



**CALIFORNIA UNDERGROUND SAFETY BOARD
INVESTIGATION DIVISION**

INVESTIGATION REPORT

Date: October 31, 2024

Case No.: 23NTS0024

Violations:

City of Huntington Beach Fire Department (Member code HBFD)

Government Code § 4216.3(c)(1)(A): Failure to provide electronic positive response prior to the legal start date and time

Cal. Code Regs., title 19, § 4151(c): Failure to cooperate with the investigation.

City of Huntington Beach (Member code HUN03)

Government Code § 4216.3(c)(1)(A): Failure to provide electronic positive response prior to the legal start date and time

Cal. Code Regs., title 19, § 4151(c): Failure to cooperate with the investigation.

Mark Caballero Pools and Spa Inc.

Government Code § 4216.2(b): Excavating without first notifying the regional notification center

Government Code § 4216.4(c)(2): Failure to call 911 upon causing damage to gas facility

Government Code § 4216.4(c)(3); Cal. Code Regs., title 19, § 4100(a)(1): Failure to notify the regional notification center of damage to natural gas facility

Executive Summary:

On November 29, 2023, Mark Caballero Pools and Spa, Inc., was trenching with shovels when they struck a plastic natural gas facility at 1925 Park Street in Huntington Beach, California. Caballero Pools did not contact the regional notification center before digging. After damaging the gas line, Caballero Pools contacted the regional notification center, which created ticket A233330415-00A.

Caballero Pools did not contact 911 or notify the regional notification center of the damage.

Two members on ticket A233330415-00A did not provide an electronic positive response prior to the legal excavation start date and time of the ticket.

No injuries or fatalities occurred because of damage to the gas line.

Reporting Party Information:

Southern California Gas Company
1919 South State College Boulevard
Anaheim, California 92806

Date of Incident:

November 29, 2023

Location of the Incident:

1925 Park Street, Huntington Beach, California 92648

Operator:

Southern California Gas Company
1919 South State College Boulevard
Anaheim, California 92806

Excavator:

Mark Caballero Pools and Spa Inc.
8662 Parker Circle
Huntington Beach, California 92647

Facility Types Damaged:

Plastic Natural Gas Service Facility

Investigation:

Notification of the Incident

On December 11, 2023, the Underground Safety Board Case Management System received damage notification number 23NTS004 from the Southern California Gas Company. The notification stated on November 29, 2023, Southern California Gas Company learned that Caballero Pools and Spa damaged a natural gas facility with shovels at 1925 Park Street in Huntington Beach, California. (Exh. 1.)

The case was assigned to Jeff McClenahan (Investigator).

Identity of the Excavator

Government Code § 4216(h) defines an excavator to be “any person, firm, contractor or subcontractor, owner, operator, utility, association, corporation, partnership, business trust,

public agency, or other entity that, with their, or his or her, own employees or equipment performs any excavation.”

Mark Caballero Pools and Spa, Inc., is currently licensed by the Contractor’s State License Board, license number 923171 for the C-53 Swimming Pool classification. (Exh. 2.)

Excavation and Damage

On November 29, 2023, an employee of Caballero Pools was digging to a depth of approximately 15” depth with a shovel when they struck a plastic natural gas service facility owned by Southern California Gas Company. (Exhs. 1 and 3.)

Cabellero stated that the homeowner contacted Southern California Gas Company following the damage. (Exh. 3.)

Caballero Pools did not notify the regional notification center of the excavation to install the spa connection

Government code section 4216.2(b) requires an excavator to notify the regional notification center of planned excavation unless an emergency exists.

In an interview with the investigator, Mark Caballero stated Caballero Pools did not notify the regional notification center of the excavation at 1925 Park Street. (Exh. 3.)

Caballero stated they generally notify the regional notification center when excavating in backyards and consider this a minor trench. (Exh. 3.) Caballero also stated he notified the regional notification center following the damage and received USA ticket A233330415-00A. (Exh. 3.)

At the investigator’s request, DigAlert searched for tickets for 1925 Park Street in Huntington Beach between October 1, 2023 and December 31, 2023. The search results confirmed Caballero’s statement that DigAlert did not create a ticket for Caballero Pools before the date that Caballero Pools damaged the gas line. (Exh. 4.)

Mark Caballero Pools and Spa, Inc. did not call 911 or notify the regional notification center of the natural gas facility damage

Government Code section 4216.4(c)(2) requires an excavator to call 911 upon causing or discovering damage to a gas facility.

Government Code section 4216.4(c)(3) requires an excavator to notify the regional notification center upon discovering or causing damage to a subsurface installation.

California Code of Regulations title 19 section 4100(a)(1) requires an excavator to notify the regional notification center of damage to a natural gas facility within 2 hours of the damage.

Regarding the requirement that Caballero Pools contact 911, Caballero stated that he was not aware of a 911 response after the natural gas damage. (Exh. 3.) Further, no other information obtained during the investigation indicates that Caballero Pools contacted 911.

