



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
Office of the State Fire Marshal
California Underground Facilities Safe Excavation Board
2251 Harvard Street
SACRAMENTO, CA 95815
(916) 568-3800
<https://digsafe.fire.ca.gov/>



July 8, 2020

NOTICE OF PROBABLE VIOLATION

Morey Fox
Nurture Source Design
2331 5th Street
Berkley, CA 94710

Case No.: 20SA1004

Address/Location of Violation(s): [REDACTED] Oakland, CA 94610

Date/Time of Violation(s): 1/29/2020 @ Approx. 10:30am

Dear: Mr. Fox,

The Board has concluded its investigation of an incident on the above date, time and location and has determined that Nurture Source Design violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

The Board has determined that Nurture Source Design violated California Government Code 4216.2(b) which requires an excavator to notify a regional notification center with their intent to excavate two working days before excavation begins.

On January 19, 2020, Nurture Source Design employees were removing concrete slabs from a driveway and using steel rakes to even out the soil when they exposed a Pacific Gas and Electric (PG&E) gas line. Nurture Source did not call the regional notification center prior to excavation and did not have a valid USA Ticket

A Corrective Action of mandatory completion of the Dig Safe Board's education course is being imposed. Please see <https://digsafe.fire.ca.gov/education-course/> for more information.

This matter will be referred to California Contractors State License Board with a recommended penalty of mandatory completion of the Dig Safe Boards education course.

The proposed sanction reflects the nature and gravity of the violation and takes into consideration the Respondent's history of prior offenses, cooperation with the investigation and demonstration of his/her intent to comply with GC4216 in the future.

The California Underground Facilities Safe Excavation Board will act on this notice of probable violation in a future meeting.

You may contest this notice by responding to this notice promptly. Please see attached instructions on completing and submitting your response for options available to you. Your response to this notice must be received by the California Underground Facilities Safe Excavation Board no later than August 19, 2020.

Sincerely,

Jason Corsey

Jason Corsey
Chief of Investigations
Dig Safe Board
916-926-1660

Proposed hearing date: September 14, 2020