

Washington State Dig Law Safety Committee

1734 Indigo Ln NE, Poulsbo, WA 98370

Received
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02/15/2023
State of WASH.
UTIL. AND TRANSP.
COMMISSION



**Committee Members
Represent:**

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

February 15, 2023

Amanda Maxwell, Executive Director and Secretary
Members of the Commission
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Re: Review Committee Decision – Case 22-049 M&L Construction,
Inc. vs. City of Spokane Water

Dear Amanda Maxwell:

The Washington State Dig Law Safety Committee received a complaint
regarding a potential violation of Washington State Dig Law RCW
19.122.030 for work performed on 09/30/2022.

On 02/08.2023, the committee formed a review board and heard Case
22-049 filed by M&L Construction against the City of Spokane Water.

The review board determined that the respondent violated RCW
19.122.030(3)(a) for failing to accurately locate the facility operator’s
water line.

Therefore, the committee recommends a total penalty of \$1000
assessed to the respondent as follows:

- \$1000 for one penalty of RCW 19.122.030(3)(a)

The recommended penalties total \$1000 with an opportunity to
suspend \$800 on the condition that the City of Spokane completes
NUCA dig safe training within 45 days of receiving the penalty
assessment and incurs no additional violations of RCW 19.122 within
twelve months.



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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Walton'.

Jim Walton, Chair

Cc: Lynda Holloway

Tonya Reiss, City of Spokane Water Department