Caballero stated that after the damage occurred, he contacted DigAlert. (Exh. 3.) Caballero did not state whether he notified DigAlert of the damage to the line at that time. For that reason, the investigator obtained from DigAlert the audio of Mark Caballero's phone call with a DigAlert representative after the damage occurred.¹ The audio recording is attached to this report as Exhibit 14. The investigator transcribed the call, and the transcription is attached to this report as Exhibit 15. When Caballero called, DigAlert created ticket number A233330415-00A. (Exh. 4.) During the call, Caballero did not inform DigAlert that Caballero Pools, or anyone, had damaged the natural gas line. (Exhs. 14, 15)

The City of Huntington Beach and the City of Huntington Beach Fire Department did not provide an electronic positive response to the ticket prior to the legal excavation start date and time

Government code section 4216.3(c)(1)(A) requires an operator to provide an electronic positive response to the excavator before the legal start date and time of a ticket.

Mark Caballero contacted DigAlert, which created ticket A233330415-00A for a gas line replacement at 1925 Park Street. The ticket indicated that a response from operators was required. (Exh. 4) The legal excavation start date and time for Ticket A233330415-00A was December 1, 2023, at 5:01 p.m. (Exh. 4)

On December 1, 2023, at 5:01 p.m., the City of Huntington Beach Fire Department (Member code Hbfd) received late notice electronic positive response code 999 from the regional notification center. (Exh. 4)

On December 1, 2023 at 5:01 p.m., the City of Huntington Beach (Member code HUN03) received late notice electronic positive response code 999 from the regional notification center. (Exh. 4)

On August 26, 2024, Amber Dahl, DigAlert Safety Director, confirmed the contact information for the City of Huntington Beach and the City of Huntington Beach Fire Department. (Exh. 5.) The contact information for the City of Huntington Beach Fire Department had two different contact names associated with the email and the phone number. (Exh. 5.)

¹ Amber Dahl of DigAlert transmitted the audio file of the recording to the investigator by email on December 27, 2024. (Exh. 12 (email); Exh. 13 (transmittal letter).)

On August 27, 2024, the investigator sent an information request to the City of Huntington Beach Fire Department and the City of Huntington Beach regarding their electronic positive responses to Ticket A233330415-00A. (Exhs. 6, 8, 10, 11.) Neither operator responded to the information request.

On September 17, 2024, the investigator sent a second information request to the City of Huntington Beach Fire Department and the City of Huntington Beach. (Exhs. 7, 9, 10, 11.) Neither operator responded to the second information request.

On September 17, 2024, the investigator left a voicemail for the contact of the City of Huntington Beach to follow-up on the information request.

On September 17, 2024 and September 18, 2024, the investigator called the contact for the City of Huntington Beach Fire Department and received the message that the voicemail box was unable to be completed as entered and the line was in use.

The investigator did not receive a response from either the City of Huntington Beach or the City of Huntington Beach Fire Department.

Findings:

1. Mark Caballero Pools and Spa, Inc., did not notify the regional notification center before Caballero Pools and Spa, Inc., dug while installing a spa connection at 1925 Park Street in Huntington Beach California on November 29, 2023.
2. Mark Caballero Pools and Spa, Inc., did not contact 911 following the damage to the natural gas facility.
3. Mark Caballero Pools and Spa, Inc., did not notify the regional notification center of the damage to the natural gas facility.
4. City of Huntington Beach Fire Department was required to respond to ticket A233330415-00A but did not provide an electronic positive response. Further, the operator did not respond to requests for information regarding the failure to provide an electronic positive response.
5. City of Huntington Beach was required to respond to ticket A233330415-00A but did not provide an electronic positive response. Further, the operator did not respond to requests for information regarding the failure to provide an electronic positive response.

Investigator	Supervisor
Jeff McClenahan	Anona Bonner
Signature	Signature
Jeff McClenahan	Anona Bonner

Exhibit List:

Exhibit No.	Description	Date	Received From
1	Notification 23NTS0024	December 11, 2023	Sean O'Connor, Southern California Gas Company
2	CSLB License 923171 for Mark Caballero Pools and Spa Inc.	July 26, 2024	CSLB License Check
3	Notes of Interview with Mark Caballero	January 24, 2023	Investigator
4	DigAlert Ticket Search Results for 1925 Park Street	July 26, 2024	Amber Dahl, DigAlert
5	Emails from DigAlert Confirming Contact Information	August 26, 2024	Amber Dahl, DigAlert
6	First Information Request to City of Huntington Beach Public Works	August 27, 2024	Investigator
7	Second Information Request to City of Huntington Beach Public Works	September 17, 2024	Investigator
8	First Information Request to City of Huntington Beach Fire Department	August 27, 2024	Investigator
9	Second Information Request to City of Huntington Beach Fire Department	September 17, 2024	Investigator
10	Emails to the City of Huntington Beach	September 17, 2024	Investigator
11	Emails to the City of Huntington Beach Fire Department	September 17, 2024	Investigator
12	Email from DigAlert with Audio of Ticket A233330415	Received on 11/20/2024	Amber Dahl, Safety Awareness Director, DigAlert
13	Document form DigAlert confirming Audio of Ticket A233330415	Received on 11/20/2024	Amber Dahl, Safety Awareness Director, DigAlert

14	Audio A233330415	Received on 11/20/2024	Amber Dahl, Safety Awareness Director, DigAlert
15	Transcription of Audio A233330415	Transcribed on 12/20/2024	Investigator

Exhibit 1

Underground Safety No-Ticket

Submitted by: Anonymous user

Submitted time: Dec 11, 2023, 11:23:20 AM

Your Information

Your First Name

Sean

Your Last Name

O'Connor

Your Phone Number

3106839471

Your E-mail

soconnor@socalgas.com

Reviewer Information

Has the information you are submitting today been reviewed or changed by anyone besides yourself?

No

Excavator Information

Company Name

Caballero Pools and Spa

First Name

Mark

Last Name

Caballero

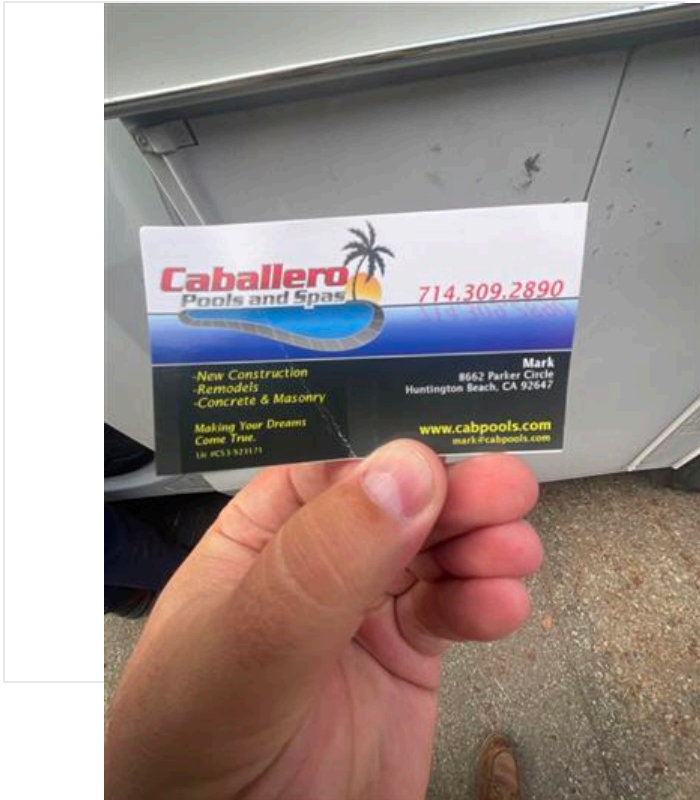
Phone Number

714-309-2890

E-mail

Mark@cabpools.com

Upload a photo of the company truck, uniform, or business card.



Same for all?

Yes

First Name

Sean

Last Name

O'Connor

Phone Number

310-683-9471

E-mail

soconnor@socalgas.com

checkfields_excavator

IMG_4874.jpeg

Damage

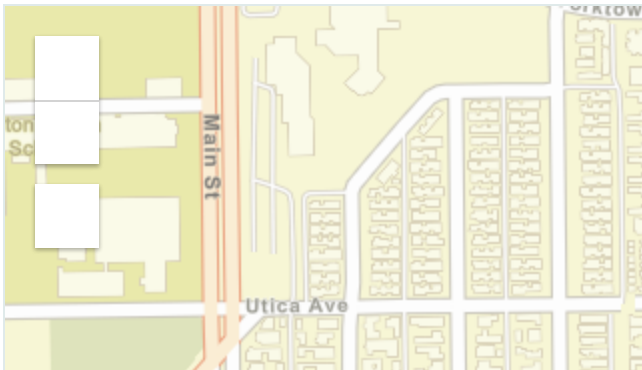
Does this no-ticket complaint involve a damage?

Yes, damage occurred.

Location

Indicate location of excavation activity.

Lat: 33.676614 Lon: -118.00052



Esri Community Maps Contributors, City of Huntington Beach, County of Los Angeles, California State Parks, ... Powered by Esri

Best address or cross streets of damage location.

1925 Park St

Describe the observed excavation activity.

3rd party contractor working to install new houseline for spa struck plastic service with shovel.

Upload photo of excavation location. The photo should be taken at a wide angle and include location identifiers such as buildings in the background, street signs, bridges, freeways, etc.:



Additional Photo



Additional Photo



Same for all?

Yes

First Name

Sean

Last Name

O'Connor

Phone Number

3106839471

E-mail

soconnor@socalgas.com

First Name

Sean

Last Name

O'Connor

Phone Number

3106839471

E-mail

soconnor@socalgas.com

checkfields_location

IMG_4875.jpeg

Injury?

No

Death?

No

Fire?

No

Evacuation?

No

Date you learned of the damage:

Nov 29, 2023

Time you learned of the damage:

10:39

How did you learn of the damage?

Internal E-mail Notification

Supporting Documentation

Same for all?

Yes

First Name

Sean

Last Name

O'Connor

Phone Number

3106839471

E-mail

soconnor@socalgas.com

Photo 2: First Name

Sean

Photo 2: Last Name

O'Connor

Photo 2: Phone Number

3106839471

Photo 2: E-mail

soconnor@socalgas.com

Photo 3: First Name

Sean

Photo 3: Last Name

O'Connor

Photo 3: Phone Number

3106839471

Photo 3: E-mail

soconnor@socalgas.com

Damage Details

Type of Facility damaged?

Natural Gas

Facility service level?

Distribution service

Facility material?

Plastic

Facility diameter (inches)?

1/2

Tool that caused the damage:

Shovel

Upload photo depicting the damaged facility



IMG_4676.jpeg

First Name

Sean

Last Name

O'Connor

Phone

3106839471

E-mail

soconnor@socalgas.com

Exhibit 2



Contractor's License Detail for License # 923171

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

- ▶ CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed (B&P 7071.17).
- ▶ Arbitrations are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the board's license database.

