



CALIFORNIA UNDERGROUND SAFETY BOARD INVESTIGATION DIVISION

INVESTIGATION REPORT

Date: April 28, 2025

Case No.: C241570001

Violation:

Action Power, Inc.

Government Code § 4216.2(b): Excavating without first notifying the regional notification Center of intent to excavate.

Government Code § 4216. 4(c)(1): Excavator failure to call 911 emergency services upon discovering or causing damage to subsurface installation resulting in the escape of flammable, toxic, or corrosive gas or liquid.

Executive Summary:

On June 4, 2024, Action Power, Inc., damaged a 2” plastic gas service line while drilling with a hydraulic mounted auger. Action Power, Inc., did not contact the regional notification center before digging.

After damaging the line, Action Power, Inc., called the Southern California Gas Company but did not call 911 emergency services. No one was injured and no equipment, other than the gas line, was damaged.

Reporting Party Information:

Southern California Gas Company
555 West 5th Street, Suite 1700
Los Angeles, California 90013

Date of Incident:

June 4, 2024

Location of the Incident:

Blue Copper Way and Cosmos Way
Fontana, California

Operator:

Southern California Gas Company

555 West 5th Street, Suite 1700
Los Angeles, California 90013

Excavator:

Action Power, Inc.
29702 Avenida De Las Banderas
Rancho Santa Margarita, California 92688

Facility Type Damaged:

2" plastic gas service line

Notification of the Incident

On June 5, 2024, at 8:16 a.m., Southern California Gas Company (SCG) submitted a notification to the California Underground Safety Board (Board). The notification stated, "LICENSED CONTRACTOR WORKING WITHOUT A USA TICKET. DAMAGED A LIVE 2' PLASTIC MAIN WHILE AUGURING TO INSTALL TEMP ELECTRICAL POLE." (Exh. 1.)

The case was assigned to Investigator Mark Peterson (Investigator).

Excavation and Identity of the Excavator

Government Code section Government Code 4216(g) defines "excavation" to be the use of tools or equipment to move or displace earth, rock, or other material in the ground.

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 own employees or equipment, performs any excavation."

On August 8, 2024, Investigator interviewed Danny Carlson, President and owner of Action, Inc., via telephone, regarding the incident at Blue Copper Way and Cosmos Way in Fontana on June 4, 2024. During the interview, Carlson stated:

- Action Power, Inc. was working at Landsea Homes (the Clementine project).
- Blue Cooper Way is a street inside the track where nothing was built yet.
- The track is all brand-new construction.
- Action Power, Inc. was installing temporary power poles.
- There were conducts that were laid in the ground but there were no operator lines
- Action Power, Inc. used an auger drill to drill into the ground and damaged a gas line.
- Action Power, Inc., called SCG after the damage occurred. (Exh. 2.)

Action Power, Inc., is a licensed contractor with the Contractors State License Board as of August 20, 2024, operating under license number 947176, with a C16-Electrical classification. (Exh. 3.)

Action Power, Inc. Did Not Contact the Regional Notification Center Before Excavating

Government Code section 4216.2(b) states that an excavator planning to excavate shall 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.

Action Power, Inc., did not notify the regional notification center before augering to install temporary power poles. During a telephone phone interview, Carlson stated that Action Power, Inc., did not contact the regional notification center before digging on June 4, 2024, because it was a new construction site, and they didn't know there were utilities. (Exh. 2.)

On June 24, 2024, Investigator emailed Amber Dahl, (Dahl) Safety Awareness Director at DigAlert, requesting ticket information for Blue Copper Way and Cosmos Way in Fontana, California, on June 4, 2024. (Exh. 4.)

Dahl responded on June 25, 2024, and stated that after searching DigAlert records from May 4, 2024, through June 24, 2024, she was unable to find any DigAlert tickets for the location on Blue Copper Way located approximately 2500 feet North-East of Duncan Canyon Road and approximately 330 feet North-West of Lytle Creek Road per Google Maps, GPS Coordinates 34.16927, -117.45874 in Fontana. (Exh. 5.)

Action Power, Inc. Did Not Call 911 Emergency Services After the Damage

Government Code section 4216.4(c)(1) states an excavator shall call 911 emergency services upon discovering or causing damage to a gas or hazardous liquid pipeline subsurface installation in which the damage results in the escape of any flammable, toxic, or corrosive gas or liquid.

After damaging the 2" gas line on June 4, 2024, Action Power, Inc., did not contact 911 emergency services. (Exh. 2.)

Finding:

1. Action Power, Inc., did not contact the regional notification center before augering to install temporary power poles.
2. Action Power, Inc. damaged a gas line with the auger. At that time, Action Power, Inc., notified SCG but did not contact 911 emergency services.

