



# Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

09/09/19 10:23

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## 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

September 4, 2019

Mark Johnson, Executive Director and Secretary  
Members of the Commission  
Utilities and Transportation Commission  
1300 Evergreen Park Drive SW  
Olympia, WA 98504-7250

**Re:** Review Committee Decision - Case 19-045 Avista Corporation vs. Halme Construction

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee (committee) received a complaint regarding potential violations of Washington State Dig Law RCW 19.122.030 for work performed on May 22, 2019.

On, September 4, 2019, the committee formed a review board and heard Case 19-045, filed by Avista Corporation vs. Halme Construction.

The review board determined that the respondent, Halme Construction, violated RCW 19.122.030(6)(c) for failing to maintain the accuracy of the facility operators markings of underground facilities and RCW 19.122.040(2)(a) for failing to take reasonable care to avoid damaging underground facilities by determining the precise location of underground facilities.

Therefore, the committee recommends a penalty be assessed to the respondent follows;

- \$1,000 for the violation of RCW 19.122.030(6)(c)
- \$5,000 for the violation of RCW 19.122.040(2)(a)

For a total of \$6000.00 with \$5000.00 deferred on the condition that the owners, operations managers, project managers, superintendents and all field foreman attend NUCA dig safe training all within six(6) months and have no additional violation of RCW 19.122 within 12 months of receiving a penalty assessment order.

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Please let me know if you have any questions regarding this case. I can be contacted at 206-794-9823.

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Walton".

Jim Walton, Chair

cc: Lynda Holloway, UTC

Rand Townley, Halme Construction