

From Major Carl Mollnow, USAF and Corey Mollnow on 4/21/2020

To- Washington State Dig Law Safety Committee

Incident Statement regarding RCW 19.122.030 Dig Law Violations by Garages ETC—Complaint Case 20-003

Reported to Washington State Dig Law Safety Committee on 12/31/2019

Dates of Violations- 8/8/2019, 8/9/2019, 8/10/2019, 8/11/2019, 8/12/2019

Basic Description of Incident-

Garages ETC **did not** have a current Dig Ticket/Permit on 8/8/2019 at 8:00am when they began digging with a Mechanized Backhoe for Site Preparation for building a New Garage, Tree Removal, Tree Stump, and Root Removal, Shurb/Bush Removal, and Fence Removal on the property at 8309 52nd St. Ct. W., University Place, WA 98467.

Garages ETC only had an expired Dig Ticket/Permit that expired on 7/1/2019 at 9:30am, Ticket No. 19205040

This is a violation of the WA State Dig Law, RCW 19.22.030 by failing to notify facility operators of their intent to dig.

Lewis Pugh of Garages ETC requested a New Dig Ticket/Permit on 8/8/2019 at 12:21pm, Ticket No: 19345707, with a Work to Begin Date of 8/13/2019 at 12:00am.

My son, Corey Mollnow and I called in an Emergency Safety Ticket on 8/12/2019 at 10:33am, Ticket No: 19349924 because of the continued digging by Garages ETC with a mechanized backhoe **without** a Current Dig Ticket/Permit on 8/8/2019, 8/9/2019, 8/10/2019, 8/11/2019, and 8/12/2019.

Details of Incident-

On 8/8/2019 at 8:00am, my son, Corey Mollnow and I were about to leave for the Veterans Hospital in Seattle for my medical appointments when we heard loud bangs and smashing sounds outside and went outside to see demolition and digging work being done with a Mechanized Backhoe by Garages ETC.

My son then went onto the 811 website and searched for Dig Tickets/Permits at 8309 52nd St. Ct. W., University Place, WA 98467 and found only an Expired Dig Ticket/Permit that expired 7/1/2019.

I then spoke to Lewis Pugh of Garages ETC on-site and asked him if they had a Dig Ticket/Permit.

Lewis Pugh said they did have a Dig Ticket/Permit.

I then asked him if he had a Current Dig Ticket/Permit.

Mr. Pugh then said he did have a Current Dig Ticket/Permit.

This was false, Garages ETC **Did Not** have a Current Dig Ticket/Permit.

They had only an expired Dig Ticket/Permit that expired on 7/1/2019 at 9:30am, Ticket No. 19205040.

My son and I informed Lewis Pugh of this and asked him to get a Current Dig Ticket/Permit because of our concern about the possibility of digging into our Underground Water Main Pipe that services our house and all

the problems that could create for us. We told him there also is a Underground Power Line and Cable Line where the Backhoe is digging.

He said he did not understand what the big deal was and that some of the marks were still there.

I then told Mr. Pugh that I have had my water pipe broken by other people 2 separate times before and if he did not stop the work, call 811 for a New Dig Ticket/Permit, and then wait until the new "Work to Begin Date" to start digging again so that Utilities could be located and marked again, then I would file a Complaint with the State Dig Law Committee.

My son and I then left for the Veterans Hospital in Seattle.

Lewis Pugh of Garages ETC requested a New Dig Ticket/Permit on 8/8/2019 at 12:21pm, Ticket No: 19345707, with a Work to Begin Date of 8/13/2019 at 12:00am.

My son, Corey Mollnow and I called in an Emergency Safety Ticket on 8/12/2019 at 10:33am, Ticket No: 19349924 because of the continued digging by Garages ETC with a mechanized backhoe without a Current Dig Ticket/Permit on 8/8/2019, 8/9/2019, 8/10/2019, 8/11/2019, and 8/12/2019.

Why did we report this Violation-

This is actually the 2nd time Garages ETC has violated the Dig Law in my neighborhood.

The 1st time was at a home on 7/6/2017 at 8315 52nd St. Ct. W., University Place, WA.

My son, Corey Mollnow and I awoke to the sound of a Backhoe and saw that a Backhoe was digging out an area in the back yard of the property.

