

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

Submitted at 12/17/24 9:22 AM

Complaint Docket Number: OC24-029

**Reply filed on behalf of
(company name):** Flatland Concrete Inc.

Contact Person: Travis Head

Phone Number: (605) 350-4615

Ext:

Name or Company Name: Flatland Concrete Inc.

Street Address or PO Box: 975 Minnesota Ave SW
Huron, SD 57350

Fax:

Email: head3k@hotmail.com

Date: Dec 17, 2024

**Were you previously aware
of these allegations?:** No

**Provide detail including
whom you spoke with.:**

**Do you believe the statutes
listed (if any) by the
complainant were
violated?:** Yes

Why or why not?:	I know that a call to 811 is required by each contractor on site.
Do you dispute the alleged violation of SD One Call statute or rule occurred?:	No
If yes, what specifically do you dispute?:	
Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:	Yes
If yes, please explain.:	The locates i was digging around were called in 2 days prior to my arrival by the electricians that were working in the same area as us and i was only setting up the driveway so i went forward and did so. The gas line was located upon installation but not for the locate called in by Dakota Energy. When the gas line was installed it was a lot shallower than usual and was around 10-12" below existing grade and also in direct line with the driveway which is also uncommon. They're typically installed along the property lines to be put of the way.
Was a locate requested from SD One Call?:	No
Locate ticket #:	
Start date on ticket:	
Start time on ticket:	

<p>If no, please explain why no locate request was made.:</p>	<p>We pulled in to setup the driveway and there was a current locate on the property. Weather was a factor in trying to get the driveway installed before in climate weather set in.</p>
<p>Did excavation begin before the start date / time on the ticket?:</p>	<p>N/A</p>
<p>Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment? :</p>	<p>N/A</p>
<p>Were buried facilities exposed by hand or non-invasive equipment prior to excavation? :</p>	<p>N/A</p>
<p>Were facilities marked? :</p>	<p>N/A</p>
<p>Was the marking complete prior to the start time on the ticket?:</p>	<p>Not Sure</p>
<p>Was the excavation site pre-marked with white paint?:</p>	<p>N/A</p>
<p>Was the facility marked accurately (within 18 inches)?:</p>	<p>N/A</p>
<p>Was there reasonable care to maintain locate marks for the life of project?:</p>	<p>N/A</p>

<p>Did the complainant correctly describe the type of facility involved?:</p>	<p>Yes</p>
<p>Provide details:</p>	<p>The gas line was damaged about 10-12' behind the curb. Was a new service and was very shallow. I was asked to please "push" it down when backfilling as it was very shallow. The service tech also stated that it was very difficult installing the new service as they had also found a lot of rubble underneath.</p>
<p>Did the complainant correctly describe the damages that resulted from the alleged violation?:</p>	<p>Yes</p>
<p>Provide details:</p>	<p>I was digging for new driveway and had found a piece of rubble. I removed the pounce of concrete and cleaned that was buried and cleaned up the loose material. Upon finishing i hit the new gas line.</p>
<p>Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:</p>	<p>No</p>
<p>If No, why not?:</p>	<p>I called an employee of North Western as it was near 5:00 on a Friday afternoon. He called in and then called me back stating i needed to call it in to the PD. I did so and by t he time i was done reporting it to the new dispatcher at the PD, the technician was pulling in to fix the gas line.</p>
<p>Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:</p>	<p>Yes</p>

If No, why not?:

Was there an escape of any flammable, toxic, or corrosive gas or liquid?:

Yes and 911 was contacted by an Excavator

If Yes, but if 911 was not called, or if you don't know, explain why.:

Did the complainant correctly describe the damages that resulted from the alleged violation?:

Yes

If no, provide details.:

Were damages on public right of way or private property?:

Private

Did complainant correctly describe how operator service was affected?:

Yes

Provide Details:

The line was cut and I pinched it off with a pair of vice grips just in case the line was leaking. The service to the new house was not active as far as i knew. The hous was still on;ly framed on the interior and contractors installing electrical work.

Was anyone injured as a result of facility damage?:

No

If yes, provide details.:

Length of hospitalization:

Were there fatalities?:

No

If yes, provide details.:

Other information regarding injuries or damages:

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:

I will call in to 811 for all projects requiring excavation.

Has a complaint been filed against you in the past for SD One Call violations?:

No

If yes, when was it filed?:

Please provide any additional information to support your position.:

I have been in the concrete industry for 30 years and with Flatland Concrete Inc. for 20 years. I have been the owner now for 2 years. In all of that time I have never hit an active utility, or located utility, nor have i or my company ever had a violation. This was an honest mistake and a poor judgement call made on my behalf. In the fall and the closer we get to winter the more anxious my customers get as they are concerned we wont get there projects completed before winter sets in. I knew as soon as it happened i had made a mistake and i know I'm responsible for the damages and repairs that had to be made. I just don't think that i should be fined on a first offense by a company that's been in business for nearly 30 years.

Thank You, Travis Head-President

Attachment Information:
File names should not include symbols. Example:(\$, &, *, %,) etc.: