



**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/>



July 8, 2020

## **NOTICE OF PROBABLE VIOLATION**

PG&E  
Brian Wong  
77 Beale Street, 30<sup>th</sup> Floor  
San Francisco, CA 94105

Case No.: 20SA1040

Address/Location of Violation(s): Agricultural field bordering 10½ Ave and Nevada Ave, Northwest of Cocoran, CA

Date/Time of Violation(s): 4/30/2020 @ 9:15am

Dear: Mr. Wong

The Board has concluded its investigation of an incident on the above date, time and location and has determined that PG&E violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

The Board has determined that PG&E violated California Government Codes 4216.3(a)(1)(A)(ii) which requires an operator to provide information to an excavator where the operator's active or inactive subsurface installations are located to the extent and degree of accuracy that the information is available.

On April 3, 2020, a PG&E locator did not hook up his locate equipment directly to the facility he was trying to locate due to a metal box around the meter that he couldn't open. The locator hooked up to the metal box directly and received a false positive signal leading to inaccurate marks, off by approximately 20 feet where the facility was later struck by the excavator. The locator failed to communicate with the excavator that he was unable to hook up to the facility directly. Because of the mismatch, the excavator dug into

a 440v buried electrical line with a Caterpillar D10 bulldozer equipped with a deep ripping shank.

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 GC4216 in the future.

This matter will be referred to California Public Utility Commission with a recommended penalty of mandatory completion of the Boards 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 August 19, 2020.

*Jason Corsey*

Jason Corsey  
Chief of Investigations  
Dig Safe Board  
916-926-1660

Proposed hearing date: September 14, 2020



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



**DATE:** 5/01/2020

**CASE#:** 20SA1040

**SUBJECT(S):** PG&E

**4216 Violations: 4216.3 (a) (1) (A) (ii) - To the extent and degree of accuracy that the information is available, provide information to an excavator where the operator's active or inactive subsurface installations are located.**

**4216.4 (d) – Failure to communicate with excavator.**

**Other Violations:**

**Prior Board Actions:**  Yes

**Actions Taken:**

No

**Executive Summary:**

**GC 4216.3 (a)(1)(A)(ii) states operators shall provide information of a buried facility's location to the extent and accuracy that is available and GC 4216.4(d) states each operator, excavator, and locator shall communicate with one another and respect the appropriate safety requirements and ongoing activities of the other parties at an excavation site. A PG&E locator did not hook up his locate equipment directly to the facility he was trying to locate due to a metal box around the meter that he couldn't open. The locator hooked up to the metal box directly and received a false positive signal leading to inaccurate marks, off by approximately 20 feet where the facility was later struck by the excavator. The locator failed to communicate with the excavator that he was unable to hook up to the facility directly. Because of the mismark, the excavator dug into a 440v buried electrical line with a Caterpillar D10 bulldozer equipped with a deep ripping shank. No injuries were sustained.**



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



<b>Case Number:</b> 20SA1040	<b>Report Date:</b> 5/01/2020
<b>Subject Name:</b> PG&E	<b>Notification Date:</b> 4/6/2020

**Reporting Party Information:**

CHARLES HIDALGO  
42600 ROAD 136  
OROSI CA, 93647  
Created By: JANIE HIDALGO  
Office Phone: [REDACTED]

**Subject(s) of Investigation:**

PG&E

**Date and Time of Incident:** 4/3/2020 @ 9:15am

**Location of the Incident:** Agricultural field bordering 10 1/2 Ave and Nevada Ave, Northwest of Corcoran, CA

**Ticket No.:** X009002601

**Operator:** PG&E

**Excavator:** Charles Hildago

**Facility Type Damaged:** 5" gray PVC conduit with a 440v electrical line running inside

**Alleged 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:

(i) Locate and field mark within the area delineated for excavation and, where multiple subsurface installations of the same type are known to exist together, mark the number of subsurface installations.

**Notification:**

On 4/6/2020 Carla Newman, Supervising Special Investigator, Dig Safe Board, was reviewing the USA North 811 Damage/Exposure (DMEX) tickets. She directed me to investigate ticket # X0090002601 which showed damage to a wrongly marked electrical line.

**Fatalities and Injuries:** None

**Damages:**

A five-inch gray pvc conduit with a 440v electrical line running inside was struck by a Caterpillar D10 tractor equipped with a ripping shank. The line was feeding an irrigation pump station with a 250-horsepower motor.

**Responding Entities:**

PG&E

**Scene Description:**

The incident scene is a large agricultural plot Northwest of Corcoran in Kings County. The excavator was performing “deep ripping” to a depth of five and a half feet using a Caterpillar D10 tractor outfitted with a ripping shank.



**Summary of Investigation:**

I reviewed the USA North 811 ticket and noted that it was originally called in on 3/30/2020 by a Janie Hidalgo and the excavator info showed Charles Hidalgo as the equipment operator performing work for the property owner. The legal start date for the ticket was 4/2/2020 at 5:01 pm. “Deep ripping for Ag” is the description of work being performed. I noted that the damage to the line was called in on 4/3/2020 at 9:15am. There was no electronic positive response from PG&E. Comcast and Chevron both electronically responded “Clear – No Conflict” to the ticket. (Exhibit 1)

