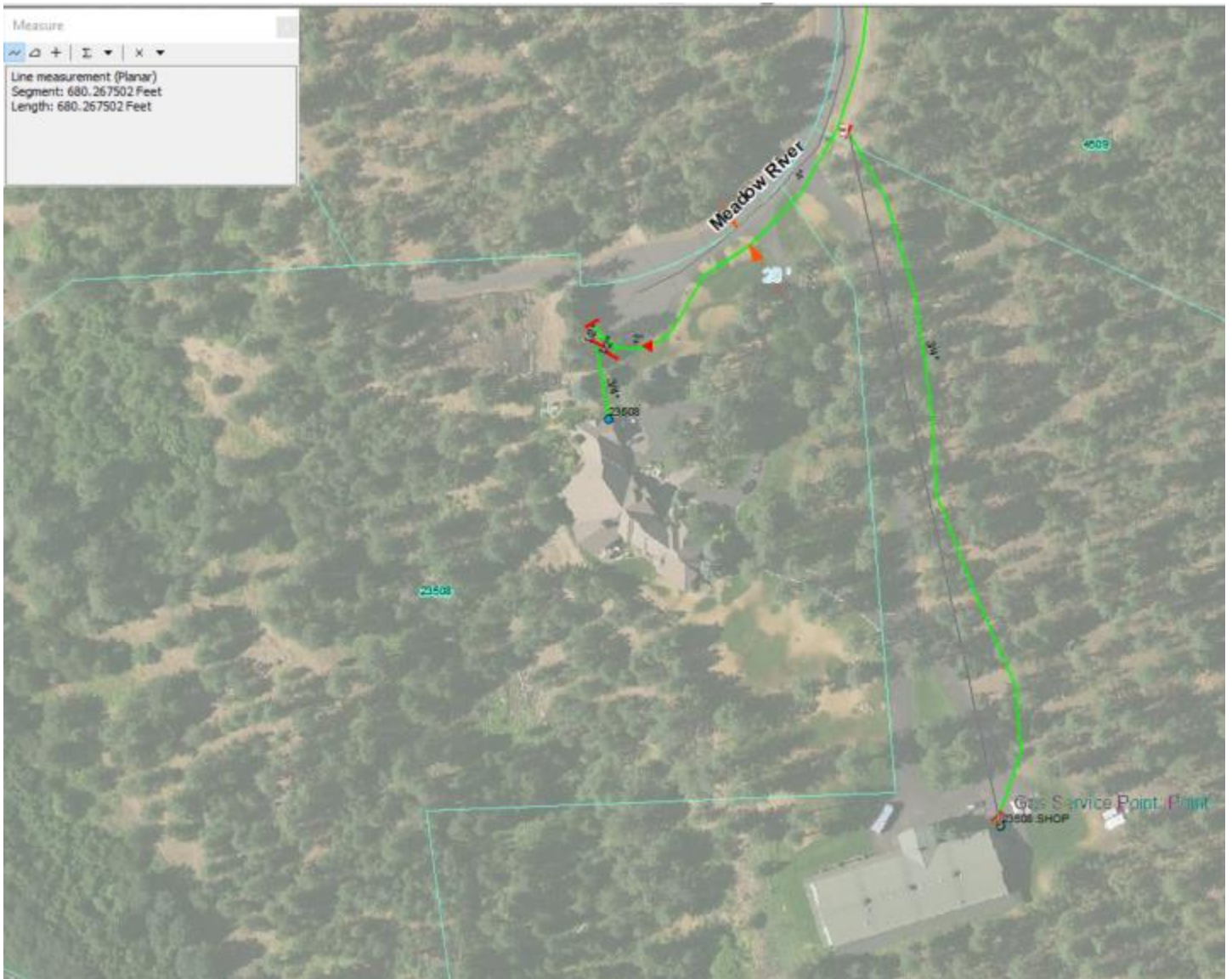


Exhibit J – Avista GIS mapping showing a correction was made.



Identify

Identify from: <Top-most layer>

Pipe
 UNK

Location: 2,492,696.373 337,179.626 Feet

Field	Value
OBJECTID	488683
ENABLED	True
MANUFACTURERCODE	UNK
INSTALLYEAR	2000
INSTALLDATE	06-15-2000 12:00:00 PM
COMPANYCODE	AVISTA CORPORATION
COMPANYDIVISIONCODE	WA-ID
inServiceFlag	Yes
CREATEUSERID	CONVERT
CREATETIMESTAMP	11-19-2004 9:37:54 AM
LASTUPDATEUSERID	LSS6649
LASTUPDATETIMESTAMP	05-24-2022 3:24:58 PM

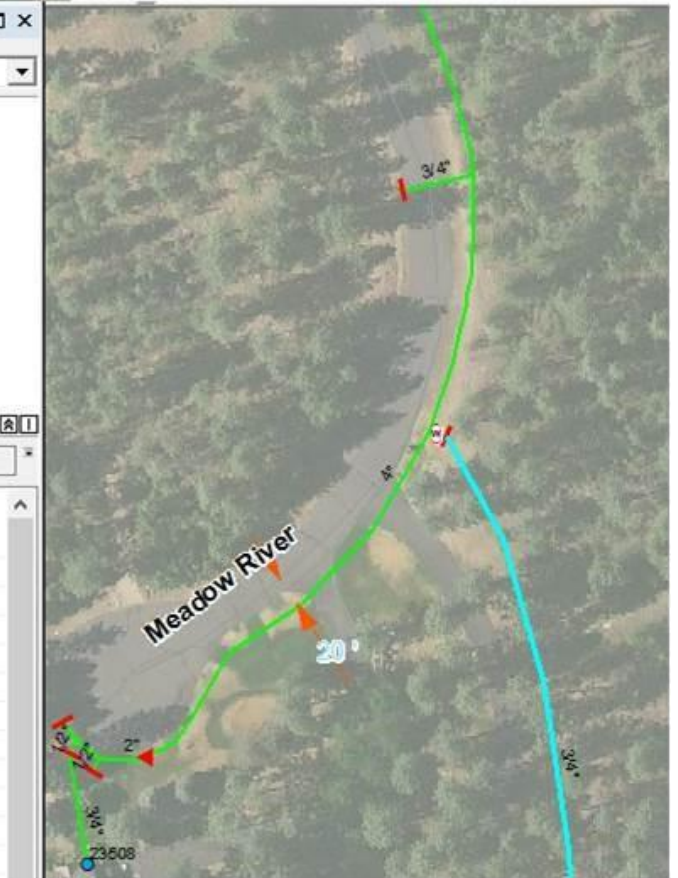


Exhibit K – RCW 19.122.030 (4)(b) and (4)(c)

(b) A facility operator complying with subsection (3)(b) and (c) of this section may do so in a manner that includes any of the following methods: (i) Placing within a proposed excavation area a triangular mark at the main utility line pointing at the building, structure, or property in question, indicating the presence of an unlocatable or identified but unlocatable underground facility, including a service lateral;....(c) A facility operator's good faith attempt to comply with subsection (3)(b) and (c) of this section: (i) Constitutes full compliance with the requirements of this section, and no person may be found liable for damages or injuries that may result from such compliance, apart from liability for arranging for repairs or relocation as provided in RCW 19.122.050.