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ATTORNEY GENERAL



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July 7, 2020

Shane Neavin
Transition Homes
1604 P Ave
Milford, Iowa 51351

RE: One Call Violations – Dickinson County

Dear Shane Neavin:

It has come to our attention that on or about April 30, 2018, Transition Homes allegedly conducted an excavation to install a driveway and footings for a home at 45 Helen Ave., Arnolds Park, Iowa, without providing 48-hours notice of the planned excavation to the owners and operators of underground facilities. As a result, underground facilities, including a 1/2-inch diameter natural gas pipeline under 60 pounds per square inch of pressure (psi), were not located and marked prior to the excavations. During the excavation, your equipment hit and damaged the pipeline, resulting in blowing gas and repair costs incurred by the pipeline owner. As I am sure you are well aware, striking and damaging underground facilities can have tragic results. You are fortunate that this incident did not result in injury, or worse, to any of your employees, pipeline employees, or first responders.

Failure to provide 48-hours notice of the excavation constitutes violation of Iowa Code sections 480.1A, 480.4(1)(a), and 480.4(1)(b)(1)-(8). 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,

Jacob Larson

JACOB J. LARSON

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