



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 10, 2020

NOTICE OF PROBABLE VIOLATION

RAYJI POWERS
HOSOPO CORPORATION
DBA: HORIZON SOLAR POWER
27368 Via Industria, STE 101
Temecula, CA 92590

Case No.: 19LA1042

Address/Location of Violation(s): [REDACTED] Murrieta, CA

Date/Time of Violation(s): July 15, 2019 @ 12:10 pm

Dear: Mr. Powers,

The Board has concluded its investigation of an incident on the above date, time and location and has determined that Hosopo Corporation, DbA: Horizon Solar Power violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

Hosopo Corporation, DbA: Horizon Solar Power violated California Government Code 4216.2 (b) which states, except in an emergency, an excavator planning to conduct an excavation 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. However, an excavator and an operator may mutually agree to a different notice and start date.

On July 15, 2019, Horizon Solar Power was installing a solar device on the subject residence when one of their employees drove a grounding rod into the soil adjacent to the gas meter at the residence. The grounding rod punctured a property side 1/2" gas service line causing a gas leak. Horizon staff requested the Murrieta Fire Department and Southern California Gas Co to respond to the location. A Southern California Gas Co. crew arrived at 11:23 a.m. to being repair work on the line, but at 12:10 p.m., an

explosion occurred. Due to the explosion, there was 1 fatality (a SCG employee) and 3 other individuals suffered physical injuries requiring medical attention. The subject property and the adjacent home located at [REDACTED] were both declared total losses and several of the surrounding homes suffered broken windows and damaged facia.

Horizon Solar acknowledged in an interview that they failed to call 811 and request a ticket prior to commencing excavation. A check of the DigAlert database confirmed the admission made by Horizon Solar Power.

This matter will be referred to California Contractors State License Board with a recommendation for a financial penalty of the maximum amount allowed under California Government Code 4216.

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.

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 21, 2020.

Sincerely,

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: 7-6-2020

CASE#: 19LA1062

SUBJECT(S): Hosopo Corporation DBA Horizon Solar Power (CSLB#1004233)

27368 Via Industria #101

Temecula, CA 92590

Ph# [REDACTED]

Sunrun Installations Services Inc. (CSLB#750184)

225 Bush St #1400

San Francisco, CA. 94104

Ph# [REDACTED]

4216 Violations: 4216.2 (a) California Government Code- Failure to delineate prior to excavation

4216.2 (b) California Government Code- Failure to notify Regional Notification Center of intent to conduct an excavation. Waiting 48 hours to begin excavation.

Other Violations: N/A

Prior Board Actions: Yes

Actions Taken:

No



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



Executive Summary:

GC 4216.2(b) Requires an excavator planning to conduct an excavation to 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. However, an excavator and an operator may mutually agree to a different notice and start date.

On July 15, 2019, Horizon Solar Power was installing a solar device on the subject residence when one of their employees drove a grounding rod into the soil adjacent to the gas meter at the residence. The grounding rod punctured a property side 1/2" gas service line causing a gas leak. Horizon staff requested the Murrieta Fire Department and Southern California Gas Co to respond to the location. A Southern California Gas Co. crew arrived at 11:23 a.m. to begin repair work on the line, but at 12:10 p.m., an explosion occurred. Due to the explosion, there was 1 fatality (a SCG employee) and 3 other individuals suffered physical injuries requiring medical attention. The subject property and the adjacent home located at [REDACTED] were both declared total losses and several of the surrounding homes suffered broken windows and damaged facia.

Horizon Solar Power failed to contact DigAlert to obtain a ticket prior to commencing excavation.



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



Case Number: 19LA1062	Report Date: 7-6-2020
Subject Name: Hosopo DBA Horizon Solar Power, Sunrun Installation Services Inc.	Notification Date: 7-15-2019

Reporting Party Information:

The Dig Safe Board was notified of this incident from the news reports and the internet on 7-15-2019.

Subject(s) of Investigation:

Hosopo Corporation DBA Horizon Solar Power, 27368 Via Industria #101, Temecula, CA. 92590. Ph# [REDACTED] (CSLB# 1004233). License expires 06-30-2021.

Sunrun Installations Services Inc, 225 Bush Street, #144, San Francisco, CA. 94104. Ph# [REDACTED] [REDACTED]. (CSLB# 750184) license expires 6-30-22.

Date and Time of Incident: 07-15-2019 at 1212 hours.

Location of the Incident: [REDACTED] Murrieta, Ca.

Ticket No.: NONE

Operator: Southern California Gas Company

Excavator: Hosopo Corporation DBA: Horizon Solar Power

Facility Type Damaged: ½ inch plastic gas line.

Violations

4216.2(a) California Government Code-Failure to delineate prior to excavation.

4216.2(b) California Government Code-Failure to notify Regional Notification Center of intent to conduct an excavation.

Notification

The Dig Safe Board was notified of this incident from news reports and the internet.

Fatalities and Injuries:

One fatality, Wade Kilpatrick, 31 years old. 3 additional injuries requiring medical attention.

Damages:

The single-family home located at [REDACTED] was declared a total loss. The house adjacent to the subject property, [REDACTED] was also declared a total loss.