Investigator	Supervisor
Mark Peterson	Daysi Alcantar
Signature	Signature
/s/ Mark Peterson	/s/ Daysi Alcantar

Exhibit List:

Exhibit No.	Description	Date	Received From
1.	Incident Report submitted to the Underground Safety Board	Received on 6/5/2024	Southern California Gas Company
2.	Summary of Telephone Interview with President and Owner Dan Carlson prepared by Mark Peterson	Telephone Interview conducted by Mark Peterson on 8/8/2024	
3.	Contractor's License Detail for License No. 947176 obtained from the Contractors State License Board website	Downloaded on 8/20/2024	California Contractors State License Board website at https://www.cslb.ca.gov/online services/checklicense/checklicense.aspx
4.	Investigator's email to DigAlert requesting ticket information on the underlying job on this incident	Emailed on 6/24/2024	
5.	Email from DigAlert stating there was no valid ticket for the underlying job to this incident	Received on 6/25/2024	Amber Dahl, Safety Awareness Director at DigAlert

Exhibit 1

Notification Information Report

Information for Notification Number:- C241570001

Date Logged to CRM:- 6/5/2024 2:17 PM

Complaint/Incident Information	
Incident/Complaint Description	LICENSED CONTRACTOR WORKING WITHOUT A USA TICKET. DAMAGED A LIVE 2' PLASTIC MAIN WHILE AUGURING TO INSTALL TEMP ELECTRICAL POLE.
Incident Date	6/4/2024 5:45 PM
Incident State	CA
Incident County	San Bernardino
Incident Place	Fontana
Incident St from Address	
Incident St to Address	
Incident Street	Blue Copper Way
Incident Cross1	Blue Copper Way
Incident Location	NEW TRACK HOMES
Type of Complaint	Excavating without 811 ticket
Other Complaint Detail	NONE
Notification Number	C241570001
Notification Created	6/5/2024 3:16 PM
Notification Type	complaint
Damage Injury	Undefined
Damage Death	Undefined
Damage Fire Evacuation	Undefined
Damage Facility Type	
Damage Equipment	

Reporter Information	
Reporter First Name	Luis
Reporter Middle Name	
Reporter Last Name	Robles
Reporter Company	Socal Gas
Reporter Email	lrobles@socalgas.com
Reporter Phone	6577249205
Reporter Address	16231 Valley Blvd
Reporter Address 2	
Reporter City	Fontana
Reporter State	CA
Reporter Zip	92335

Other Party Information	
First Name	Danny
Middle Name	
Last Name	Carlson
Company	Action Power Inc
Address	29702 Ave De Las Banderas
City	Rancho Santa Margarita
State	CA
Zip Code	92688
Email	
Phone	9497098006

Ticket Entry	
Ticket Number	
Ticket Type	
Revision	
Created	
Account	
Channel	
Work Date	
Response Required	
Response Due	
Expires	
One Year	
Priority	
Priority Number	
Category	
Lookup	
State	
County	
Place	
Work area zip code	
St to address	
St from address	
Street	
Cross 1	
Cross 2	
How delineated	
Excav st walk	
Work Type	
Boring	
Explosives	
Vacuum	
Permit	
Work Order	
Done For	
Remarks Type	
Company Name	
Address1	

Address2	
City	
State	
Zip Code	
Phone	
Phone ext	
Caller	
Caller Language	
Cell	
Email	
Contact Name	
Contact Phone	
Contact Phone Ext	
Contact Cell	
Contact Email	
Location	
Comments	
Map URL	MAP URL of Notification Number C241570001

Ticket GPS Coordinates

Caller GPS Coordinates

Name	Latitude	Longitude
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Best Fit Rectangle GPS Coordinates

Name	Latitude	Longitude
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Ticket Member List

Member Code

Exhibit 2



**CALIFORNIA UNDERGROUND SAFETY BOARD
INVESTIGATION DIVISION
INTERVIEW REPORT**

REPORT DATE: August 8, 2024

CASE NO: C241570001

DATE AND TIME OF INTERVIEW: August 8, 2024, at 1:00pm

LOCATION OF INTERVIEW: Phone

INTERVIEWER: Mark Peterson

NAME, TITLE, AND COMPANY OF INTERVIEWEE: Danny Carlson, Action Power, Inc.

INTERVIEW:

Questions:

1. Who do you work for and what is your job title?

President, owner of the business, 14 years in that capacity, CSLB

2. Were you present at the job site on June 4, 2024, at on Blue Copper Way in Fontana?

No. His field guy Cory was out there.

3. What was your role and what was your job duties?

Cory is the area manager handles field installs, He (Danny) oversees him. Cory and his truck, truck has auger system and Cory was operating it. Cory was on the incident report.

