

Formstack Submission For: [South Dakota One Call Complaint Form](#)

Submitted at 11/28/23 8:12 AM

Complaint filed on behalf of or by: Magellan Midstream Partners, LP

Contact Person: Mike Hampton

Phone Number: (918) 574-7453

Ext:

Name or Company Name: Magellan Midstream Partners, LP

Street Address or PO Box: One Williams Center
MD OTC - 9
Tulsa, OK 74133

Fax:

Email: michael.hampton@magellanlp.com

Date: Nov 15, 2023

Name of excavator / facility operator: Bob Baker

Phone: (605) 381-1589

Ext:

Name or Company Name: Bob Baker

Street Address or PO Box: 27050 Beaver Valley Road
Buffalo Gap, SD 57722

Fax:

Email:

bobbaker251@outlook.com

Is this party aware of your allegations?:

Yes

The South Dakota One Call Board expects communication to occur between both parties before filing complaints. Please provide details of who you spoke with, including the date and time, and what was discussed.:

From Magellan Technician : Upon receipt of the notification(Air patrol sighting) , Rapid City technician Sr responded by dispatching to the site of the observation. Technician visited the site, used electronic locator to locate the line and flagged accordingly. Technician Sr then proceeded to photograph the site and measured from the pipeline to the beginning of the excavation. Technician found that the trencher had begun digging 32 feet east of the pipeline and proceeded to the east, away from the ROW. Technician Sr then proceeded to make contact with the landowner via cell phone as technician Sr is acquainted with the landowner and has contact information. Landowner stated that he had met with Magellan employee several years ago and that pipeline had been crossed at that time and a duct/sleeve was installed to facilitate crossing without digging further into Magellan's easement. This technician Sr has no recollection of the crossing and it is not memorialized on Magellan's P&IDs.

Statutory Violations:

49-7A-5 Notification of proposed excavation. No excavator may begin any excavation without first notifying the one-call notification center of the proposed excavation. The excavator shall give notice by telephone or by other methods approved by the board pursuant to rules promulgated

pursuant to chapter 1-26 to the one-call notification center at least forty-eight hours prior to the commencement of the excavation, excluding Saturdays, Sundays, and legal holidays of the state. The board may promulgate rules to reduce the forty-eight-hour interval for emergency or subsequent inquiries to the original locate request and may lengthen the forty-eight-hour interval for nonexcavation requests.

Other information to support your position:

complete details in attached Electronic Incident Report (EIR file)

Street Address / location of alleged violation:

27050 Beaver Valley Road
Buffalo Gap, SD

Date of alleged violation:

Nov 15, 2023

Time of alleged violation:

12:39 PM

Describe your allegation:

No One Call ticket for trenching work near the Magellan ROW

Do you believe the alleged violation to be intentional?:

Yes

Why or why not?:

Landowner/excavator has met with Magellan Personnel in the past and knows of the pipeline by his own admission.

Was a locate requested from SD One Call?:

No

Locate ticket #:

Start Date on Ticket:

Start time on ticket:	
Did the excavator wait until the start date / time on the ticket before commencing excavation?:	No
If no or not sure, when did excavation begin (date)?:	
If no or not sure, when did excavation begin (time)?:	
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?:	Yes
Explain:	measured depth of cover was 3 feet after unplanned excavation
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:	N/A
Were facilities marked?:	N/A
Was the marking complete prior to the start time on the ticket?:	N/A
Did the excavator pre-mark with white paint?:	N/A
Was the facility marked accurately (within 18 inches)?:	N/A
Did the excavator use reasonable care to maintain locate marks for the life of project?:	N/A

Type of facility involved:	High Pressured Underground refined products pipeline
Operator of facility (if known):	Magellan Midstream Partners, LP
Operator address (Street or PO Box):	One Williams Center MD OTC-9 Tulsa, OK 74172
Operator Phone:	(918) 574-7000
Depth of Cover (If unsure put N/A):	3 feet after the 2 feet 8 inch excavation
Pressure (If none, write none):	Unknown
Voltage (If none, write none):	None
# of cable pairs (If none, write none):	None
Was the facility damaged?:	No
If yes, provide detail and an estimate of damage.:	
Were damages on public right of way or private property?:	Private
Was anyone injured as a result of facility damage?:	No
If yes, provide detail.:	
Length of hospitalization:	
Were there fatalities?:	No
If yes, provide detail.:	

Was operator service affected? :	No
If yes, provide detail (how many customers for how long):	
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:	No
If No, why not?:	No damage, Dislocation or disturbance
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:	No
If No, why not?:	No Damage - excavation was spotted by Aerial Patrol sighting
Was there an escape of any flammable, toxic, or corrosive gas or liquid?:	No
If Yes, but if 911 was not called, or if you don't know, explain why.:	
Please provide a Fire Department or Emergency Services incident report, if available :	Not Available
Attachment:	
Attachment Information: File names should not include symbols. Example:(\$, &, *, %.) etc. If submitting multiple files, please zip all files into one folder.:	View File