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ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE
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Environmental Law Division

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October 15, 2019

Amit Pradhan
Agent
Kingston Services, LLC
1444 Illinois Street
Des Moines, Iowa 50314

RE: One Call Violations – Guthrie County

Dear Amit:

It has come to our attention that on or about November 2, 2018, Kingston Services, LLC (“Kingston Services”), conducted excavations in Guthrie County, near West Central Valley High School, Stuart, Iowa, to move dirt, and the excavation occurred within twenty-five (25) feet of an underground natural gas transmission line without a representative of the transmission line owner or operator present. The excavation was conducted directly over a 4-inch natural gas transmission line operating at 605 pounds per square inch of pressure.

Although you requested a timely locate for the excavation and made several successful crossings with pipeline personnel present, you failed to have a representative of the natural gas transmission line on site during the excavation on Nov. 2, 2018. As I am sure you are well aware, striking and damaging underground facilities can have tragic results. Kingston Services is fortunate the aforementioned incident did not result in injury, or worse, to any Kingston Services employees, pipeline employees, or first responders.

Failure to have a representative of the operator of an underground natural gas transmission line on site while excavations are conducted within 25 feet of the transmission line constitutes a violation of Iowa Code section 480.4(3)(a)(3). Iowa Code section 480.6(1)(a) authorizes the Attorney General to seek civil penalties up to a maximum of Ten Thousand Dollars (\$10,000) per day of each such violation involving natural gas pipelines. Iowa Code section 480.6(1)(b) authorizes the Attorney General to seek civil penalties up to a maximum of One Thousand Dollars (\$1,000) per day of each such violation to all other underground facilities. Injunctive relief is also authorized pursuant to Iowa Code section 480.7.

Notice of a planned excavation must be given by either filing a ticket online at www.iowaonecall.com or calling the One Call Notification Center at 1-800-292-8989 or 811 at least 48 hours prior to the excavation.

The purpose of this letter is to advise that the Iowa One Call statute must be strictly complied with. Failure to comply may result in judicial enforcement proceedings initiated by our office pursuant to Iowa Code sections 480.6 and 480.7.

Thank you for your attention to this matter.

Sincerely,



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