1/2-inch plastic gas line belonging to Southern California Gas Company. The pipe volume was a 60 pound per square inch pipe.

Responding Entities:

Southern California Gas Company, Murrieta Fire Department, CalFire (Dig Safe Board), CalOsha, Contractors State Licensing Board(CSLB), Murrieta Police Department, Riverside County District Attorney's Office, California Public Utilities Commission.

Scene Description

The location where the damage occurred was in a suburban residential neighborhood.

Summary of Investigation

On 7-15-2019 at approximately 1500 hours the Dig Safe Board was notified of an explosion in the city of Murrieta, County of Riverside. News reports obtained from the internet stated that a contractor had hit a gas line causing an explosion after failing to call 811. One fatality was confirmed and several injuries were reported. The incident occurred at the [REDACTED] block of [REDACTED]. **(Exhibit 1)**

I contacted Amber Dahl, DigAlert Safety Director. Dahl advised me that no Dig Alerts had been requested by anyone for the [REDACTED] block of [REDACTED] in the City of Murrieta from 1-1-2019 to 7-15-2019. Dahl sent me a letter confirming her search **(Exhibit 2)**.

On 7-16-2019 at 0830 hours I met with Det. Garcia of the Murrieta PD and entered the scene. He allowed me to enter after showing my ID with the only caveat not to disturb the scene. I agreed.

Upon my entrance, I met with Khoa Le (Le), Sr. Pipeline Safety and Compliance Advisor from So Cal Gas. After introducing myself, Le took me to the scene in question where I took several photographs. The address where the incident took place is [REDACTED] in the City of Murrieta. The gas meter was located on the east side of the property **(Exhibit 3)**. It was removed and kept as evidence by SoCal Gas. There was a 1X4 foot trench already excavated on my arrival. There was a ground rod sticking out of the ground in the trench. **(Exhibit 4)**

Le stated that he believed someone drove a ground rod into a 1/2" gas service. Someone then took the ground rod out and re-inserted it into the gas line causing the explosion. The ground rod was approximately 4' 6" long and the gas line was approximately 12" below grade. Le stated that a gas technician who responded to the call of leaking gas was deceased. There was also a helper employed by So Cal Gas who was injured. He was treated and released from the hospital. Le stated that the helper observed the incident and was 5-6 feet away from the meter when the explosion occurred. Le stated he needed clearance from his legal department to give me access to the information provided by the helper.

On 7-16-2019 at 1500 hours I travelled to the City of Murrieta Building and Safety Department. I contacted Jennifer Ransom, Assistant City Clerk. I asked Ransom to ascertain what, if any, permits were pulled at the address of [REDACTED] Ransom was aware of the incident that had occurred the day before my visit. Ransom advised me that the only permit on file was one pulled in 1996. I verified with Ransom again that no permit was pulled by Horizon Solar or anyone else. Ransom checked again with the same answer.

Southern California Gas Incident Timeline

Southern California Gas provided the following timeline as they chose not to provide the Board a copy of their investigation report due to legal concerns.

At 1040 AM HSP's employees drove the rod into the ground striking and puncturing a half-inch plastic service line resulting in the gas leak. Immediately the HSP employee called 911 to dispatch the Fire Department. The HSP employee knocked on the door and informed the resident, Alexis Haagland (Haagland) that they hit a gas line, called 911, and told her not to start anything with a flame.

At 1058 AM MFD evacuated the residence.

At 1101 AM, an SCG Energy Technician Residential (ETR) was dispatched.

At 1116 AM an SCG Energy Technician Distribution (ETD) employee was dispatched.

At 1123 AM, SCG's ETR, Dennis Genido, (Genido) arrived at the scene. Genido was updated by MFD. Genido went back to his truck to get a clamshell device. He smelled and heard the gas escaping.

At 1125 AM, Genido requested assistance from SCG dispatch.

At 1132 AM SCG ETD Sergio Flores (Flores) arrived. Genido then departed the scene. Flores saw the ground rod sticking up from the ground. However, he did not hear or smell the gas. Flores then went back to his vehicle to fill out a repair order. A few minutes later Flores saw Wade Kilpatrick (Kilpatrick) and Alex Salazar (Salazar) arrive at the scene.

At 1152 AM, Salazar and Kilpatrick began to assess the damage and began investigating.

At 1205 PM, Alexis Haagland is given permission to reenter the residence by MFD to retrieve property and food for her infant.

At 1209 PM, an explosion occurs. Several minutes later, Alexis Haagland emerges from the burning house with minor scratches and bruises.

Firefighters with MFD worked to extinguish the fire. A knockdown was declared by MFD at 1305 hours. The gas shut off was at 1313 hours.

The SCG crew then removed the gas service keeping custody of the SCG meter and service lateral for evidentiary purposes.

The ground rod was seized by CalOsha investigator Christopher Kuhns.