My son checked the 811 website and found that the company, Garages ETC did have a current dig ticket/permit, Ticket #17232929.

As my son and I watched, the Backhoe started to dig closer and closer to where my water main pipe runs through that yard and also a power line and cable line.

Once the Backhoe dug within 5 to 10 feet approximately where my underground water main pipe sits, my son and I decided that it was better to be safe than sorry and we called the Tacoma Water Emergency Line and reported the situation because we feared the backhoe may dig into my underground water main pipe that supplies water to our house.

The technician looked up the water systems in the area and Garages ETC's dig ticket/permit and said the situation looked strange and the technician decided to send out a locator to check it out.

We got a call from Tacoma Water later that day and he told us that we did the right thing because the Tacoma Water Locator found that the Backhoe was digging outside of the white excavation marks and close to the water main pipe and the Tacoma Water Locator told the Garages ETC Crew that they had to stop work immediately, remark their excavation area in white, call 811 for a new dig ticket/permit and then wait for the utility companies to come out and mark their underground utilities.

Garages ETC then requested an Updated Permit/Ticket, Ticket #17250809, as an "Emergency Garage Install" and the "Emergency Statement" read, "Caller Requests Area Marked ASAP. Crew on Site Now".

We could have filed a complaint regarding this incident with the Washington State Dig Law Committee, but we did not.

So with this 2nd incident, I had to file a complaint, because it was our last resort.

Also our Water Line has been broken 2 times in the past. Both parties **DID NOT** have the utilities located by calling 811 before digging. The 1st water line break was by the City of University Place that was putting in a street sign and the 2nd water line break was by a contractor that was replacing a neighbor's driveway.

These 2 incidents created catastrophic problems for our family that many of which still remain unresolved today. One of these incidents occurred just a few days after my wife was discharged from the hospital after a nearly deadly heart attack and 12 hour emergency double heart bypass surgery. This left her with no clean water to clean her long incision wounds and forced us to buy hundreds of gallons of bottled water just so she could take a bath and thousands more for everything else for all of us. We had no hot water for months. We could not use our sinks, our bathtub, or our clothes washing machine for months.

Many people, citizens and contractors, fail to understand the potential catastrophes that can result from not having utilities located first, before they dig, by calling 811.

Unfortunately, our family, knows all too well, the incredible hardships that these unnecessary disasters cause.

This is why we now do everything we can to prevent them from happening now and in the future.

It is all about prevention.

This is why we reported this violation.

Submitted by Carl Mollnow and Corey Mollnow

*Pictures of the Work Area are also submitted along with this statement to show how Work Area changed from the digging performed:

1. Before the Work Began.
2. On August 11, 2019
3. On August 12, 2019
4. On August 13, 2019

wsdlsafetycommittee@gmail.com

From: sendmail@washington-ucc.org
Sent: Tuesday, December 31, 2019 12:10 PM
To: wsdlsafetycommittee@gmail.com
Subject: Complaint Form

Complaint Form Request

Requester Information

Name: Major Carl Mollnow USAF and Corey Mollnow
Company: Home Owner
Company Phone: (253)564-1481
Company Email: cmollnow741@comcast.net
Company Address: 5124 84th Ave West, University Place, 98467
Ticket Requested: no

Violation Information

Violation RCW: RCW 19.122.030

Violation Section: RCW.122.030- (1)(a) and (2)- Notice of excavation to owners of underground facilities

Violation Description: Garages Etc did not have a current Dig Ticket/Permit on 8/8/2019 at 8:00am when they began digging with a mechanized backhoe for Site Preparation for Building a New Garage, Tree Removal, Tree Stump and Root Removal, Shrub/Bush Removal, and Fence Removal. This is a violation of the Dig Law, RCW 19.122.030 by failing to notify facility operators of their intent to dig. My son, Corey Mollnow and I spoke to Lewis Pugh of Garages ETC on 8/8/2019 at 8:00am and asked him if they had a current Dig Ticket/Permit. Lewis Pugh said they did. This was false. They had an Expired Dig Ticket/Permit which expired on 7/1/2019, Ticket No: 19205040 We informed him of this and asked him to get a current Dig Ticket/Permit because of our concern about the possibility of digging into our water main pipe that services our house and all the problems that could create for us. He said he did not understand what the big deal was. Lewis Pugh of Garages ETC obtained an Updated Dig Ticket on 8/8/2019 at 12:21pm, Ticket No: 19345707, with a Work to begin date of: 8/13/2019 at 12:00am. Dig Work with a Mechanized Backhoe by Garages ETC continued from 8/8/2019 through 8/13/2019. Garages Etc ignored the Work to Begin Date of 8/13/2019. My son, Corey Mollnow and I called in a Emergency Safety Ticket on 8/12/2019 at 10:33am, Ticket No: 19349924 because of the continued digging with a mechanized backhoe without a current Dig Ticket/Permit since 8/8/2019.

