



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**  
**Office of the State Fire Marshal**  
**California Underground Facilities Safe Excavation Board**  
2251 Harvard Street  
SACRAMENTO, CA 95815  
(916) 568-3800  
<https://digsafe.fire.ca.gov>



August 21, 2020

## **NOTICE OF PROBABLE VIOLATION**

Brian Wong  
Pacific Gas & Electric Company  
77 Beale Street, 30th Floor  
San Francisco, CA 94105

Case No.: 20SA1059

Address/Location of Violation(s): 211 Broad St., Nevada City, CA 95959

Date/Time of Violation(s): 6/16/2020 @ 8:43am

Dear Mr. Wong,

The California Underground Facilities Safe Excavation Board has concluded its investigation of an incident on the above date, time and location and has determined that Pacific Gas and Electric Company violated the following:

Gov't Code § 4216.3 (a) (1) (A) requires the utility operator to locate and field mark subsurface installations or provide information to the excavator on their location in the delineated area when they receive a USA ticket request.

While responding to a valid USA North 811 request, # X016202421, PG&E failed to mark a secondary power line that powered multiple streetlights behind The National Hotel in Nevada City, CA. On 6/16/2020 the excavator, Peter Shack Construction Engineering, struck the unmarked power line with a Caterpillar 420 backhoe while digging a narrow trench to install a new electrical line.

Violation of Government Code (sections 4216 *et seq.*) is punishable by a maximum penalty of \$10,000. A knowing and willful violation is punishable by a maximum penalty of \$50,000.

A Corrective Action of mandatory completion of the Dig Safe 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 Gov't Code § 4216 *et seq.* in the future.

This matter will be referred to the California Public Utilities Commission 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 October 2, 2020.

Sincerely,

*Jason Corsey*

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

Proposed hearing date: November 16, 2020



**CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD  
INVESTIGATION DIVISION  
INCIDENT INVESTIGATION REPORT COVER SHEET**



Date:	8/7/2020
Case #:	20SA1059
Subject(s):	Pacific Gas and Electric Company

4216 Violations:	4216.3 (a) (1) (A)
Other Violations:	

Prior Board Actions:	<input checked="checked" type="checkbox"/> No <input type="checkbox"/> Yes Date: _____ Decision No.: _____ Violations: _____ Action Taken: _____
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**Executive Summary:**

GC 4216.3 (a) (1) (A) requires the utility operator to locate and field mark subsurface installations or provide information to the excavator on their location in the delineated area when they receive a USA ticket request. While responding to a valid USA North 811 request, # X016202421, Pacific Gas & Electric Company failed to mark a secondary power line that powered multiple streetlights behind The National Hotel in Nevada City, CA. On 6/16/2020 the excavator, Peter Shack Construction Engineering, struck the unmarked power line with a Caterpillar 420 backhoe while digging a narrow trench to install a new electrical line.



**CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD  
INVESTIGATION DIVISION  
INCIDENT INVESTIGATION REPORT**



<b>Case Number:</b> 20SA1059	<b>Report Date:</b> 8/7/20
<b>Subject Name:</b> Pacific Gas & Electric Company	<b>Notification Date:</b> 6/16/2020

**Reporting Party Information:**

PETER SCHACK CONSTRUCTION ENGINEERING  
8411 LAPORTE RD  
BROWNSVILLE, CA 95919

**Subject(s) of Investigation:**

Pacific Gas & Electric Company

**Date & Time of Incident:**

6/16/2020 @ 8:43am

**Location of Incident:**

211 Broad Street  
Nevada City, CA 95959

**Ticket #:**

X016202421

- Revision number	Created	Legal Start	Expiration
-00	6/10/2020	6/12/2020	7/8/2020
-01 (damage)	6/16/2020	6/12/2020	7/8/2020

**Operator:**

Pacific Gas & Electric Company

**Excavator:**

Peter Schack Construction Engineering

**Facility Type Damaged:**

Plastic conduit with live electrical line feeding 7 street lights.

**Violations:**

4216.3(a) (1) (A) – Unless the excavator and operator mutually agree to a later start date and time, or otherwise agree to the sequence and timeframe in which the operator will locate and

field mark, an operator shall do one of the following before the legal excavation start date and time

**Notification:**

On 6/16/2020 Carla Newman, Supervising Special Investigator I, assigned USA North 811 damage ticket X016202421 to me to investigate.