INTERVIEW WITH HOSOPO CORPORATION DBA HORIZON SOLAR

On 9-9-2019, I travelled to the CSLB investigation Center in San Diego. I met with Investigator Matt Boeck from CSLB who also conducted the interview with me. The purpose of our meeting was to interview Rayji Powers (Powers). Powers was the Responsible Managing Officer (RMO) of Hosopo Corporation DBA Horizon Solar Power in Temecula. Powers told me that he was familiar with the incident at [REDACTED] in Murrieta on 7-15-2019.

Powers stated that on 7-15-2019 at 7:14 AM, Hosopo Corporation DBA Horizon Solar Power (HSP) employees arrived at [REDACTED] to begin work to install solar panels. Powers further stated that one of the HSP employees was installing a ground rod (drilled the concrete and then drove in the ground rod) near a Southern California Edison electrical panel and a SCG meter assembly set (MSA) located on the east wall of the house when the gas line was hit. Powers acknowledged Hosopo Corporation, Dba: Horizon Solar Power was contracted to perform work that day under their CSLB license #1004233. Powers further admitted that Hosopo Corporation, Dba: Horizon Solar Power did not delineate the excavation site or call the one call center to obtain a DigAlert ticket prior to performing excavation at the subject property.

During the interview, Powers also admitted the Hosopo Corporation, Dba: Horizon Solar Power did not pull a building permit with the city of Murrieta to install a solar power system at [REDACTED] on 7-15-19. Powers acknowledged it was illegal to do the work without a permit.

Powers stated that the company will start a training program to instruct employees how to delineate for excavation and to call in for DigAlert tickets prior to performing the work.

EVIDENCE SEIZED

1. The ground rod that has been alleged to cause the explosion was seized by CalOsha.
2. The gas meter and attachments along with 3' of property gas line was seized and kept as evidence by So Cal Gas.

CONTACTS MADE AT THE SCENE AND CONDUCTING SEPARATE INVESTIGATIONS

1. Chris Kuhns, Special Investigator, CalOsha
2. Steve Intably, P.E., Sr. Utilities Engineer, CPUC
3. Johnny Gubernat, Sr. Investigator, Riverside Dist. Atty's Office
4. Kim West, Director, PHMSA
5. Khoa Le, Sr. Pipeline Safety and Compliance, So. Cal Gas
6. Chris Jensen, Fire Marshal, Murrieta FD
7. Dave Perez, Battalion Chief, Murrieta FD
8. Jennifer Ransom, Asst. City Clerk, City of Murrieta
9. Detective Miguel Garcia #680, Murrieta PD

Investigative Findings

HOSOPO Corporation, Dba: Horizon Solar Power violated California Government Code 4216.2(b) – failure to obtain a ticket prior to commencing excavation.

On July 15, 2019, Horizon Solar Power was installing a solar device on the subject residence when one of their employees drove a grounding rod into the soil adjacent to the gas meter at the residence. The grounding rod punctured a property side 1/2” gas service line causing a gas leak. A Southern California Gas Co. crew arrived at 11:23 a.m. to begin repair work on the line, but at 12:10 p.m., an explosion occurred. Due to the explosion, there was 1 fatality (a SCG employee) and 3 other individuals suffered physical injuries requiring medical attention. The subject property and the adjacent home located at [REDACTED] were both declared total losses and several of the surrounding homes suffered broken windows and damaged facia. Horizon Solar Power admitted in an interview that they did not call 811 to obtain a ticket prior to excavation.

HOSOPO Corporation, Dba: Horizon Solar Power was acting as an agent for general contractor SUNRUN Installation Services Inc when they were contracted to installed a solar device on the subject property. As the general contractor, SUNRUN Installation Services is obligated to ensure their subcontractors follow the law when performing their duties. SUNRUN Installation Services Inc violated California Government Code 4216.2(b) – Failure to obtain a ticket prior to commencing excavation.

Investigator Name		Supervisor Name	
J.Benane		A.Brown	
Signature	Date	Signature	Date

Witness List

Name: Amber Dahl, Safety Director of DigAlert

Address: P.O. Box 77070, Corona, CA. 92877

Phone: [REDACTED]

DL:

Knowledge of: DigAlert receiving calls, foundation of Dig ticket A192811012 and A193540012. Also, can bring a copy of audio recordings (if needed).

Name: Rayji Powers, Horizon Solar Power

Address: 27368 Via Industria, Ste 101

Phone:

DL:

Knowledge of: The company's work at the subject residence

Name: Khoa Le, Pipeline Engineering Manager

Address: C/O Southern California Gas Company, 555 W. 5th Street, Legal Division, Los Angeles, CA 90013.

Phone: [REDACTED]

DL:

Knowledge of: SCG damage and injuries. Knowledge of causation and devices.

Exhibit List

Exhibit Number	Description	Date Received	Received From
1	Photograph of [REDACTED] in Murrieta California	7-15-2019	Internet
2	Letter from Amber Dahl, Safety Manager from DigAlert stating no tickets were requested in that vicinity from 1-1-2019 to 7-15-2019.	7-15-2019	DigAlert
3	Photograph of ground rod sticking up adjacent to gas meter.	7-16-2019	John Benane
4	Photograph of ground rod after seizure by CalOsha Investigator Kuhns.	7-16-2019	John Benane