Violation Address: 8309 52nd Street Court West, University Place, WA 98467

Violation Date: 08/08/2019

Alleged Violator

Violator Name: Garages ETC
Violator Phone Number: (253)539-1010
Violator Email: info@garagesetc.com
Violator Address: 2520 96th Street East, Tacoma, 98445
Violator Employess On Site: Lewis Pugh

Other Information

Other Information:

Lewis Pugh
Owner/ project Manager
Garages Etc/Concrete etc
Email: info@garagesetc.com
Cell:253-606-7150
Office Ph. 253-539-1010

Fax: 253-539-1926
WWW.garagesetc.com

Washington One Call

Ticket No: 19196376
 2 FULL BUSINESS DAYS
Updated by: 19205040
Original Call Date: 05/13/19 04:00 pm
Work to Begin Date: 05/16/19 12:00 am
Expiration Date: 06/27/19 04:15 pm

CALLER INFORMATION

Company Name: GARAGES ETC
Contact Name: DEAN DAYTON
Phone: 253-539-1010
Alt. Contact: LEWIS PUGH - CELL
Phone: 253-606-7150

Fax Phone: 253-539-1926
Caller Address: 2520 96TH ST E TACOMA, WA 98445
Email Address: info@garagesetc.com

DIG SITE INFORMATION

Type of Work: INSTALL GARAGE AND TREE/BRUSH REMOVAL
Work Being Done For: VANCE LELLI

DIG SITE LOCATION

State: WA
County: PIERCE
Place: UNIVERSITY PLACE
Address: 8309
Street: 52ND ST CT W
Intersecting Street: 83RD AVE W
Location of Work: EXCAVATION SITE IS ON THE N SIDE OF THE ROAD. ADD IS APX 300FT W OF THE ABV INTER. MARK THE ENTIRE PROP TO INCLUDE ROWS AT THE ABV ADD.
Remarks: AREA MARKED IN WHITE. CUSTOMER GAVE LATITUDE AND LONGITUDE
Caller GPS: Lat: 47.209413 Lon: -122.549295
Map Coord NW Lat: 47.2098319
Lon: -122.5494684
SE Lat: 47.2092493
Lon: -122.5489548

