

California Underground Facilities Safe Excavation Board

In the Matter of
VEL Construction, Inc.,
Respondent

Case No. 23NTS0026

DECISION REGARDING NOTICE OF PROBABLE VIOLATION

The Office of Energy Infrastructure Safety, California Underground Facilities Safe Excavation Board (the Board) issued a Notice of Probable Violation (NOPV) to VEL Construction, Inc. (Respondent) on September 22, 2025. Respondent did not submit a response to the NOPV. On November 18, 2025, the Board considered Case No. 23NTS0026. Board members Clausen, Johns, Johnson, Muñoz, Simonian, and Sorem participated in the decision.

FINDINGS

Having considered the investigation report, the Board finds that violations of Government (Gov.) Code sections 4216.2(b) and 4216. 4(c)(1) and California Code of Regulations, title 19, section 4151(c) occurred.

VIOLATION SUMMARY

Gov. Code section 4216.2(b): Excavated without first notifying the regional notification center.

Gov. Code section 4216. 4(c)(1): failed to call 911 emergency services upon discovering or causing damage to a subsurface installation resulting in the escape of flammable, toxic, or corrosive gas or liquid.

California Code of Regulations, title 19, section 4151(c): failed to cooperate with the investigation.

JURISDICTION

When the Board finds a probable violation of the Dig Safe Act (Gov. Code section 4216 et seq.), the Board must transmit the investigation results and any recommended penalty to the appropriate agency identified in Gov. Code section 4216.6, subsection (c) or (d). This matter is subject to the jurisdiction of the Contractors State License Board which may accept, amend, or reject this Board's recommendation.

SANCTIONS

The Board RECOMMENDS that the Contractors State License Board order Respondent to take the Board's education course and pay a penalty of \$3,500.

The following factors were considered relevant to this sanction determination:

- Respondent's violations were serious.
- Respondent did not cooperate with the investigation.
- Respondent should benefit from taking the Board's education course.

/s/ William Johns
William Johns, Chair

Date: February 2, 2026