

THOMAS J. MILLER
ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
Environmental Law Division

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October 15, 2019

Joe Walsh
Triple B Construction & UG, LLC
301 E 2nd Ave.
PO Box 302
Eskridge, KS 66423

RE: One Call Violations – Des Moines County, Iowa

Dear Mr. Walsh:

It has come to our attention that on or about November 7, 2018, Triple B Construction & UG, LLC (“Triple B”), conducted excavations with a directional bore at 2315 S. Roosevelt Street, Burlington, Iowa, without providing 48-hours notice of the planned excavation to the owners and operators of underground facilities. As a result, underground facilities, including an electric line, were not located and marked prior to the excavations. During the November 7, 2018 excavation, Triple B hit and damaged the electrical line.

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,

A handwritten signature in black ink, appearing to read "Jacob J. Larson". The signature is fluid and cursive, with a long horizontal stroke at the end.

JACOB J. LARSON
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