4. What was the scope of work being done? What were you installing?

They install temporary power to Landsea home, the Clementine project and where installing poles, new construction new phase, blue cooper way is a street inside track and all brand new, digging by pole, nothing built there yet, there were conducts that were laid in the ground but there were no operator lines

5. How was the damage done and what tools were used?

Auger drill that dilled into ground and drilling the hole in temp pole and hit the gas line. It's a hydraulic system mounted on the back of the truck. It was early in the job. There was dirt lots, behind curb and future sidewalk and behind that was all future paths. In the afternoon. Cory called him (Danny), and the superintendent and the gas co. The incident happened at approximately 10am. Cory did not call 9-1-1.

6. Do you have copies of the Dig Ticket from the regional notification center?

Normally they call in, as they do dig in Southern California, but this was a new site and between the superintendent they did not know there were utilities.

7. No USA ticket called in?

No

8. Did Cory or you, or anyone from Action Power called the regional call center?

No. They were there appx. 1 ½ hour. Drilled in a hole. Just the gas company came out. He was under the impression there was no utilities

9. What is your routine SOP for alerting the regional notification center as required?

Safety meeting periodically, as far as this incident it's been verbal communication between him & Cory. They had safety meeting. They usually have a USA dig ticket.

10. Who at Action Power is responsible for incident reports, work orders, repair work orders, video, photographs, interviews, documents, and any reports of any kind regarding the incident?

It varies, Cory or myself usually.

11. Is there policies and procedures Action Power has implemented for calling in tickets?

Like I said it's usually something Cory is really consistent about. This was one of the rare occasions it was overlooked. Our policies and procedures have been in place that emphasize calling in for a ticket.

12. Did you or Action Power call the regional call center to report the damage post-incident?

No, Cory notified the superintendent on the job, he the superintendent called the gas co. The customer's superintendent at Landsea homes.

13. Is there anything that you think could have avoided the incident?

Communication, it's always better to be safe then sorry, that we don't just go by the superintended and it's better to call in a USA Dig ticket. Cory and him usually calls in the Dig tickets only.

<https://landseahomes.com/southern-california/>

Exhibit 3



CONTRACTORS STATE LICENSE BOARD

Contractor's License Detail for License # 947176

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 8/20/2024 2:23:49 PM

Business Information

ACTION POWER INC
29702 AVE DE LAS BANDERAS
RANCHO SANTA MARGARITA, CA 92688
Business Phone Number:(949) 709-8006

Entity Corporation
Issue Date 05/12/2010
Expire Date 05/31/2026

License Status

This license is current and active.

All information below should be reviewed.

Classifications

C10 - ELECTRICAL

Bonding Information

Contractor's Bond

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

Bond Number: CA5862175

Bond Amount: \$25,000

Effective Date: 01/01/2023

Contractor's Bond History

Bond of Qualifying Individual

The qualifying individual DANNY EVERETT CARLSON 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: 05/12/2010

Workers' Compensation

This license has workers compensation insurance with the INSURANCE COMPANY OF THE WEST

Policy Number: WSA507096001

Effective Date: 04/23/2024

Expire Date: 04/23/2025

Workers' Compensation History

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Exhibit 4

From: Peterson, Mark@EnergySafety
To: [Amber Dahl](#)
Subject: Ticket Request: Complaint #C241570001
Date: Monday, June 24, 2024 4:13:00 PM

Good morning Amber,

I have been assigned complaint # C241570001, with an incident date of 6/04/2024 at 5:45pm (complaint reported no Dig Ticket obtained, with damage caused). Incident location: Blue Copper Way (unspecified street number, "New Track Homes"), Fontana CA. Can you provide copies of relevant tickets, if any were obtained, for that date/time and location, with EPR logs? The reported violator was Action Power Inc., 29702 Ave De Las Banderas, in Rancho Santa Margarita.

Thank you,

Mark Peterson

Investigator | Underground Investigations
Division

,
715 P Street, 20th Floor
Sacramento, CA 95814

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Mark.Peterson@energysafety.ca.gov

Direct: 916-639-5999



OFFICE OF ENERGY
INFRASTRUCTURE
SAFETY

Exhibit 5



Underground Service Alert

of Southern California™

June 25, 2024

Mark Peterson
Underground Safety Board
715 P St, 20th Floor
Sacramento, CA 95814

File Number: C241570001

Dear Mark,

After searching our records from 5/4/24 through 6/24/24, we were unable to find any DigAlert tickets for the location on Blue Copper Way located at approx 2500ft n/e of Duncan Canyon Rd & approx 330ft n/w of Lytle Creek Rd per Google maps, GPS Coordinates 34.16927, -117.45874 in Fontana. 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