



Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

D-240381

May 22, 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
May 22, 2024

Re: Review Committee Decision – Complaint Case 24-023 and 24-026
NW Natural Gas vs. Gro Outdoor Living

Dear Mr. Killip:

The Washington State Dig Law Safety Committee (committee) received two complaints filed by NW Natural Gas against Gro Outdoor Living (Gro Outdoor) regarding potential violations of the Washington State Dig Law RCW 19.122.030.

On May 16, 2024, the committee formed a peer review board and reviewed Complaint Cases 24-023 and 24-026.

The peer review board determined that the respondent Gro Outdoor violated RCW 19.122.030(2) two times 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 \$6,000 be assessed to the respondent as follows:

- \$1,000 for one violation of RCW 19.122.030(2) that occurred on April 15, 2024, at 17606 NW 7th Ave, Ridgefield, WA
- \$5,000 for one violation of RCW 19.122.030(2) that occurred on April 18, 2024, at 828 NW 178th St, Ridgefield, WA

Additionally, the committee recommends a deferral opportunity be offered to suspend \$5,800 of the \$6,000 total, based on the conditions that Michael Czupryn of Gro Outdoors and project leads involved in excavation 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
Craig Kiichle, Gro Outdoor Living
Michael Czupryn, Gro Outdoor Living

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