I contacted Charles Hidalgo and interviewed him regarding the incident. He stated he was operating his Caterpillar D10 bulldozer equipped with a ripping shank. He was ripping at a depth of five and a half feet when the shank hit a five-inch gray pvc conduit housing a live 440-volt electrical line. A nearby road worker who was flagging traffic during an unrelated road repave came running towards him waving his arms and shouting because the worker saw sparks/flames shooting out of the ground. At that point, Mr. Hidalgo looked behind him and saw the sparks/flames also. Mr. Hidalgo lifted the ripping shank on the bulldozer and shut it off. When the sparks/flames subsided, he jumped away from the tractor and called 811 to report the damage. Mr. Hidalgo stated PG&E responded on site approximately 1.5 hours later and started to repair the line. PG&E dug a 25-foot-long trench and replaced the damaged section of line. They finished the repair around 9:00pm on 4/3/2020 and marked the repaired facility. He stated the line was mismarked by approximately 20 feet where the line was hit. The marks were a combination of red flags and red paint. Mr. Hidalgo stated the line was feeding an irrigation pump station and was originally marked in a straight line from a utility pole to the next utility pole but the line ran diagonally across the field to the pump station and meter box in conflict with the deep ripping. I asked Mr. Hidalgo who the property owner was and he gave me the name Ernie Kincaid and a contact number. I asked Mr. Hidalgo if he had any pictures of the markings or the meter box and he stated that he did not but Mr. Kincaid might.

I contacted Mr. Kincaid and he confirmed the details that Mr. Hidalgo relayed to me. He sent me three photos of the markings after the repair was completed (Exhibit 2). I asked Mr. Kincaid to confirm that the line was hit before the meter on PG&E owned line and he said yes, that was correct. He did not have pictures of the original markings but did photograph a leftover red paint marking which, upon review of the photograph, I believe was part of the original marks. Mr. Kincaid stated the reason PG&E provided him for the mismark was that the locator did not hook up to the electrical meter as it was enclosed in a metal box and the locator could not get it open. Mr. Kincaid stated he encased the meter in the metal box to keep it out of sight from would be copper thieves but he does not keep it locked. I requested a picture of the box but Mr. Kincaid did not have one. Mr. Kincaid stated he never received a call from PG&E requesting access to the box.

I called Mr. Hidalgo again and asked if PG&E ever contacted him about being unable to access the meter inside the metal box. Mr. Hidalgo stated that PG&E did not contact him.

I contacted Gary Williams, Investigator, PG&E, who stated he investigated this dig-in. He was still in the process of investigating the circumstances of the dig-in when I contact him but he stated that the cause was a locator error by the PG&E locator. Mr. Williams stated that the PG&E locator did not hook up to the meter/facility directly and that resulted in the mismark. I requested any photos that Mr. Williams and he said I'd have to send an official request for the investigative report to obtain those (Exhibit 4). On 4/20/2020 I sent a request for the report to Mr. Williams.

I then contacted Ron Yamashita, Locate & Mark Supervisor, PG&E, who stated that it was indeed a locator error. Mr. Yamashita stated when the locator could not open the metal meter box he hooked up directly to the metal box and proceeded with the locate. This caused him to get a false-positive reading when locating the signal. Mr. Yamashita said the line was struck approximately 20 feet from the original marks. I asked Mr. Yamashita why the locator did not contact the excavator to tell him he couldn't access the box, Mr. Yamashita said the locator thought he could get an accurate signal hooking up to the box but the locator should've contacted the excavator instead of proceeding with the locate. Mr. Yamashita said that the employee and himself presented the lessons learned from this incident with their own locate team and on the weekly webinar meeting of the entire PG&E locate and mark department leadership. Mr. Yamashita stated PG&E L&M has directed staff to not hook up to a third-party i.e. non-PG&E facility to perform a locate and to communicate any needed access back to the excavator before locating.



Photo: site of repaired line and new markings. Provided by Mr. Kincaid.




Photo: Potential old marking showing mismark. Provided by Mr. Kincaid.





### **Investigative Findings**

The PG&E locator did not hook up the locate equipment to the meter directly. When the locator was unable to open the metal meter box, he hooked up to the box directly and received a false positive signal leading to the inaccurate marks, off by approximately 20 feet per the excavator and confirmed by the utility operator. The locator failed to communicate with the excavator that he was unable to hook up to the facility directly. Following the investigation, I concluded that PG&E violated GC 4216.3 (a)(1)(A)(ii) by not providing information of a buried facility's location to the extent and accuracy that was available and violated GC 4216.4(d) by not communicating with the excavator on the inability to access the facility directly when said communication could have mitigated the locator's lack of access to the facility, resulted in accurate markings, and potentially avoided the incident.

Investigator Name	Supervisor Name
Michael Ehrgott	Carla Newman
Signature _____	Signature <i>Carla Newman</i> _____
Date 5/1/2020	Date 5/1/2020
	

**Witness List**

Name: Charles Hidalgo (Equipment Operator)

Address: 42600 Road 136 Orosi, CA 93647

Phone: [REDACTED]

DL:

Knowledge of: Incident (Excavator)

Name: Ernie Kincaid (Farm Owner)

Address:

Phone: [REDACTED]

DL:

Knowledge of: Incident (Property Owner)

Name: Gary Williams (PG&E D.I.R.T. Investigator)

Address: P.O. Box 997300

Sacramento, CA 95899-7300

Phone: [REDACTED]

Email: [REDACTED]

Knowledge of: Incident (Utility Investigator)

Name: Ron Yamashita (PG&E Locate and Mark Supervisor)

Address: P.O. Box 997300

Sacramento, CA 95899-7300

Phone: [REDACTED]

Email: [REDACTED]

Knowledge of: Incident (Locate Supervisor)

**Exhibit List**

Exhibit Number	Description	Date Received	Received From
1	USA North Ticket X009002601	4/6/2020	USA North 811
2	Three photos of excavation site/marks	4/9/2020	Ernie Kincaid
3	Email from SSI Newman assigning me the case	4/6/2020	SSI Newman
4	Request for PG&E Investigative Report	4/20/2020	SI Ehrgott