
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
Office of the State Fire Marshal
California Underground Facilities Safe Excavation Board

2251 Harvard Street, Suite 400
Sacramento, CA 95815
(916) 568-3800
<https://dig.fire.ca.gov/>

June 4, 2021

NOTICE OF PROBABLE VIOLATION

Bruce Coggin, Safety Manager
IMERYS MINERAL USA, Inc.
2500 SAN MIGUELITO ROAD
LOMPOC, CA 93436

Case No.: 20LA1094

Address/Location of Violation(s): 2500 San Miguelito Rd, Lompoc, CA 93436

Date/Time of Violation(s): 5/7/2020 at 1403 hours

Dear: Bruce Coggin,

The Board has concluded an investigation of an incident on the above date, time and location and has determined that Imerys Mineral USA, Inc. violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

GC Government Code § 4216.2 (b) requires an excavator planning to conduct an excavation to notify the appropriate regional notification center of the excavator's intent to excavate at least two working days, and not more than 14 calendar days, before beginning that excavation. However, an excavator and an operator may mutually agree to a different notice and start date.

On May 7, 2020 at 1403 hours, Bruce Coggin, an employee of Imerys Mineral USA, Inc. (Imerys) was excavating scrub brush on their property without a DigAlert ticket. Coggin stated that he was doing weed abatement and removing scrub brush with an earthmover when he hit and damaged an eight-inch pipe belonging to the Southern California Gas Company (SCG). A crew from (SCG) arrived at 1430 hours and gas was stopped at 1525 hours. No injuries were reported. No property damage other than the 8 inch SCG pipe. Imerys failed to contact DigAlert to obtain a ticket prior to beginning excavation.

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 mandatory completion of the Board's 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 Respondent's history of prior offenses, cooperation with the investigation and demonstration of his/her intent to comply with Government Code section 4216 *et seq* in the future.

This matter will be referred to the Board with a recommended penalty of mandatory completion of the 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 July 16, 2021.

Sincerely,

Jason Corsey

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

Proposed hearing date: August 9, 2021