Data current as of 7/26/2024 10:43:17 AM

Business Information

MARK CABALLERO POOLS AND SPAS INC
8662 PARKER CIRCLE
HUNTINGTON BEACH, CA 92647
Business Phone Number:(714) 309-2890

Entity Corporation
Issue Date 10/03/2008
Reissue Date 07/25/2018
Expire Date 07/31/2026

License Status

This license is current and active.

All information below should be reviewed.

Classifications

C53 - SWIMMING POOL

Bonding Information

Contractor's Bond

This license filed a Contractor's Bond with [MERCHANTS BONDING COMPANY \(MUTUAL\)](#).

Bond Number: 100141790

Bond Amount: \$25,000

Effective Date: 07/25/2023

[Contractor's Bond History](#)

Bond of Qualifying Individual

The qualifying individual MARK CHRISTOPHER CABALLERO certified that he/she owns 10 percent or more of the voting stock/membership interest of this company; therefore, the Bond of Qualifying Individual is not required.

Effective Date: 07/25/2018

Workers' Compensation

This license is exempt from having workers compensation insurance; they certified that they have no employees at this time.

Effective Date: 07/03/2024

Expire Date: None

[Workers' Compensation History](#)

Miscellaneous Information

- ▶ 07/25/2018 - LICENSE REISSUED TO ANOTHER ENTITY

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Exhibit 3

Interview – Jeff McClenahan

Caballero Pools

Wednesday January 24, 2024 at 1pm

Phone call

23NTS0024

Mark Caballero, Owner

Recall this project 11/29/2023 at approximately 1925 Park Street, Huntington Beach California

Yes

What was your role on the project?

Contractor, own the company hired to remodel a jacuzzi

And what happened?

Had an old pvc, trench with shovels around the poly gas line. And one of the shovels hit it, where the alley came into the house. Was only 15" underground.

Call dig ticket into DigAlert

We were just running a trench over to the gas meter.

Aware of the 811 system?

Yes. Did not call DigAlert on this because just doing a small trench.

Were you there on site at the time of the damage?

no not there. Was called by my guys and arrived about 10-15 minutes.

Did your team call 911?

Homeowner called gas company.

As far as you know was there a 911 response?

No.

How long did it take the gas company to get out there?

An hour and half to two tops.

During that time the gas was being released?

Someone came quickly to caution tape it off but 2 hours until it could be fix.

Said did not have a ticket?

Called the ticket after the fact. Ticket 11292023 at 1119

Ticket A233330415

SoCal Gas told to call in that ticket at the time.

Yes.

Do you have a policy or procedure on calling 811?

Anytime working in backyards and g generally there.

The damage was in alley entrance to the garage?

Was an old schedule 40 PVC gas line and went ahead and got rid of old gas pipe. Running from meter to back pool equipment.

Primary on this project?

Yes.

How many employees on the site?

Juan DeLeon

Jose DeLeon

What equipment using for the trench?

Using shovels.

Know what time approximately for the damage?

Was maybe 10 or 10:30 in the morning.

Were there any injuries?

No.

Anything you would do in the future to try and prevent?

811 call every time.

Been doing this every time. Even if we had it marked out probably would have hit it with a shovel because it was so high.

How did you know this was an old line? How did you identify that?

Dig for landscape drainage, gas line was really high up. Anytime touch anything have to update anything that is old, so saw the old gas line. Contractors code says have to install. Probably put in when the house was built, maybe in the 80's.

Any property damages?

No.

Exhibit 4



Underground Service Alert

of Southern California™

July 26, 2024

Jeff McClenahan
Underground Safety Board
715 P St, 20th Floor
Sacramento, CA 95814

File Number: Unknown

Dear Jeff,

After searching our records from 10/1/23 through 12/31/23, we found the following DigAlert ticket(s) A233330415 for the location at 1925 Park St in Huntington Beach. I hope this information will be helpful.

If we can be of further assistance, please call us at 951-808-8100.

Sincerely,

Amber Dahl
Safety Awareness Director

Ticket: A233330415-00A

MBRCOD 00001B USAS 07/26/24 10:49:36 A233330415-00A NEW RUSH POLY LREQ

Ticket: A233330415 Rev: 00A Created: 11/29/23 11:26 User: LOR Chan: 100

Work Start: 11/29/23 11:19 Legal Start: 12/01/23 17:01 Expires: 12/27/23 23:59

Response required: Y Priority: 0

Excavator Information

Company: CABALLERO POOLS & SPAS Type: CONT

Co Addr: 8662 PARKER CIR

City : HUNTINGTON BEACH State: CA Zip: 92647

Created By: MARK CABALLERO Language: ENGLISH

Office Phone: 714-309-2890 SMS/Cell: 714-309-2890

Office Email: HBPOOLMAN@MSN.COM

Site Contact: MARK CABALLERO

Site Phone: 714-309-2890 Site SMS/Cell:

Site Email:

Excavation Area

State: CA County: ORANGE Place: HUNTINGTON BEACH

Zip: 92648

Address : 1925 Street: PARK ST

Cross 1 : UTICA AVE

Cross 2 :

Location: **MAP SHOWS CLOSER X/ST AS UNION AVE**

Searchable Tags:

Job size: sq-feet: 46100 sq-miles: 0.001654

Delineated Method: WHITEPAINT

Work Type: REPLACE GAS LINE

Work For : H/O TAYLOR, CHRIS & TERRY

Permit: Job/Work order:

Project ID:

Project Name:

1 Year: N Boring: N Street/Sidewalk: N Vacuum: N Explosives: N Pavement Only: N

Lat/Long

Center Generated (NAD83): 33.676877/-118.000956 33.676894/-118.000070

: 33.676345/-118.000946 33.676362/-118.000060

Excavator Provided:

Map link:

https://newtin.digalert.org/newtinweb/map_tkt.nap?TRG=74FpBo5s4swvyq6-d

Members:

ATDSOUTH HBFD HUN01 HUN02 HUN03 HUN04 SCG2XN
 UCHTRW_C5 USCEOR UTFTRCA01

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Ticket Responses for: A233330415-00A

Member	Name	Rev	Responded	By	Response	Comment
ATDSOUTH	AT&T - DISTRIBUTION	00A	11/30/23 12:22:39 PM	UQ Responder	(001) CLEAR - NO CONFLICT	
HBFD	CITY OF HUNTINGTON BEACH FIRE DEPARTMENT	00A	12/01/23 05:01:20 PM	Late Notice	(999) Member did not respond by the required time	
HUN01	CITY OF HUNTINGTON BEACH	00A	11/29/23 12:04:59 PM	jhowell	(001) CLEAR - NO CONFLICT	-
HUN02	CITY OF HUNTINGTON BEACH	00A	11/29/23 03:20:01 PM	bwallace	(001) CLEAR - NO CONFLICT	-
HUN03	CITY OF HUNTINGTON BEACH	00A	12/04/23 09:35:09 AM	mpeterson	(001) CLEAR - NO CONFLICT	-
HUN03	CITY OF HUNTINGTON BEACH	00A	12/01/23 05:01:20 PM	Late Notice	(999) Member did not respond by the required time	
HUN04	CITY OF HUNTINGTON BEACH	00A	11/29/23 12:05:00 PM	jhowell	(001) CLEAR - NO CONFLICT	-
SCG2XN	SOCALGAS DISTRIBUTION GARDEN GROVE	00A	11/30/23 12:34:34 PM	PRSDG01 LKASPER	(010) LOCATE AREA MARKED	
UCHTRW_C5	SPECTRUM - GARDEN GROVE	00A	11/30/23 12:17:23 PM	UQ Responder	(010) LOCATE AREA MARKED	
USCEOR	UTILIQUEST 4 SC EDISON DIST-ORANGE REG	00A	11/30/23 12:17:23 PM	UQ Responder	(010) LOCATE AREA MARKED	
UTFTRCA01	FRONTIER	00A	11/30/23 12:17:24 PM	UQ Responder	(010) LOCATE AREA MARKED	

Exhibit 5

From: [Amber Dahl](#)
To: McClenahan, Jeff@EnergySafety
Subject: RE: Underground Safety Board: Contact information Huntington Beach confirmation
Date: Monday, August 26, 2024 3:03:09 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hun03 - Rudy Ocampo 714-536-5921, rocampo@surfcity-hb.org

Thank you,



Amber Dahl, Safety Director
Underground Service Alert of Southern California
PO BOX 77070 Corona, CA 92877
P: 951-808-8115 F: 951-808-8101
E: amber@digalert.org W: www.digalert.org



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From: McClenahan, Jeff@EnergySafety <Jeff.McClenahan@energysafety.ca.gov>
Sent: Monday, August 26, 2024 2:58 PM
To: Amber Dahl <amber@digalert.org>
Subject: RE: Underground Safety Board: Contact information Huntington Beach confirmation

Hi Amber,

Could you also confirm the contact information for your member code HUN03 City of Huntington Beach?

Thanks again,

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

[Office of Energy Infrastructure Safety](#)

(279) 789-1818

From: Amber Dahl <amber@digalert.org>
Sent: Monday, August 26, 2024 11:03 AM
To: McClenahan, Jeff@EnergySafety <Jeff.McClenahan@energysafety.ca.gov>
Subject: RE: Underground Safety Board: Contact information Huntington Beach confirmation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

HUN04
Rudy Ocampo 714-536-5921, rocamp@surfcity-hb.org

HBFD
Lee Caldwell 714-393-5983, dsmythe@surfcity-hb.org

Thank you,



Amber Dahl, Safety Director
Underground Service Alert of Southern California
PO BOX 77070 Corona, CA 92877
P: 951-808-8115 F: 951-808-8101
E: amber@digalert.org W: www.digalert.org



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From: McClenahan, Jeff@EnergySafety <Jeff.McClenahan@energysafety.ca.gov>
Sent: Monday, August 26, 2024 10:49 AM
To: Amber Dahl <amber@digalert.org>
Subject: Underground Safety Board: Contact information Huntington Beach confirmation

Hey good morning Amber,

I looked up this info in DigAlert Direct and couldn't find this ticket information for some reason, so could you please provide all the contact information for the following entities:

Member Code HBFD – City of Huntington Beach Fire Department
Member Code HUN04 – City of Huntington Beach

Thanks for your help,

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

Office of Energy Infrastructure Safety

715 P Street, 20th Floor

Sacramento, CA 95814

(279) 789-1818

[EnergySafety.ca.gov](https://www.energy.ca.gov/energy-safety)