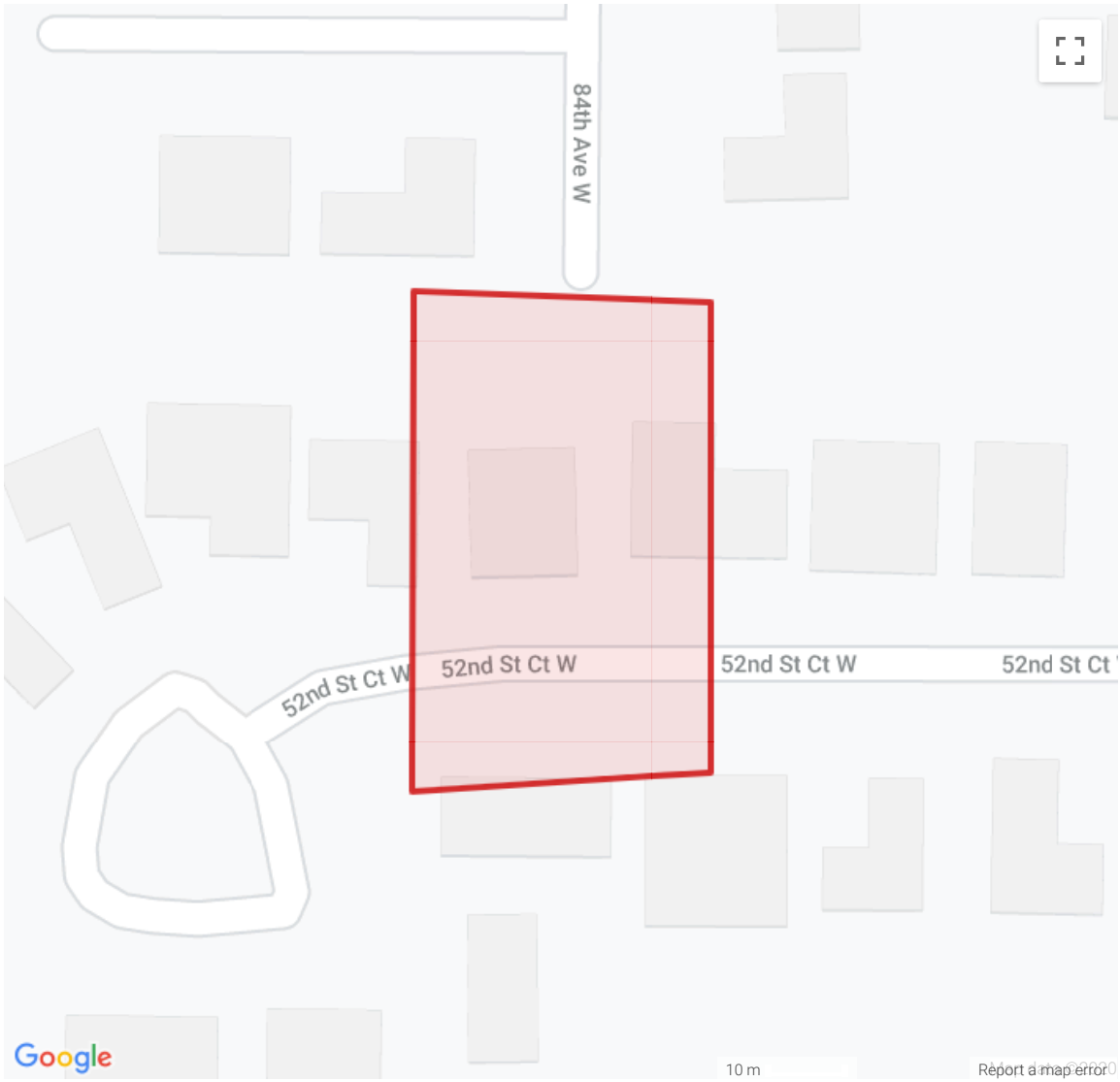
MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair	Status
CC7711	COMCAST CABLE	800-762- 0592	800-934- 6489	855- 537- 6296	Marked, Complete

District	Company Name	Marking Concerns	Customer Service	Repair	Status
PIERCE01	PIERCE COUNTY PPW SEWERS	253-798-7000	253-798-7000	253-798-7000	Does not report
PUGG07	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773	Clear, No Utility Owned Facility in Excavation Area
QLNWA24		800-778-9140	800-283-4237	800-573-1311	Not yet responded
TACH2O01	TACOMA WATER DEPARTMENT	253-502-8398	253-502-8344	253-502-8344	Does not report
TACPWR01	TACOMA PWR & CLICK NETWORK	253-502-8263	253-502-8600	253-383-0982	Does not report

Legend:  Locate Polygon

Lat/Lon



Washington One Call

Ticket No: 19205040
 2 FULL BUSINESS DAYS
Update of: 19196376
Updated by: 19345707
Original Call Date: 05/17/19 09:22 am
Work to Begin Date: 05/22/19 12:00 am
Expiration Date: 07/01/19 09:30 am

CALLER INFORMATION

Company Name: GARAGES ETC
Contact Name: LEWIS PUGH
Phone: 253-539-1010
Alt. Contact: LEWIS PUGH - CELL
Phone: 253-606-7150

Fax Phone: 253-539-1926
Caller Address: 2520 96TH ST E TACOMA, WA 98445
Email Address: info@garagesetc.com

DIG SITE INFORMATION

Type of Work: INSTALL GARAGE AND TREE/BRUSH REMOVAL
Work Being Done For: VANCE LELLI

