

California Underground Facilities Safe Excavation Board

In the Matter of
ARM Construction,
Respondent

Case No. 23NTS00002

DECISION REGARDING NOTICE OF PROBABLE VIOLATION

On April 14, 2025, the Office of Energy Infrastructure Safety, California Underground Facilities Safe Excavation Board (the Board) considered Case No. 23NTS00002. Board investigative staff issued a Notice of Probable Violation (NOPV) to ARM Construction (Respondent), dated February 18, 2025, alleging violations of Government Code (Gov. Code) sections 4216.2(b), 4216.4(c)(2). Respondent did not submit a response to the NOPV.

Board members Charland, Clausen, Johns, Johnson, and Sorem participated in the decision. Board Member Muñoz was not present for the meeting.

FINDING

Having considered the investigation report, the Board finds that Respondent violated Gov. Code sections 4216.2(b) and 4216.4(c)(2).

VIOLATION SUMMARY

Respondent excavated without first contacting the regional notification center and damaged a natural gas line. After damaging the line, Respondent contacted the regional notification center and the operator, but did not contact 911 emergency services.

JURISDICTION

This matter is subject to the jurisdiction of the CONTRACTOR STATE LICENSE BOARD.

SANCTIONS

The Board RECOMMENDS that the CONTRACTOR STATE LICENSE BOARD order Respondent to take the Board's education course and pay a penalty of \$1000.

The following factors were considered relevant to this sanction determination:

- Respondent excavated without notifying the regional notification center.
- Respondent damaged a natural gas line.
- Respondent did not contact 911 emergency services to report the incident.
- The violation did not result in death or substantial injury or environment or property damage.

/s/ William Johns
William Johns, Chair

Date: May 12, 2025