Exhibit 6



**OFFICE OF ENERGY INFRASTRUCTURE SAFETY
UNDERGROUND SAFETY BOARD**
715 P Street, 20th Floor | Sacramento, CA 95814
916.902.6000 | www.energysafety.ca.gov

MEMBERS
Amparo Munoz, Chair
Bill Johns, Vice Chair
Randy Charland
Marshall Johnson
Dave Sorem
Carl Voss

EXECUTIVE OFFICER
Tony Marino

TRANSMITTED VIA ELECTRONIC MAIL

Request Date: August 27, 2024

Response Due: September 11, 2024

To:
City of Huntington Beach Public Works
DigAlert Member Code HUN03
Rudy Ocampo
rocamp@surfcity-hb.org
714-536-5921

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-109

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Exhibit 7



**OFFICE OF ENERGY INFRASTRUCTURE SAFETY
UNDERGROUND SAFETY BOARD**
715 P Street, 20th Floor | Sacramento, CA 95814
916.902.6000 | www.energysafety.ca.gov

MEMBERS
Amparo Munoz, Chair
Bill Johns, Vice Chair
Randy Charland
Marshall Johnson
Dave Sorem
Carl Voss

EXECUTIVE OFFICER
Tony Marino

TRANSMITTED VIA ELECTRONIC MAIL
2nd NOTICE: IMMEDIATE ACTION REQUIRED

Request Date: September 17, 2024
Response Due: September 24, 2024

Re: Lack of response to information letter of August 27, 2024 which contained a response date of September 11, 2024.

To:
City of Huntington Beach Public Works
DigAlert Member Code HUN03
Rudy Ocampo
rocamp@surfcity-hb.org
714-536-5921

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-2-045

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response

3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Exhibit 8



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Marshall Johnson
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Carl Voss

EXECUTIVE OFFICER
Tony Marino

TRANSMITTED VIA ELECTRONIC MAIL

Request Date: August 27, 2024

Response Due: September 11, 2024

To:
City of Huntington Beach Fire Department
DigAlert Member Code HBFD
Lee Caldwell
dsmythe@surfcity-hb.org
714-393-5983

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-108

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response to USA tickets
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
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Exhibit 9



**OFFICE OF ENERGY INFRASTRUCTURE SAFETY
UNDERGROUND SAFETY BOARD**
715 P Street, 20th Floor | Sacramento, CA 95814
916.902.6000 | www.energysafety.ca.gov

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EXECUTIVE OFFICER
Tony Marino

TRANSMITTED VIA ELECTRONIC MAIL
2nd NOTICE: IMMEDIATE ACTION REQUIRED

Request Date: September 17, 2024
Response Due: September 24, 2024

Re: Lack of response to information letter of August 27, 2024 which contained a response date of September 11, 2024.

To:
City of Huntington Beach Fire Department
DigAlert Member Code HBFD
Lee Caldwell
dsmythe@surfcity-hb.org
714-393-5983

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-02-044

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response to USA tickets
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Exhibit 10

From: McClenahan, Jeff@EnergySafety
To: rocampo@surfcity-hb.org
Subject: RE: Underground Safety Board: Information Request with Case 23NTS0024
Date: Tuesday, September 17, 2024 10:38:00 AM
Attachments: [Info Req 02-045 Huntington Beach.docx](#)

Hi Rudy,

See the 2nd request for this information attached and copied below.

Respond by September 24, 2024 to fully comply with this investigation and respond here if I can clarify any part of this request.

TRANSMITTED VIA ELECTRONIC MAIL
2nd NOTICE: IMMEDIATE ACTION REQUIRED

Request Date: September 17, 2024
Response Due: September 24, 2024

Re: Lack of response to information letter of August 27, 2024 which contained a response date of September 11, 2024.

To:
City of Huntington Beach Public Works
DigAlert Member Code HUN03
Rudy Ocampo
rocampo@surfcity-hb.org
714-536-5921

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-2-045

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

[Office of Energy Infrastructure Safety](#)

(279) 789-1818

From: McClenahan, Jeff@EnergySafety

Sent: Wednesday, August 28, 2024 1:27 PM

To: rocampo@surfcity-hb.org

Subject: Underground Safety Board: Information Request with Case 23NTS0024

Good afternoon Rudy,

Just left you a voicemail and found your correct mail address.

I'm following up on an excavation damage to a natural gas facility in November 2023 and on the USA ticket the City of Huntington Beach Public Works did not make an electronic positive response regarding your utilities in the area.

Provide the following information on the lack of electronic positive response to that ticket, City of Huntington Beach Public Works policies with electronic positive response, and training.

See the information request attached and copied below for full information as well as a copy of the USA ticket from DigAlert attached.

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

[Office of Energy Infrastructure Safety](#)

715 P Street, 20th Floor

Sacramento, CA 95814

(279) 789-1818

EnergySafety.ca.gov

TRANSMITTED VIA ELECTRONIC MAIL

Request Date: August 27, 2024

Response Due: September 11, 2024

To:

City of Huntington Beach Public Works

DigAlert Member Code HUN03

Rudy Ocampo

rocamp@surfcity-hb.org

714-536-5921

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-109

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Exhibit 11

From: [McClenahan, Jeff@EnergySafety](mailto:McClenahan,Jeff@EnergySafety)
To: dsmythe@surfcity-hb.org
Subject: RE: Underground Safety Board: Information Request with Case 23NTS0024
Date: Tuesday, September 17, 2024 10:35:00 AM
Attachments: [Info Req 02-044 HB Fire Dept.pdf](#)

Hi Lee or D. Smythe,

Please see my 2nd Information request regarding these EPR responses attached and copied below.

