

California Underground Facilities Safe Excavation Board

In the Matter of
Lamasi Iron Works,
Respondent

Case No. CAS-01566-L3N2D0

DECISION REGARDING NOTICE OF PROBABLE VIOLATION

On July 08, 2024, the Office of Energy Infrastructure Safety, California Underground Facilities Safe Excavation Board (the Board) considered Case No. CAS-01566-L3N2D0. Board investigative staff issued a Notices of Probable Violation (NOPV) to Lamasi Iron Works, (Respondent), dated May 17, 2024, alleging a violation of Government Code (Gov. Code) sections 4216.2 subsection (b) and 4216.4, subsection (c)(2). Respondent submitted a written response to the NOPV.

Board members Charland, Johns, Johnson, Muñoz, and Voss participated in the decision.

FINDINGS

Having considered the investigation report and the Respondent’s written response, the Board finds the Respondent violated Gov. Code sections 4216.2 subsection (b) and 4216.4, subsection (c)(2).

VIOLATION SUMMARY

Respondent failed to notify the regional notification center prior to excavating (pre-damage)
Government Code section 4216.2 (b) requires an excavator to notify the regional notification center prior to excavating.

Respondent failed to contact 911 emergency services after causing damage to a gas subsurface installation.

Government Code section 4216.4(c)(2) requires an excavator to call 911 emergency services upon discovering or causing damage to either of the following: (A) a natural gas or hazardous liquid pipeline subsurface installation in which the damage results in the escape of any flammable, toxic, or corrosive gas or liquid, or (B) a high priority subsurface installation of any kind.

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

Re: Lamasi Iron Works, D. 2024_07_CAS-01566-L3N2D0

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 \$1000.00 (one thousand dollars).

The following factors were considered relevant to this sanction determination:

- Respondent did not have a valid ticket for the excavation.
- Respondent damaged a gas pipeline while excavating.
- Respondent did not call 911 emergency services upon damaging or discovering damage to a gas pipeline.
- Respondent cooperated with the investigation.

/s/ Amparo Muñoz
Amparo Muñoz, Chair

Date: August 20, 2024