



**TENNESSEE UNDERGROUND UTILITY DAMAGE PREVENTION BOARD
EXECUTIVE COMMITTEE MEETING
Meeting on May 16, 2018**

MINUTES

The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:00 a.m., in the Ground Floor Meeting Room of 500 Deaderick Street, Nashville, Tennessee 37243.

Executive Committee Members Present:

Bob Lambert
Steve Raper
Kevin Tubberville, Chairman

Executive Committee Members Absent:

TPUC Staff Present:

Ryan McGehee, legal advisor to the TUUDEB
Aaron Conklin, legal advisor to the TPUC staff
Stacy Balthrop
Slayde Warren
Jaelyn Hammons
Ectory Lawless
Lisa Cooper

Also Present:

Bill Turner, Tennessee 811

Roll Call & Minutes

Ectory Lawless opened the meeting and confirmed that all Executive Committee members were present. The Committee considered the Minutes of the meeting of April 16, 2018. The Minutes were approved as corrected on a voice vote.

Presentation of Investigation of Complaints:

The Committee heard and ruled on the following complaints:

EB18-0005 -

Alleged Violator: SNC Solutions
Complainant: AT & T
Facility Type: Cable
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care
Finding: No violation.

EB18-0012 -

Alleged Violator: RMC Construction
Alleged Excavator: Unknown
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in the safety zone
Finding: Third violation, assessed a civil penalty in the amount of \$1250.

EB18-0022 -

Alleged Violator: Benchmark Plumbing
Alleged Excavator: Mr. James Mauldin
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Excavating before locate ticket was valid
Finding: Second violation of excavating before locate ticket was valid, James Mauldin ordered to attend compliance training, and assessed a civil penalty in the amount of \$625.

EB18-0023 -

Alleged Violator: Earth Solutions
Alleged Excavator: Unknown
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in the safety zone
Finding: Dan Helton ordered to attend compliance training.

EB18-0026 -

Alleged Violator: Rose Creek Landscaping
Alleged Excavator: Jeremy Woodside
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in a safety zone
Finding: Jeremy Woodside ordered to attend compliance training.

EB18-0028 -

Alleged Violator: T & H Bobcat
Alleged excavator: Richard Teffeteller
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in the safety zone
Finding: Richard Teffeteller ordered to attend compliance training.

EB18-0029 -

Alleged Violator: Git-R-Done Excavating
Alleged Excavator: Danny Hatcher
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care
Finding: No violation.

EB18-0030 -

Alleged Violator: Alpha Water Systems
Alleged Excavator: Tyler Tackett
Complainant: Atmos Energy
Facility type: Gas
Equipment Trencher
Root Cause: No notification made to Tennessee 811 prior to excavating.
Findings: Second violation of no notification to One Call prior to excavation, Tyler Tackett ordered to attend compliance training, and assessed a civil penalty of \$625.

EB18-0031 -

Alleged Violator: Goins, Rush & Cain Construction
Alleged Excavator: Mr. Tim Royston
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in a safety zone
Finding: Tim Royston ordered to attend compliance training.

EB18-0032 -

Alleged Violator: Garney Construction Company
Alleged excavator: Ben Ramsbottom
Complainant: Atmos Energy

Facility Type: Gas
Equipment Used: Backhoe
Root Cause: Failure to use reasonable care in the tolerance/safety zone
Finding: No violation.

EB18-0034 -

Alleged Violator: Underground Utility Services
Alleged Excavator: Unknown
Complainant: Clarksville Gas & Water
Facility Type: unknown
Equipment Used: Directional drill
Root Cause: Failure to use reasonable care in a safety zone
Finding: Emanuel Pachecho ordered to attend compliance training.

EB18-0035 -

Alleged Violator: Clean Earth Collections, LLC
Alleged excavator: Jonathan Cummings
Complainant: Atmos Energy
Facility Type: Gas
Equipment Used: Backhoe
Root Cause: No notification made to Tennessee 811 prior to excavating
Finding: Jonathan Cummings ordered to attend compliance training.

Ms. Lawless announced that the agenda item “Presentation of Cost/Fee Request by Tennessee 811 for Training of Violators” was discussed in the Board meeting held prior to the Executive Committee meeting.

The agenda item “Discussion of Future Topics for Next Executive Committee Meeting” was announced, but no topics were stated.

Chairman Tubberville expressed his gratitude to the Investigative Staff for their hard work and specifically with the PHMSA audit.