DIG SITE LOCATION

State: WA
County: PIERCE
Place: UNIVERSITY PLACE
Address: 8309
Street: 52ND ST CT W
Intersecting Street: 83RD AVE W
Location of Work: EXCAVATION SITE IS ON THE N SIDE OF THE ROAD. ADD IS APX 300FT W OF THE ABV INTER. MARK THE ENTIRE PROP INCLUDING ALL ROWS AND EASEMENTS AT THE ABV ADD.
Remarks: AREA MARKED IN WHITE. CUSTOMER GAVE LATITUDE AND LONGITUDE
 UPDT TICKET - NEEDS REMARKING
Caller GPS: Lat: 47.209413 Lon: -122.549295
Map Coord NW Lat: 47.2098319
Lon: -122.5494684
SE Lat: 47.2092493
Lon: -122.5489548

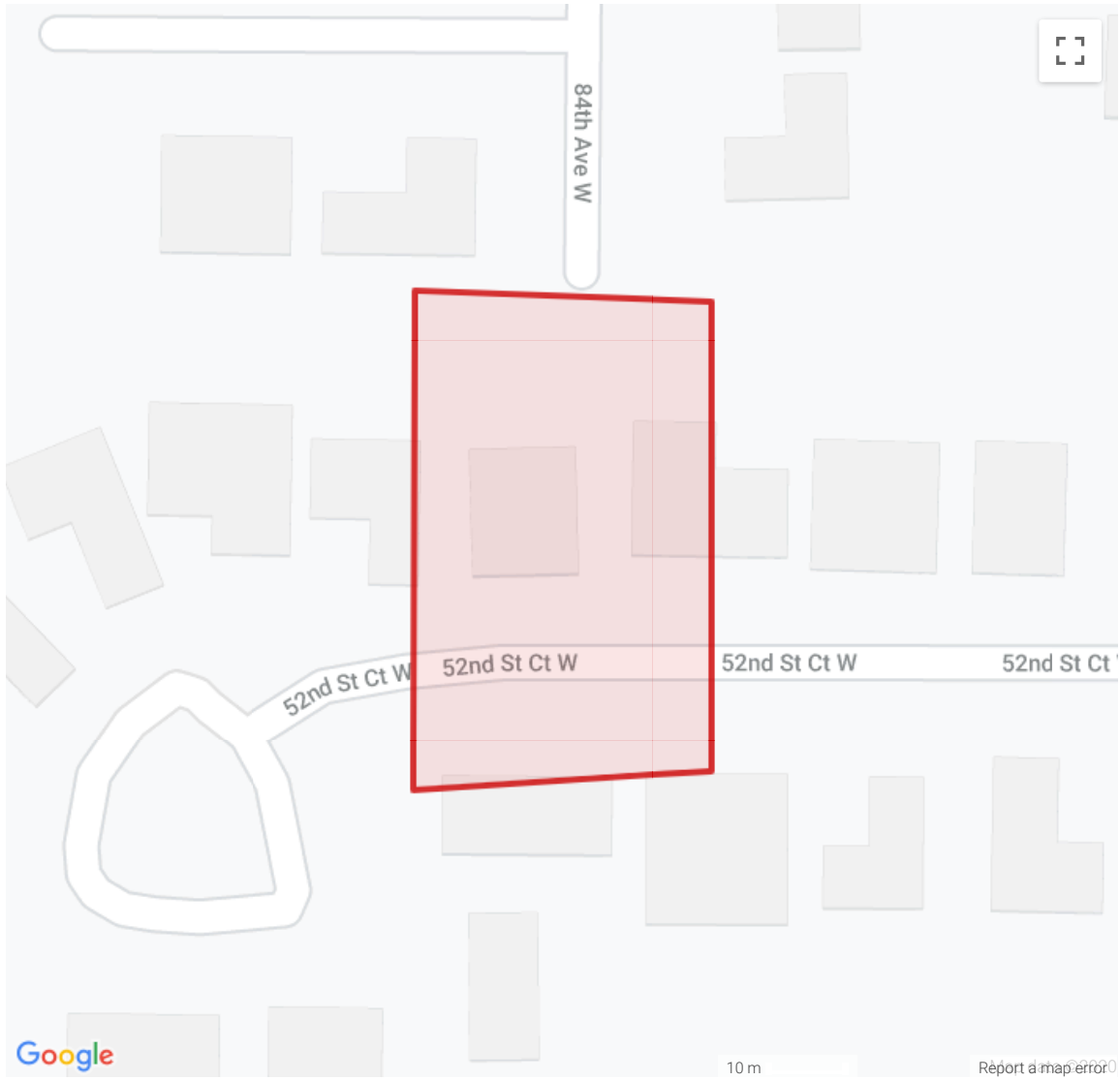
MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair	Status
----------	--------------	------------------	------------------	--------	--------

District	Company Name	Marking Concerns	Customer Service	Repair	Status
CC7711	COMCAST CABLE	800-762-0592	800-934-6489	855-537-6296	Not yet responded
PIERCE01	PIERCE COUNTY PPW SEWERS	253-798-7000	253-798-7000	253-798-7000	Does not report
PUGG07	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773	Clear, No Utility Owned Facility in Excavation Area
QLNWA24		800-778-9140	800-283-4237	800-573-1311	Not yet responded
TACH2001	TACOMA WATER DEPARTMENT	253-502-8398	253-502-8344	253-502-8344	Does not report
TACPWR01	TACOMA PWR & CLICK NETWORK	253-502-8263	253-502-8600	253-383-0982	Does not report

Legend:  Locate Polygon

Lat/Lon



Washington One Call

Ticket No: 19345707
 2 FULL BUSINESS DAYS
Update of: 19205040
Updated by: 19522805
Original Call Date: 08/08/19 12:21 pm
Work to Begin Date: 08/13/19 12:00 am
Expiration Date: 09/22/19 12:30 pm

CALLER INFORMATION

Company Name: GARAGES ETC
Contact Name: LEWIS PUGH
Phone: 253-539-1010
Alt. Contact: LEWIS PUGH - CELL
Phone: 253-606-7150

Fax Phone: 253-539-1926
Caller Address: 2520 96TH ST E TACOMA, WA 98445
Email Address: info@garagesetc.com

DIG SITE INFORMATION

Type of Work: INSTALL GARAGE AND TREE/BRUSH REMOVAL
Work Being Done For: VANCE LELLI

DIG SITE LOCATION

State: WA
County: PIERCE
Place: UNIVERSITY PLACE
Address: 8309
Street: 52ND ST CT W
Intersecting Street: 83RD AVE W
Location of Work: EXCAVATION SITE IS ON THE N SIDE OF THE ROAD. ADD IS APX 300FT W OF THE ABV INTER. MARK THE ENTIRE FRONT YARD AND BACK YARD INCLUDING ROW'S AND EASEMENTS AT THE ABV ADD
Remarks: AREA MARKED IN WHITE. CUSTOMER GAVE LATITUDE AND LONGITUDE UPDT TICKET - NEEDS REMARKING UPDT TICKET - NEEDS REMARKING-TO CHANGE MARKING INSTRUCTIONS.
Caller GPS: Lat: 47.209413 Lon: -122.549295
Map Coord NW Lat: 47.2099158
Lon: -122.5495164
SE Lat: 47.2092499
Lon: -122.5488952

