D&D Investigation

A complaint was received from Cascade Natural Gas Corporation (CNG) on 3/27/2013. The complaint was in regard to natural gas unsafe digging practices by D & D Tri Rivers Excavating (D&D) Excavation, located at 4602 Kennedy Rd, W Richland, WA. This complaint stated *"D&D struck CNG's "2" main gas line with accurate locates on the ground. I have personally invited Travis with D&D to attend the last two Benton-Franklin Underground Coordinating Council Meetings as he has been a repeat offender in the past. He did not show up for either meeting or I have concerns his unsafe digging practices could result in property damages; and or injury if he continues to dig without caution. The locate ticket #1303306 had a different address than the actual site address, however Cascade had completed a locate for the location where we were hit."*

Overview/History

- In 2004 CNG filed a complaint against D&D for digging without locates. A Consent Decree was issued on and a $20,000 penalty accessed for digging without locates **19.122.030 (1)(a)**. $15,000 was deferred and due upon violation of the Consent decree.

- In response to the UTC's data request, asking for copies of all damage and damage claim records related to pipeline damages involving D&D. CNG responded with the complaint location and three additional dig ins that have occurred. See attachment 1

Investigation and Analysis

July 8, 2013, staff met with D&D Manager, Travis Matson and Office Manager, Diane Matson. On August 28, 2013 staff met with CNG's District Manager, Teresa Esparza; Pipeline Safety Specialist, Kevin McCallum; and Gas Serviceman, Keith Towne. The purpose of these meeting was to obtain facts regarding the complaint.

These are the facts both D&D and CNG agree on
- In August 2006, One Call Concepts corrected D&D name from D and D to D&D

- D&D only had access to their locate requests made from August 2006

- From August 2006 until 7-2013, D&D has requested 3075 locates. These averages to 444 locate a year. See Attachment 3

- D&D's average job is from approximately 70 to 100 feet long. In new developments the average job is approximately 40 feet.

- 98% of D&D locates involve CNG natural gas

- In new developments, D&D digs utility ditch, 3 days to week after they dig foundation.

- In tri cities at this time in all new developments the utilities are in the street.

- In tri cities excavator working practice is to dig for foundations in new developments without locates, they request locates for utilities located at the street when they are ready to dig the utility ditch. (CNG's Serviceman/locator agreed with this).

- D&D requests locates in new developments prior to digging foundation per the 2005 Consent Degree and tries to maintain marks until the contractor is ready for the utility ditch to be dug. Approximately 4 days to a week.

- Maintaining these marks is extremely difficult because 1. The areas are cleared and just soil: 2. There are a number of other contractors working on the site (driving over mark, loading and unloading material, etc.) that destroy the locate marks.

- CNG installs gas service anywhere from a week to two weeks after they are notified a ditch is open. This creates sluff off problems and D&D has to go back and move the bit of blown in and caved in dirt by hand since the pipe is supposed to be exposed when the CNG crew arrives. Usually this involves one sweep with a shovel to remove.

- CNG has gas servicemen do locates
  1. Servicemen rotate location every day.
  2. When locate questions arise, the serviceman in the area that day is not the serviceman who did the original locate and cannot answer question.

Conclusion

- D&D has request approximately 444 locates a year since the Consent Decree was signed August 15, 2005 (Attachment 3).

- D&D has caused 4 damages since 2005 Consent Decree. Statically, D&D dig in rate is .1% (point one percent) damages per the number of locates they have requested.

- From the interviews, Staff concludes the perceptions of both CNG and D&D at the 5412 Edison dig in site were incorrect and based on incorrect assumptions.

- Require an interpretation of 19.122 .30(1)(a) –can or cannot an excavator get 2 locates at one address for 2 different types of work occurring at different times, but within a close time frame

Recommendation

- Statically, D&D is not digging carelessly. Recommend closing docket without further action.

Attachment 1
CNG Response to data Request 1 are listed below

1. 3194 Edison Ct, Kennewick, WA (from WUCC complaint)
    - Incident occurred on 4-18-**2013.**
    - Ticket 13053306.
    - work could begin on 3/14/2013
    - Occurred in new development area

2. 4614 NW Commons Dr. Pasco Incident occurred on 2/22/**2010**
    - Locate Ticket Number 10028292
    - Located ticket indicated work could begin on 2/17/2010
    - Occurred in new development area

3. 6315 Coventry Lane, Pasco, WA
    - Incident occurred on 9/8/**2008**
    - Locate Ticket Number 8256391
    - Located ticket indicted work could begin on 08/2/2008
    - Occurred in new development area

4. 8208 Hudson Dr. Pasco, WA
    - Incident occurred on 4/4/2006
    - Locate Ticket Number 6090820
    - Locate ticket indicted work could being on 4/6/**2006**
    - Occurred in new development area

Attachment 2

From August 2006 until 7-2013, D&D (when One Call corrected D&D's name) has requested 3075 locates. That is approximately 444 locate requests a year. This is .1% damage per total number of locates requested

- 8-2006 thru 12-2006 requested 153 locates
- 2007 requested 301 locates
- 2008 requested 414 locates
- 2009 requested 426 locates
- 2010 requested 581 locates
- 2011 requested 498locates
- 2012 requested 444 locates
- Until 7-2013 requested 258

.1% was determined by using total locates documented by D&D (3075 locates)

Average Annual locate request is 444 and total approximate number of locates requests is 3552.
1. Determining the average of total years (added 2007 thru 2012)
2. Divided by the years (6) to determine an annual average of 444 locates request a year
3. Multiplied total number of years (8) by the average for approximate 3552 total number of locates requests