



RESPONSE TO A NOTICE OF PROBABLE VIOLATION

Case Number: N250030849

Name: Out of the Blue Pools Inc., DBA Out of the Blue Construction

The provisions of California Code of Regulations, Title 19, Division 4, Chapter 3, governs the Notice of Probable Violation (Notice) proceeding before the California Underground Safety Board (Board). Specifically, 19 CCR section 4252 provides your response options upon the receipt of a Notice.

Be advised that all material submitted by you in response to a Notice are subject to public disclosure.

Please select from one of the response options listed below. You have 30 business days to submit your written response to the Underground Safety Board. Failure to submit a written response will be considered by the Board as a "No Contest" response. Please attach this form with your selection to your response. If you choose "Contest in Writing" or "Contest in Writing and Request Informal Hearing," please also include your written explanation and documents that may be referenced in your written explanation or informal hearing. For all options, Board investigators may present the basis for your probable violation on the date of the public meeting as provided in your Notice, and the Board will review your case and vote to determine whether a probable violation exist and whether the corrective action and/or penalty proposed by the Board staff is appropriate at the meeting.

Response Options

___ No Contest

You do not contest the violations or the penalty. If you choose to not contest the violations or the penalty, you will waive your right to request the Board to reconsider its decision or recommendation issued.

✓ Contest in Writing

You wish to contest either the violation, the penalty, or both by providing the Board with written explanations and other records supporting the explanation. You will submit the written explanations and records, if any, with your written response within 30 business days of receiving this Notice. Your response must not exceed 10 pages (excluding exhibits) in length and must be on 8.5" x 11" white paper, double-spaced, and in a font size no smaller than 11-point. You must submit the original and 12 physical copies of the written explanation and records to the address below or submit one (1) copy electronically to enforcement.dig@energysafety.ca.gov. You may request an extension to the page limit by submitting a request to the Board staff within 5 days of receiving this Notice. The Board staff will notify you of its determination with respect to the page



Out of the Blue Construction

13953 Runnymede Street

Van Nuys, CA 91405

Tel: 747-745-5510

June 27, 2026

Underground Safety Board

Office of Energy Infrastructure Safety

715 P St, 15th Floor

Sacramento, CA 95814

Re: Response to Notice of Probable Violation – Case No. N250030849

To the Board,

We acknowledge the notice regarding the December 20, 2024 incident. On that day I was clearing roots and rocks near the surface in preparation for concrete with a hand tool when I accidentally tripped near the gas meter on the side of the house which caused the small puncture in the plastic gas line.

We have maintained a strong safety record throughout our operations and take safety very seriously.

Unfortunately, there was a miscommunication on this project – my brother and I each believed the other had confirmed the 811 call prior to the work. While this was an isolated oversight, we routinely call 811 for all excavation work, and we have records from other projects demonstrating that. (See EXHIBIT A)

Once the incident occurred, we immediately secured the area, ensured no people were around and coordinated with the gas company. The gas company responded very quickly, checked the pipe and had the issue fixed.

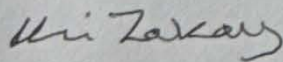
We have already suffered financially by paying \$3,350.74 to Southern California Gas for the repair costs. There was no damage to any property and no injuries to any persons.

In response, my brother and I have already enrolled in the Board's education course on August 4, 2026 in Sacramento to reinforce our commitment to safety. We deeply regret this incident and have strengthened internal procedures to ensure no future lapse. (EXHIBIT B)

Since that time, we are pleased to report that we've had no further incidents through June 2026.

We respectfully request that the Board consider our cooperation, corrective actions, and overall safety record when making its final determination.

Sincerely,

A handwritten signature in cursive script, appearing to read "Uri Zakay".

Uri Zakay

Out of the Blue Construction

EXHIBIT A

A243480188-00A

EMLCFM 01173A 12/13/24 09:08:27

USAS NEW SHRT POLY LREQ



Created
12/13/24 09:08

User
AMH

Channel
100

Thank you for contacting Underground Service Alert of Southern California. At your request, this is an automatically generated confirmation of your DigAlert.

By requesting to receive this email confirmation, you hereby agree to the Terms of Service and Privacy Policy regarding use of the information contained within this ticket confirmation. The ticket confirmation is protected under US Copyright law and is the property of DigAlert. Nothing on this ticket confirmation may be used for any other purpose than it is/was intended. Misuse of this form or any information contained within, may result in legal action.

Terms of Service/Privacy Policy can be found at www.digalert.org/tos

For your safety please excavate carefully around the marked utility lines.

For more information regarding DigAlert's web portals, mobile apps and text messaging, please visit www.digalert.org or text Services to DIGALT (344258).

This email comes from an automated program that is NOT MONITORED. DO NOT REPLY TO THIS EMAIL.

This is not a certified copy of the ticket.

Search



**A250210708-00A**

EMLCFM 02537A 01/21/25 10:20:50

USAS NEW SHRT POLY LREQCreated
01/21/25 10:20User
CACChannel
100

Thank you for contacting Underground Service Alert of Southern California. At your request, this is an automatically generated **confirmation** of your **DigAlert**.

By requesting to receive this email **confirmation**, you hereby agree to the Terms of Service and Privacy Policy regarding use of the information contained within this **ticket confirmation**. The **ticket confirmation** is protected under US Copyright law and is the property of **DigAlert**. Nothing on this **ticket confirmation** may be used for any other purpose than it is/was intended. Misuse of this form or any information contained within, may result in legal action.

Terms of Service/Privacy Policy can be found at www.digalert.org/tos

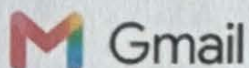
For your safety please excavate carefully around the marked utility lines.

For more information regarding **DigAlert's** web portals, mobile apps and text messaging, please visit www.digalert.org or text Services to DIGALT (344258).

This email comes from an automated program that is NOT MONITORED. DO NOT REPLY TO THIS EMAIL.

This is not a certified copy of the ticket.

EXHIBIT B



Out of blue Pools <outofthebluepools@gmail.com>

Registration Confirmation – Underground Safety Board Safe Excavation Basics - August 4 - Sacramento [In-person]

2 messages

Underground Safety Board <digboard@energysafety.ca.gov>

Thu, May 28, 2026 at 7:56 AM

Your registration is confirmed for the upcoming Underground Safety Board **Safe Excavation Basics** training session. The session will be held in Sacramento, CA. Please find the session details below:

Date:

Tuesday, August 4, 2026

Time:

9:00 AM to 3:00 PM

There will be a break for lunch. Lunch is not provided as part of the training.

Location:

California Natural Resources Agency Building
Conference Room 2-221

715 P Street
Sacramento, CA 95814

Training Materials

The Safe Excavation Basics Student Workbook is attached here. Print this workbook and bring it to the training with you.

If you have any questions, need to cancel, or need further assistance with your registration, please email digboard@energysafety.ca.gov.

All other questions not related to this registration must be directed to the Underground Safety Board using information available on our [Contact Us webpage](#).

2 attachments

 **StudentWorkbook_USB_EducationCourse.docx**
12547K