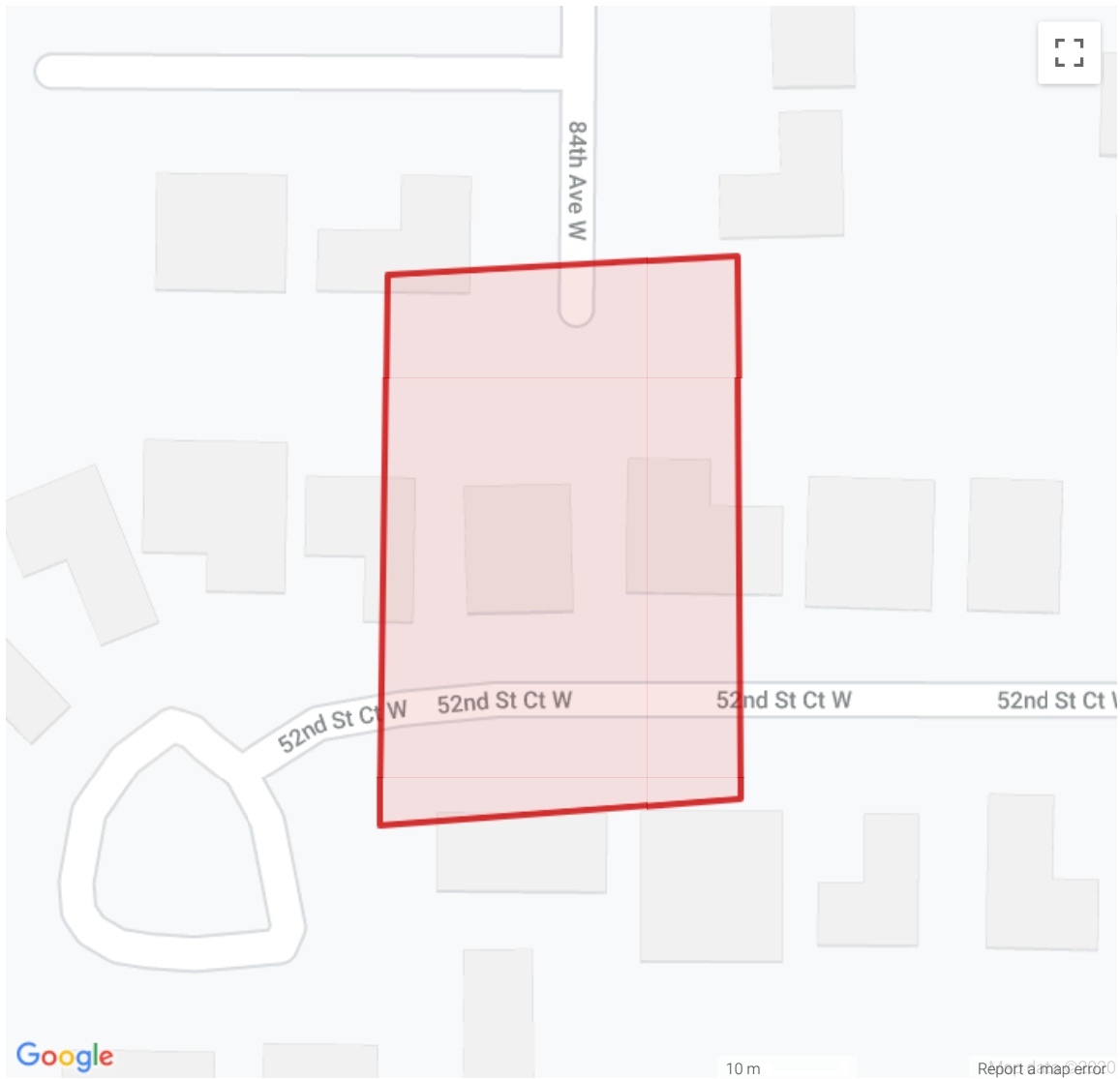
MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair	Status
----------	--------------	------------------	------------------	--------	--------

District	Company Name	Marking Concerns	Customer Service	Repair	Status
CC7711	COMCAST CABLE	800-762-0592	800-934-6489	855-537-6296	Not yet responded
PIERCE01	PIERCE COUNTY PPW SEWERS	253-798-7000	253-798-7000	253-798-7000	Does not report
PUGG07	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773	Clear, No Utility Owned Facility in Excavation Area
QLNWA24		800-778-9140	800-283-4237	800-573-1311	Not yet responded
TACH2001	TACOMA WATER DEPARTMENT	253-502-8398	253-502-8344	253-502-8344	Does not report
TACPWR01	TACOMA PWR & CLICK NETWORK	253-502-8263	253-502-8600	253-383-0982	Does not report

Legend:  Locate Polygon

Lat/Lon



Washington One Call

Ticket No: 20099872
 2 FULL BUSINESS DAYS
Update of: 19522805
Original Call Date: 03/14/20 11:42 am
Work to Begin Date: 03/19/20 12:00 am
Expiration Date: 04/28/20 11:45 am

CALLER INFORMATION

Company Name: GARAGES ETC
Contact Name: ERIC OLSEN
Phone: 253-539-1010
Alt. Contact: LEWIS PUGH
Phone: 253-606-7150

Fax Phone: 253-539-1926
Caller Address: 2520 96TH ST E TACOMA, WA 98445
Email Address: info@garagesetc.com

DIG SITE INFORMATION

Type of Work: INSTALL GARAGE AND TREE/BRUSH REMOVAL
Work Being Done For: VANCE LELLI

