



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/>



August 21, 2020

NOTICE OF PROBABLE VIOLATION

Alexander Hughes, Safety & Compliance Advisor
Southern California Gas Company
555 W 5th Street, GT 11A3
Los Angeles, CA 90013-1011

Case No.: 20LA1086

Address/Location of Violation: 11200 Olive Drive, Bakersfield, CA

Date/Time of Violation: February 3, 2020 at 1130 Hours

Dear: Mr. Hughes,

The California Underground Facilities Safe Excavation Board has concluded its investigation of an incident on the above date, time and location and has determined that Southern California Gas Company violated the following:

California Government Code 4216.3(a)(1)(A): Unless the excavator and operator mutually agree to a later start date and time, or otherwise agree to the sequence and timeframe in which the operator will locate and field mark, an operator shall do one of the following before the legal excavation start date and time:

(i) Locate and field mark within the area delineated for excavation and, where multiple subsurface installations of the same type are known to exist together, mark the number of subsurface installations.

(ii) To the extent and degree of accuracy that the information is available, provide information to an excavator where the operator's active or inactive subsurface installations are located.

(iii) Advise the excavator it operates no subsurface installations in the area delineated for excavation.

Crown Communications Engineering, Inc was to install fiber optic lines in a neighborhood. They requested marking via 811 North (ticket # W002700255) on January 27, 2020. The excavator delineated approximately one square mile area for marking. The operator locator responded on January 27, 2020 and indicated on the KORTERRA system that the task was completed. However, the locator in fact did not locate and field mark within the area delineated for excavation, mark the number of subsurface installations or provide information to the excavator indicating where the operator's active or inactive subsurface installations are located. Thus, the excavator commenced excavation and on February 3, 2020 at 1130 hours, contacted and bored through a buried six-inch gas pipeline causing a release of gas.

Violation of Government Code (sections 4216 *et seq.*) is punishable by a maximum penalty of \$10,000. A knowing and willful violation is punishable by a maximum penalty of \$50,000.

A Corrective Action of mandatory completion of the Board's education course is being imposed.

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 Gov't Code 5 §4216 et

This matter will be referred to California Public Utility Commission with a recommended penalty of mandatory completion of the Dig Safe Board's education course.

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 Response Date: October 2, 2020.

Sincerely,

Jason Corsey
Jason Corsey
Chief of Investigations
California Underground Facilities Safe Excavation Board
916-926-1660

Proposed hearing date: November 16, 2020