**Fatalities and Injuries:** None

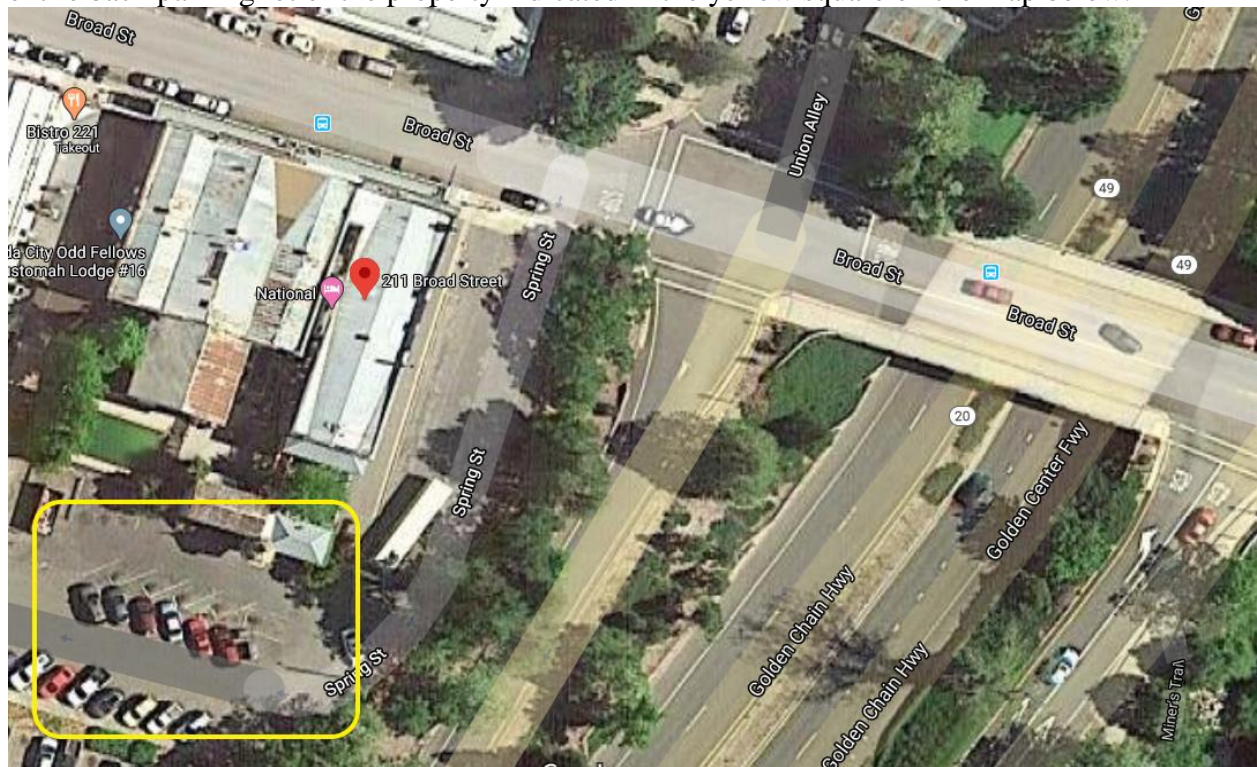
**Damages:**

4" Plastic conduit housing live electrical line feeding seven streetlights damaged by backhoe bucket. The electrical line was pulled out of the feed in the vault and the conduit was smashed where the bucket struck it.

**Responding Entities:** N/A

**Scene Description:**

Peter Shack Construction and Engineering was performing the excavation behind the historic National Hotel at 211 Broad Street in downtown Nevada City, CA. The excavation area was the entire back parking lot of the property indicated in the yellow square on the map below.



**Summary of Investigation:**

I reviewed the USA ticket history on the USA North 811 database and noted that it was originally called in on 6/10/2020 and had a legal start date of 6/12/2020 at 5:01pm. The excavator, Peter Shack Construction and Engineering (PSC), indicated on the ticket that PSC was installing electrical lines and grading behind the National Hotel in Downtown Nevada City, CA. (Exhibit 1)

I searched the CLSB database for a valid contractor's license for PSC and located active and valid license #1038603. I also reviewed the location of the incident on Google Earth.

I called Chris Shack, PSC, who is listed as the site contact on the USA North ticket. Mr. Shack stated that on 6/16/2020 the PSC crew was digging a narrow trench to install a new electrical line for their client, The National Hotel, when the bucket on a Caterpillar 420 series backhoe struck the unmarked secondary powerline feeding street lights behind the hotel. The bucket broke the plastic four-inch conduit and pulled the power line out of its feed in the subsurface vault thereby rendering the line unenergized. Nobody was injured and PSC reported the dig-in to USA North 811 and PG&E. Mr. Shack stated all the other marks on the jobsite were very accurate including the other PG&E marks. Mr. Shack stated the reason PG&E provided him for not marking the line was that the line was not on their maps. Mr. Shack stated the PG&E locator and his supervisor responded in the field in addition to the repair crews following the dig-in. I asked Mr. Shack if he had any pictures of the incident and he said he did not but he would ask his crew and get back to me.

I called Matt Buechner, D.I.R.T. Investigator, PG&E, and interviewed him regarding the incident. Mr. Buechner confirmed that the line was not marked due to locator error. Mr. Buechner stated the line was on the map but the locator did not review the map after hooking up to the street lights. Mr. Buechner stated the locator did not follow the signal back from the streetlights to the subsurface vault. Mr. Buechner stated that if the locator had consulted his map he would've have seen that he forgot to mark the section which was hit. The line was feeding seven streetlights. Mr. Buechner stated the locator received retraining and there was stand down for that L&M unit. Every locator and supervisor from this unit was brought into the office to review procedure and the lessons learned from this incident. Mr. Buechner stated the damaged line was repaired the same day with no service interruption to the street lights. I requested any pictures Mr. Buechner had and he stated I would have send a request for his report which I completed. (Exhibit 2)


I called Jason Gambill, L&M Supervisor, PG&E, and left two voicemails requesting a call back. If no callback is received I will close case and proceed with report. I did receive a response from Gambill.

On 8/3/2020 I received the D.i.R.T. report from Aaron Lindh, Supervising Investigator, PG&E (Exhibit 3). I reviewed the report and noted that PG&E's determination was that their locator did not accurately consult the maps of the locate area and it was a failure to mark the 4" electrical primary to the streetlights. The report mentions an opportunity for training and a two-person

locator team with a senior locator. The report also mentions the PG&E locator did not express difficulties in the locate efforts to the L&M supervisor prior to the hit. There were several pictures included in the PG&E report which match the descriptions of the site I received from the excavator and PG&E personnel.

### **Investigative Findings**

Following the investigation of USA North 811 ticket X013202421, I determined that PG&E failed to locate and mark a secondary electrical line in violation of GC 4216.3 (a) (1) (A) which I determined was the predominant cause of the dig-in event on 6/16/2020.

Investigator Name		Supervisor Name	
Michael Ehrgott		Carla Newman	
Signature	Date	Signature	Date
	8/7/2020	<i>Carla Newman</i>	8/7/2020

**Witness List**

Name:	Chris Schack (Excavator)
Address:	8411 Laporte Rd., Brownsville, CA 95919
Phone:	530-362-2450
DL:	
Knowledge of:	Incident

Name:	Matt Buecher (PG&E D.I.R.T. Investigator)
Address:	
Phone:	925-588-3697
DL:	
Knowledge of:	Incident

Name:	Jason Gambill (PG&E L&M Supervisor)
Address:	
Phone:	916-261-4432
DL:	
Knowledge of:	Incident



**Exhibit List**

Exhibit Number	Description	Date Received	Received From
01	USA North Ticket#X016202421	6/16/2020	USA North 811
02	Request for PG&E D.I.R.T. report	7/1/2020	SI Ehrgott
03	PG&E D.I.R.T. Report	8/3/2020	PG&E

Exhibit #3 for the Report of Investigation for Case 20SA1059 is not available online due to challenges making it compliant with Web Content Accessibility Guidelines 2.0, as required by Government Code Section 11546.7. For a copy of this exhibit, please make your request at [DigBoard@fire.ca.gov](mailto:DigBoard@fire.ca.gov).

**Ticket: X016202421-01X**

MBRCOD 00001A USAN 06/16/20 14:11:47 X016202421-01X DMEX RUSH POLY LREQ

Ticket: X016202421 Rev: 01X Created: 06/16/20 08:44 User: ASM Chan: CSR

Work Start: 06/12/20 17:01 Legal Start: 06/12/20 17:01 Expires: 07/08/20 23:59  
Response required: Y Priority: 0

## Excavator Information

Company: PETER SCHACK CONSTRUCTION ENGINEERING  
Co Addr: 8411 LAPORTE RD  
City : BROWNSVILLE State: CA Zip: 95919  
Created By: CHRIS SCHACK Language: ENGLISH  
Office Phone: 530-362-2450 SMS/Cell: 530-362-2450  
Office Email: SCHACKINNORCAL@GMAIL.COM

## Site Contact: CALLER

Site Phone: Site SMS/Cell: 530-362-2450  
Site Email:

## Excavation Area

State: CA County: NEVADA Place: NEVADA CITY  
Zip: 95959  
Location: Address/Street: 211 BROAD ST  
: X/ST1: S PINE ST  
:  
: WORK ENTIRE REAR OF THE PROPERTY

## Delineated Method: WHITE PAINT

Work Type: INSTALLING ELECTRICAL LINES & SURFACE GRADING

Work For : THE NATIONAL HOTEL

Permit: Job/Work order:

1 Year: N Boring: N Street/Sidewalk: Y Vacuum: N Explosives: N

## Lat/Long

Center Generated (NAD83): 39.263198/-121.018555 39.262622/-121.016842  
: 39.261627/-121.019083 39.261052/-121.017369

## Excavator Provided:

Polygon : 39.261420/-121.018466 39.261464/-121.018596  
: 39.261528/-121.018712 39.261608/-121.018810  
: 39.261702/-121.018885 39.261806/-121.018934  
: 39.261915/-121.018955 39.262026/-121.018948  
: 39.262133/-121.018913 39.262585/-121.018699  
: 39.262679/-121.018640 39.262763/-121.018560  
: 39.262833/-121.018461 39.262888/-121.018347  
: 39.262925/-121.018221 39.262941/-121.017954  
: 39.262831/-121.017464 39.262788/-121.017336  
: 39.262727/-121.017221 39.262649/-121.017124  
: 39.262558/-121.017048 39.262457/-121.016997  
: 39.262351/-121.016972 39.262242/-121.016975  
: 39.262136/-121.017005 39.261677/-121.017198  
: 39.261579/-121.017253 39.261491/-121.017332  
: 39.261417/-121.017432 39.261359/-121.017548  
: 39.261319/-121.017677 39.261300/-121.017813  
: 39.261302/-121.017951 39.261325/-121.018086  
: 39.261420/-121.018466

Map link:

[https://newtin.usan.org/newtinweb/map\\_tkt.nap?TRG=30YQUYPZQWNULUm-x](https://newtin.usan.org/newtinweb/map_tkt.nap?TRG=30YQUYPZQWNULUm-x)

Comments:

**\*\*DAMAGE\*\*** A DAMAGED LINE FROM ELECTRIC-CUSTOMER STATES THAT AN UNMARKED LINE HAS BEEN DAMAGED. PLEASE RESPOND ASAP TO CHRIS AT 530-362-2450. THANKS PER CHRIS SHACK--06/16/2020 08:43:35 AM

Members:

COMCHI      COMGVY      CTYGVY      CTYNCI      CVINET      NEVIRR      PACBEL  
PGEGVY

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**Ticket Members for: X016202421-01X**

Member	Name	Dlv	Shw	Cty	Plc	Grd	Shp	Opr	Sty	Con
COMCHI	COMCAST - CHICO	Y	Y				A			
COMGVY	COMCAST-GRASS VALLEY	Y	Y				A			
CTYGVY	CITY OF GRASS VALLEY	Y	Y				A			
CTYNCI	CITY OF NEVADA CITY	Y	Y				A			
CVINET	CVIN LLC	Y	Y				A			
EMLCFM	EMAIL CONFIRMATION	Y	N					A		
NEVIRR	NEVADA IRRIGATION DISTRICT	Y	Y				A			
PACBEL	PACIFIC BELL	Y	Y				A			
PGEGVY	PGE DISTR GRASS VALLEY	Y	Y				A			
PGET19	PGE DISTR GRASS VALLEY TEST CODE	Y	N						A	

**Ticket Deliveries for: X016202421-01X**

Member	Name	Delivered	Seq#	Dest	Type	SID
COMCHI	COMCAST - CHICO	06/16/20 08:45:20	AM 19	MAIL	DMEX	X
COMGVY	COMCAST-GRASS VALLEY	06/16/20 08:45:21	AM 13	MAIL	DMEX	X
CTYGVY	CITY OF GRASS VALLEY	06/16/20 08:45:23	AM 12	MAIL	DMEX	X
CTYNCI	CITY OF NEVADA CITY	06/16/20 08:45:20	AM 1	MAIL	DMEX	X
CVINET	CVIN LLC	06/16/20 08:45:20	AM 36	MAIL	DMEX	X
EMLCFM	EMAIL CONFIRMATION	06/16/20 08:45:04	AM 2452	SYSQ	DMEX	X
EMLCFM	EMAIL CONFIRMATION	06/16/20 08:45:06	AM 2453	SYSQ	RESP	X
EMLCFM	EMAIL CONFIRMATION	06/16/20 08:56:02	AM 2767	SYSQ	RESP	X
EMLCFM	EMAIL CONFIRMATION	06/16/20 09:10:39	AM 2978	SYSQ	RESP	X
EMLCFM	EMAIL CONFIRMATION	06/16/20 09:10:39	AM 2981	SYSQ	RESP	X
NEVIRR	NEVADA IRRIGATION DISTRICT	06/16/20 08:45:36	AM 13	MAIL	DMEX	X
PACBEL	PACIFIC BELL	06/16/20 08:45:03	AM 833	MAIL	DMEX	X
PGEGVY	PGE DISTR GRASS VALLEY	06/16/20 08:45:21	AM 27	MAIL	DMEX	X
PGET19	PGE DISTR GRASS VALLEY TEST CODE	06/16/20 08:45:03	AM 27	MAIL	DMEX	X

**Ticket Responses for: X016202421-01X**

Member	Name	Rev	Responded	By	Response
COMCHI	COMCAST - CHICO	01X	06/16/20 09:10:36 AM	UQ Responder	(004) NO MARKINGS REQUESTED

Member	Name	Rev	Responded	By	Response
COMCHI	COMCAST - CHICO	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
COMGVY	COMCAST-GRASS VALLEY	01X	06/16/20 09:10:36 AM	UQ Responder	(004) NO MARKINGS REQUESTED
COMGVY	COMCAST-GRASS VALLEY	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
CTYGVY	CITY OF GRASS VALLEY	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
CTYNCI	CITY OF NEVADA CITY	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
CVINET	CVIN LLC	01X	06/16/20 08:55:59 AM	WEBTMS:FRAMOS	(001) CLEAR - NO CONFLICT
CVINET	CVIN LLC	01X	06/16/20 08:55:59 AM	WEBTMS:FRAMOS	(001) TEST
CVINET	CVIN LLC	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
NEVIRR	NEVADA IRRIGATION DISTRICT	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
PACBEL	PACIFIC BELL	01X	06/16/20 09:10:36 AM	UQ Responder	(004) NO MARKINGS REQUESTED
PACBEL	PACIFIC BELL	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
PGEGVY	PGE DISTR GRASS VALLEY	01X	06/16/20 08:45:05 AM	Late Notice	(999) Utility has not provided 811 center with information to be displayed



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**  
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2251 Harvard Street | 4<sup>th</sup> Floor  
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(916) 445-8200  
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**MEMBERS**

JESSICA ARDEN, Chairperson  
VINCENT BERNACCHI  
RON BIANCHINI  
RANDY CHARLAND  
MARJORIE DEL TORO  
WILLIAM JOHNS  
MARSHALL JOHNSON  
AMPARO MUNOZ  
CARL VOSS

**EXECUTIVE OFFICER**  
Tony Marino

July 13, 2020

Pacific Gas and Electric Company  
Attn: Dig-In Reduction Team (DiRT)  
2225 Folsom St.  
San Francisco, CA 94110

Subject: Copy of DiRT Report

Dig-In Reduction Team (DiRT),

This letter is a request for a copy of all investigative records including video, photographs, interviews, documents, and reports of any kind surrounding the electrical line strike at 211 Broad St., Nevada City, CA, on June 16th, 2020, involving Peter Shack Construction Engineering. The associated USA North 811 ticket is X016202421.

We are currently investigating the incident per California Government Code TITLE 1 – GENERAL - DIVISION 5 - PUBLIC WORK AND PUBLIC PURCHASES - CHAPTER 3.1 - Protection of Underground Infrastructure - ARTICLE 2 - Regional Notification Center System Section 4216.19.

If any fees are accrued per our request, please advise and we will address accordingly. Any information received will be beneficial to our investigation. If you have any questions, feel free to contact the undersigned.

Respectfully,

Michael Ehrgott  
Special Investigator  
Dig Safe Board Investigations  
Office: (916) 568-3825  
Email: [michael.ehrgott@fire.ca.gov](mailto:michael.ehrgott@fire.ca.gov)