



D-230541

Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

Received
Records Management
Jun 27, 2023

**Committee Members
Represent:**

June 27, 2023

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
UTC Records Center
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Re: Review Committee Decision – Complaint Case 22-046 Cascade Natural Gas Corporation vs. Evergreen Concrete Cutting, Inc.

Dear Ms. Maxwell:

The Washington State Dig Law Safety Committee (committee) received a complaint from Cascade Natural Gas Corporation (CNGC) regarding potential violations of Washington State Dig Law RCW 19.122.030, for work performed by Evergreen Concrete Cutting, Inc. (Evergreen) on Aug. 31, 2022.

On June 20, 2023, the committee formed a review board and heard Complaint Case 22-046 filed by CNGC against Evergreen.

The review board determined that the respondent, Evergreen, violated RCW 19.122.030(1)(a) for failing to white line the proposed excavation site, and RCW 19.122.030(2) for failing to wait two business days for locates to be placed prior to excavation.

Therefore, the committee recommends a total penalty of \$2,000 be assessed to the respondent as follows:

- \$1,000 for one violation of RCW 19.122.030(1)(a)
- \$1,000 for one violation of RCW 19.122.030(2)

Additionally, the committee recommends a deferral opportunity be offered to suspend \$800 of the \$2,000 total, based on the condition that Evergreen incurs no additional violations of RCW 19.122 within the next 12 months.

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

Sincerely,

Jim Walton, Chair
cc: Marina Rathbun, UTC
Dale Taylor, Evergreen Concrete Cutting