DIG SITE LOCATION

State: WA
County: PIERCE
Place: UNIVERSITY PLACE
Address: 8309
Street: 52ND ST CT W
Intersecting Street: 83RD AVE W
Location of Work: EXCAVATION SITE IS ON THE N SIDE OF THE ROAD. ADD IS APX 300FT W OF THE ABV INTER. MARK FROM STREET TO FRONT OF HOUSE AT ABV ADD.
Remarks: AREA MARKED IN WHITE. CUSTOMER GAVE LATITUDE AND LONGITUDE
 UPDT TICKET - NEEDS REMARKING UPDATE REFRESH MARKINGS
Caller GPS: Lat: 47.209413 Lon: -122.549295
Map Coord NW Lat: 47.2098300
Lon: -122.5494284
SE Lat: 47.2093518
Lon: -122.5490070

MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair	Status
CC7711	COMCAST CABLE	800-762- 0592	800-934- 6489	855- 537- 6296	Not yet responded

District	Company Name	Marking Concerns	Customer Service	Repair	Status
PIERCE01	PIERCE COUNTY PPW SEWERS	253-798-7000	253-798-7000	253-798-7000	Does not report
PUGG07	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773	Clear, No Utility Owned Facility in Excavation Area
QLNWA16	CTLQL-CENTURYLINK	800-778-9140	800-283-4237	800-573-1311	Not yet responded
TACH2O01	TACOMA WATER DEPARTMENT	253-502-8398	253-502-8344	253-502-8344	Does not report
TACPWR01	TACOMA PWR & CLICK NETWORK	253-502-8263	253-502-8600	253-383-0982	Does not report

Legend:  Locate Polygon

Lat/Lon



Washington One Call

Ticket No: 19349924
Original Call Date: 08/12/19 10:33 am
Work to Begin Date: 08/12/19 10:45 am
Expiration Date: 09/26/19 10:45 am

++EMERGENCY++

CALLER INFORMATION

Company Name: OTHER
Contact Name: COREY M
Phone: 253-564-1481
Alt. Contact:
Phone:
Fax Phone:
Caller Address: 8309 52ND ST CT W UNIVERSITY PLACE, WA 98467
Email Address:

DIG SITE INFORMATION

Type of Work: EMERGENCY SAFETY TICKET
Work Being Done For: HOMEOWNER

DIG SITE LOCATION

State: WA
County: PIERCE
Place: UNIVERSITY PLACE
Address: 8309
Street: 52ND ST CT W
Intersecting Street: 83RD AVE W
Location of Work: EXCAVATION SITE IS ON THE N SIDE OF THE ROAD. THE ADD IS APX 300 FT WEST OF THE INTERSECTION.
 THE WORK IS BEING DONE AT THE BACKYARD OF 8309 52ND ST CT W.
 MARK AT THE ENTIRE PROPERTY.
Remarks: GARAGES ETC IS THE CONTRACTOR ON SITE WORKING 19205040 IS AN EXPIRED TICKET ON JULY 1, 2019 19345707 IS A TICKET THAT WAS CALLED IN BUT THE WORK TO BEGIN DATE IS FOR AUGUST 13, 2019 THERE IS A CREW ON SITE WORKING NOW AND THEY ARE USING A BACKHOE MARKS ARE NEEDED ASAP
Map Coord NW Lat: 47.2099120
Lon: -122.5495358
SE Lat: 47.2092535
Lon: -122.5488938

MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Customer Service	Repair	Status
----------	--------------	------------------	------------------	--------	--------

District	Company Name	Marking Concerns	Customer Service	Repair	Status
CC7711	COMCAST CABLE	800-762-0592	800-934-6489	855-537-6296	Marked, Complete
PIERCE01	PIERCE COUNTY PPW SEWERS	253-798-7000	253-798-7000	253-798-7000	Does not report
PUGG07	PUGET SOUND ENERGY GAS	888-728-9343	888-225-5773	888-225-5773	Marked, Complete
QLNWA24		800-778-9140	800-283-4237	800-573-1311	Not yet responded
TACH2001	TACOMA WATER DEPARTMENT	253-502-8398	253-502-8344	253-502-8344	Does not report
TACPWR01	TACOMA PWR & CLICK NETWORK	253-502-8263	253-502-8600	253-383-0982	Does not report

Legend: Locate Polygon

Lat/Lon

