



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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MEMORANDUM

Date: August 18, 2025

To: Connor Thompson, Director
Administrative Law Division

From: Arianna Le, Damage Prevention Investigator
Pipeline Safety Program

Subject: Docket DG-250601, Investigation # 9118 Penalty Assessment recommendation of \$1,000 against MASTEC North America, Inc. for one violation of RCW 19.122.055(1)(a).

I. Background/Discussion

RCW 19.122.055(1)(a) states, in part, that excavators who fail to notify a one-number locator service and cause damage to an underground gas facility are subject to a civil penalty of not more than \$10,000 for each violation. ***(RCW 19.122.055 amendment: Effective July 27, 2025, civil penalties for damaging gas or hazardous liquid pipeline have increased up to \$25,000).***

Staff conducted an investigation that included reviewing damage reports, investigation reports, the One Call Center database, and communications with the Company. The documents reviewed identified a natural gas event that involved MASTEC North America, Inc. (MASTEC or Company) damaging a natural gas facility while excavating without a valid locate ticket.

Staff believes that MASTEC violated Revised Code of Washington (RCW) 19.122.055(1)(a) by failing to notify the one-number locate service and causing damage to an underground gas facility.

II. Alleged Violation:

On April 24, 2025, MASTEC was excavating at 15415 201st Avenue East, Bonney Lake, Washington. While excavating, MASTEC workers struck and damaged an underground Puget Sound Energy (PSE) natural gas facility. The Damage Information Reporting Tool

(DIRT) report submitted by PSE on June 5, 2025, indicated that MASTEC was excavating without a valid request to locate underground utilities.

III. Analysis

The alleged violation concerns RCW 19.122.055(1)(a), which states, in part, that an excavator must contact the one-number locate center before beginning excavation. On July 10, 2025, PSE responded to Staff and provided the ELM, Gas First Responder (GFR) report, and other documents.¹ The GFR report documented that MASTEC was operating a backhoe to install a utility vault when it hit and broke a 1 1/8" service stub causing a 1" hole and severing the service. The GFR noted that the damage occurred despite a clear stub marker present at the dig location. The GFR report documented that MASTEC did not have a valid locate ticket but did assist with repairs.² The ELM report documented that MASTEC damaged an underground gas line, did not have a valid locate ticket, and GFR repaired the damage.³

On July 23, 2025, MASTEC responded to Staff's initial email request for information and requested a one or two week extension to respond. Staff granted the extension.⁴ On August 4, 2025, Staff sent MASTEC an email regarding the status of the Company's response.⁵ On August 11, 2025, Staff sent a final email to the Company regarding the status of its response.⁶ To date, MASTEC has not responded to Staff's request for information.

Staff searched the Washington One Call Center database and confirmed that MASTEC did not have a valid locate on April 24, 2024, for the location at 15415 201st Avenue East, Bonney Lake, WA.⁷

Staff also took into consideration the following factors in determining the appropriate penalty amount:

1. **How serious or harmful the violation is to the public.**
This incident could have been harmful to Company workers, utility technicians, nearby homeowners, and the public, and could have resulted in serious injury and loss of property.
2. **Whether the violation is intentional.**
This violation appears to be due to negligence by MASTEC rather than a lack of knowledge regarding Washington State's dig law. Since August 11, 2024, MASTEC has submitted 2,326 requests to locate underground facilities in Washington.

¹ PSE response to Staff's request for information. (Attachment 1)

² GFR Damage Report. (Attachment 2)

³ ELM Report. (Attachment 3)

⁴ Communication with MASTEC regarding extension. (Attachment 4)

⁵ Email to MASTEC regarding status of respond. (Attachment 5)

⁶ Final email to MASTEC regarding the status of response. (Attachment 6)

⁷ Staff Washington One Call Search results. (Attachment 7)

3. **Whether the company self-reported the violation.**
The Company did not self-report the violation. The Commission became aware of the violation when PSE filed a DIRT report following the damage incident.
4. **The likelihood of recurrence.**
The likelihood of recurrence depends on the Company's actions going forward and its willingness to notify the one-call location service every time prior to excavation.
5. **The Company's previous Warning Letter.**
On December 11, 2020, the Commission mailed an Alleged Violation of Washington Dig Law letter to MASTEC. The letter included detailed information about Washington State's Underground Utility Damage Prevention Act, requirements for submitting utility locate requests before excavating, and the possibility of penalties for each violation. The Commission mailed the letter after receiving a report of damage caused by MASTEC on August 7, 2020, that occurred because the Company failed to submit a request to locate underground utilities before excavating.

IV. Recommendation

Staff has considered these factors and recommends that the Commission should penalize MASTEC North America, Inc. as follows:

- \$1,000 penalty for one violation of RCW 19.122.055(1)(a) with an offer to suspend an \$800 portion of the penalty for one year, and then waive it, subject to the conditions that:
 - 1) Company management and field crew responsible for excavation must complete NUCA Dig Safe Training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 90 days of service of this Penalty Assessment; and
 - 2) The Company must submit documentation of training completion to the Commission's web portal at <https://efiling.utc.wa.gov/Form>; and
 - 3) The Company must not commit any further violations of RCW 19.122 within 12 months of the date of this Penalty Assessment.

V. Alleged Violator Contact Information

Contact Name	Todd Martinovich, Alberto De Cardenas, Paul DiMarco, David Karian, Jose Mas
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