



February 22, 2021

NOTICE OF PROBABLE VIOLATION

Erik Gustafson
City of Chico Department of Public Works
PO Box 3420
Chico, CA 95927

Case No.: 20SA01304
Address/Location of Violation(s): City of Chico
Date/Time of Violation(s): 11/17/20, 7:00 PM

Dear: Erik Gustafson,

The Board has concluded an investigation of an incident on the above date, time and location and has determined that City of Chico Department of Public Works violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

Gov't Code 4216.1 Every operator of a subsurface installation, except the Department of Transportation, shall become a member of, participate in, and share in the costs of, a regional notification center

Violation of Article 2 of Chapter 3.1 of Division 5 of Title 1 of the Government Code (Sections 4216 *et seq.*) is punishable by a maximum penalty of \$10,000, or \$50,000 for knowing and willful violation.

A Corrective Action of compliance with Gov't Code 4216.1 by September 1, 2021 and mandatory completion of the Dig Safe Boards education course is being imposed. Please see <https://digsafe.fire.ca.gov/education-course/> for more information.

The proposed sanction reflects the nature and gravity of the violation and takes into consideration the Respondents history of prior offenses, cooperation with the investigation and demonstration of his/her intent to comply with Government Code Sections 4216 *et seq* in the future.

This matter will be referred to the Chico City Council with a recommendation of the respondent becoming compliant with Gov't Code 4216.1 by September 1, 2021 and 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 April 5, 2021.

Sincerely,

Jason Corsey

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

Proposed hearing date: May 11, 2021