



D-240261

Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

Committee Members
Represent:

Local Government

Natural Gas Utility

Contractors

Excavators

Electric Utility

Consumer Owned Utility

Pipeline Utility

Water Utility

Utilities and
Transportation
Commission

Telecommunications
Company

Three At-Large Positions

April 18, 2024

Jeff Killip, Executive Director, and Secretary
UTC Records Center
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Received
Records Management
Apr 18, 2024

Re: Review Committee Decision – Complaint Case 24-004 NW Natural Gas vs. Tapias Landscaping, LLC.

Dear Mr. Killip:

The Washington State Dig Law Safety Committee (committee) received a complaint filed by NW Natural Gas against Tapias Landscaping, LLC (Tapias) regarding a potential violation of the Washington State Dig Law RCW 19.122.030.

On April 11, 2024, the committee formed a peer review board and reviewed Complaint Case 24-004.

The peer review board determined that the respondent, Tapias, violated RCW 19.122.030(2) one time for failure to provide notice to a one-number locator service not less than two business days before the scheduled excavation date.

Therefore, the committee recommends a total penalty of \$1,000 be assessed to the respondent as follows:

- \$1,000 for one violation of RCW 19.122.030(2) that occurred on Feb. 20, 2024, at 8011 NE 171st Ave, Vancouver, WA

Additionally, the committee recommends a deferral opportunity be offered to suspend \$800 of the \$1,000 total, based on the conditions that Tapias' owners and lead employees take NUCA Dig Safe Training, and incur 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
Jaimie Lemke, NW Natural Gas
Augustine Tapia, Jr., Tapias Landscaping LLC