Respond by September 24, 2024 with this information or contact me by replying here to clarify any part of this request.

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response to USA tickets
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

Thanks,

TRANSMITTED VIA ELECTRONIC MAIL

2nd NOTICE: IMMEDIATE ACTION REQUIRED

Request Date: September 17, 2024

Response Due: September 24, 2024

Re: Lack of response to information letter of August 27, 2024 which contained a response date of September 11, 2024.

To:

City of Huntington Beach Fire Department

DigAlert Member Code HBFD

Lee Caldwell

dsmythe@surfcity-hb.org

714-393-5983

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-02-044

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

4. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
5. Provide a copy of policies and procedures regarding electronic positive response to USA tickets
6. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
- b. Identify the personnel (employees, consultants, agents, etc.) who provided information responsive to each of the information requests by stating the full name, business address, and title of each person.
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- d. Provide data in its original format (i.e., PDF, Excel, GIS shapefile, etc.), unless otherwise specified in the request.

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

[Office of Energy Infrastructure Safety](#)

(279) 789-1818

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

[Office of Energy Infrastructure Safety](#)

(279) 789-1818

From: McClenahan, Jeff@EnergySafety

Sent: Tuesday, August 27, 2024 3:36 PM

To: dsmythe@surfcity-hb.org

Subject: Underground Safety Board: Information Request with Case 23NTS0024

Good afternoon Lee or D. Smythe,

I'm following up on an excavation damage to a natural gas facility in November 2023 and on the USA

ticket the City of Huntington Beach Fire Department did not make an electronic positive response regarding your utilities in the area.

Provide the following information on the lack of electronic positive response to that ticket, City of Huntington Beach Fire Department policies with electronic positive response, and training.

See the information request attached and copied below for full information as well as a copy of the USA ticket from DigAlert attached.

Also it looks like the email (dsmythe) and individual (Lee Caldwell) associated with your account at DigAlert identify multiple people but you only have one name associated with the account.

Jeff McClenahan (He/him)

Senior Policy Investigator | Underground Investigations Division

Office of Energy Infrastructure Safety

715 P Street, 20th Floor

Sacramento, CA 95814

(279) 789-1818

[EnergySafety.ca.gov](https://www.energy-safety.ca.gov)

TRANSMITTED VIA ELECTRONIC MAIL

Request Date: August 27, 2024

Response Due: September 11, 2024

To:

City of Huntington Beach Fire Department

DigAlert Member Code HBFD

Lee Caldwell

dsmythe@surfcity-hb.org

714-393-5983

Investigator: Jeff McClenahan

Send your response to the investigator at this email address:

Jeff.McClenahan@energysafety.ca.gov

Information Request Number: Underground Safety-IR-2024-108

Subject: Request for information regarding late notice of electronic positive response to Ticket A23330415 which involved a damage to natural gas utility at approximately 1925 Park Street, Los Angeles California on 11/29/2023.

Case: 23NTS0024

Ticket #: A233330415

Approximate Incident Address: 1925 Park Street, Los Angeles California

Approximate Date of Incident: 11/29/2023

Known parties: Caballero Pools and Spa

REQUESTS

1. Provide explanation of Late Notice Code 999 electronic positive response to Ticket A233330415
2. Provide a copy of policies and procedures regarding electronic positive response to USA tickets
3. Provide documentation of training provided to employees regarding provision of electronic positive response to USA tickets

INSTRUCTIONS

- a. Provide all information in your possession, custody, or control, or the possession, custody, and/or control of your affiliates or agents, that is responsive to these requests by the due date identified above.
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- c. If you do not know the exact answer to any of the requests above, please so indicate and provide your best estimate.
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Exhibit 12

From: [Amber Dahl](#)
To: [McClenahan, Jeff@EnergySafety](mailto:McClenahan,Jeff@EnergySafety)
Subject: FW: MP3 for A233330415
Date: Friday, December 27, 2024 9:55:36 AM
Attachments: [Audio of A233330415.mp3](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you,



Amber Dahl, Safety Director
Underground Service Alert of Southern California
PO BOX 77070 Corona, CA 92877
P: 951-808-8115 F: 951-808-8101
E: amber@digalert.org W: www.digalert.org



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Exhibit 13



Underground Service Alert

of Southern California™

November 20, 2024

Jeff McClenahan
Underground Safety Board

File Number: Unkown

Dear Jeff,

Attached is the audio conversation that generated DigAlert ticket(s) A233330415 as requested. I hope this information will be helpful.

If we can be of further assistance, please call us at 951-808-8100.

Sincerely,

Amber Dahl
Safety Awareness Director

Exhibit 14

Audio File A233330415



Audio of
A233330415.mp3



Exhibit 15

Transcription of Audio A233330415

8mins 35 seconds

Loretta (L): Dig Alert, this is Loretta, how can I help you?

Mark (M): Hi Loretta, I'm calling in for a new DigAlert.

L: Yes, may I have your telephone number?

M: 714-309-2890.

L: 7-1-4-3-0-9-2-8-9-0p

M: Yes.

L: It didn't come up under that number. Do you have an alternate contact number or has it been a few months since you called our services?

M: It's been a few months.

L: What is your name?

M: My name is Mark.

L: What is your last name?

M: Caballero, C-A-B-A-L-L-E-R-O

L: C-A-B-A-L-L-E-R-O, Caballero.

M: Yes.

L: Mark, M-A-R-K.

M: Yes.

L: And what company are you with?

M: Caballero Pools and Spas

L: Caballero's with an S?

M: No S.

L: No S, just Caballero. Caballero Pools and Spas.

M: Yes.

L: And will your company be doing the work?

M: Yes.

L: What is your company address or mailing address for Caballero Pools and Spas?

M: 8662 Parker Circle, Huntington Beach

L: Yes.

M: 92647

L: Confirmed Caballero Pools and Spas address 8-6-6-2 Parker Circle, Huntington Beach 92647.

M: Correct.

L: Alright, would you like to provide an email address so our members can reach you this way if they choose as well as to receive a confirmation of the ticket and positive responses?

M: Yes.

L: K.

M: hbpoolman@msn.com

L: Confirm, hbpoolman@msn.com?

M: Yes.

L: And do you want to receive an email confirmation of the ticket and positive response status?

M: Sure.

L: Would you like to provide a cell phone so our members can contact you this way if they choose as well receive a confirmation of the ticket and positive responses?

M: Yup. 714-309-2890.

L: 7-1-4-3-0-9-2-8-9-0?

M: Yes.

L: Do you want to receive a text confirmation of the ticket and positive response status?

M: Yes.

L: Who will be the site contact and phone number.

M: Me, myself.

L: Confirm you are the site contact, Mark Caballero, 714-309-2890?

M: Correct.

L: Is there a site email or cell number that you would like to list?

M: No.

L: How is the job location pre-marked in white?

M: Yes.

L: Does that mean white paint?

M: Yes.

L: Okay, what type of work are you doing?

M: Replacing gas lines.

L: What county and city is the job location?

M: Orange County, Huntington Beach.

L: What is the job location?

M: 1925 Park Street.

L: What is the closest cross street?

M: Uh, Park and Utica.

L: Utica, oh I see, no let me confirm location, Orange County in Huntington Park at Huntington Beach. Orange County, City of Huntington Beach address of 1925 Park Street, closest cross street Utica Avenue?

M: Correct.

L: I do see the address north of Utica Avenue, it looks like its closer to Union? Is that closer to the address, Union Avenue?

M: Uh, I'm not sure what Union is.

L: Okay. Is there anything else that you would like to add to the location.

M: That's it.

L: Alright. Let me just finish the map here.

L: Does the excavation enter into the street or into the sidewalk?

M: No, it enters on the driveway and the alley.

L: Will you be digging in the street or in the sidewalk?

M: No.

L: Will the excavation be completely contained within pavement and not enter into dirt below?

M: Yes. Wait say that again?

L: Is it pavement only or also into dirt?

M: Pavement and dirt.

L: Dirt okay so, so that's a new question. Pavement only, No, because you will also be digging in dirt below.

M: Yes.

L: Okay, will you be boring or drilling horizontally?

M: No.

L: Will you be using explosives?

M: No.

L: Will you be using anything other than hand tools to expose any members lines that may be in conflict.

M: No.

L: Who are you doing the work for?

M: Doing the work for Chris and Terry Taylor.

L: They are the homeowners?

M: Homeowners, correct.

L: What was her name.

M: Chris and Terry Taylor, T-A-Y-L-O-R.

L: And Terry, T-E?

M: T-E-R-R-Y.

L: R-R-Y. Confirm your company, Caballero Pools and Spas, will be doing this work for the homeowners Chris and Terry Taylor?

M: Correct.

L: Okay, is there a permit number you'd like to list?

M: No.

L: Do you want to add a job number?

M: No.

L: When will the work begin?

M: Today.

L: What time?

L: Do you need the members to respond now?

M: Um, yeah as quick as they can.

L: It is short notice, California Government Code states that the members have a minimum of two working days notice not including the date of the notification in which to mark their lines.

M: Right, let's just put them on notice as quickly as possible.

L: Alright, anything else, but you still want them to respond now?

M: Sure.

L: Alright, do you have any additional requests or anything else you want to tell the members?

M: I do not.

L: Okay, would you like a list of the members that are required to respond? This list will also be available on the confirmation we send to you.

M: No, I'll see it on the confirmation. Thank you.

L: You're welcome. Your ticket number, which is active for 28 calendar days from today, is A like Apple, 2-3-3-3-3-0-4-1-5.

M: You said A-2-3-3-3-0-4-1-5?

L: Correct. If your work is continuing, you must renew your ticket on or before December 27th. California Government Code states excavation may not begin until all members have responded. Members must respond via electronic positive response, and responses can be viewed on DigAlert.org or our mobile apps. After the members have responded, the law requires the excavator to notify DigAlert if the members marks are no longer reasonably visible. Remarks, renewals, and more can be done online by visiting direct.DigAlert.org or through our mobile apps.

L: Is there anything else I can do for you.

M: No that should be it, I appreciate all your help.

L: You're welcome thank you, have a good day.

M: Thank you.

L: Thank you, bye.