



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD
EXECUTIVE COMMITTEE MEETING
Meeting on August 11, 2021**

MINUTES

The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:16 a.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

Executive Committee Members Present:

Wayne Hastings, Vice Chairman
Eddie Hood
Bobby Pitts

TPUC Staff Present:

Aaron Conklin, Legal Advisor to the TPUC staff
Ryan McGehee, Legal Advisor to the TUUDEB
Stacy Balthrop
Monique Brazelton
Slayde Warren
Bryce Keener

Also Present:

Bill Turner

Roll Call & Minutes:

Roll call which confirmed Mr. Eddie Hood, Vice Chairman Wayne Hastings, and Mr. Bobby Pitts as present. The Committee considered the Minutes of the meeting of July 20, 2021. Mr. Hood motioned to approve the Minutes which were unanimously approved. Three members voting on this motion, the motion carries 3-0.

Presentation of Investigation of Complaints:

The Committee heard and ruled on the following complaints:

EB21-0090-

Alleged Violator: Leffew Dirt Works

Alleged Excavator: Dewayne Dalton

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Track hoe

Root Cause: No notification made to Tennessee 811

Finding: In violation for failure to give notice prior to excavation and civil penalty of \$1,000 is assessed for subsequent violation.

EB21-0097-

Alleged Violator: Scott's Plumbing

Alleged Excavator: Brent Deal

Complainant: Knoxville Utilities Board

Facility Type: Gas

Equipment: Mini Excavator

Root Cause: Failure to use reasonable care within the tolerance zone

Finding: In violation for failure to use reasonable care within the tolerance zone and Brent Deal ordered to attend compliance training.

EB21-0104-

Alleged Violator: Beaver Creek Underground

Alleged Excavator: Chris Devore

Complainant: Property Owner

Facility Type: Sewer

Equipment: Backhoe

Root Cause: Failure to report damage of underground utilities

Finding: No violation

EB21-0106-

Alleged Violator: Source Broadband

Alleged Excavator: Alex Henley

Complainant: Atmos

Facility Type: Gas

Equipment: Boring machine

Root Cause: Failure to use reasonable care within the tolerance zone

Finding: No violation

EB21-0132-

Alleged Violator: Hernandez Plumbing

Alleged Excavator: Lupe Herrera

Complainant: Metro Water and Sewer

Facility Type: N/A

Equipment: Mini skid

Root Cause: Reporting a false emergency for a locate ticket

Finding: In violation for reporting a false emergency for a locate ticket and Lupe Herrera ordered to attend compliance training.

EB21-0135-

Alleged Violator: Southern Excavating
Alleged Excavator: Kenny Russel
Complainant: Knoxville Utilities Board
Facility Type: Gas
Equipment: Mini skid
Root Cause: Excavating beyond 15-day ticket expiration
Finding: In violation for excavating beyond 15-day ticket expiration and Kenny Russel ordered to attend compliance training.

EB21-0138-

Alleged Violator: DH Griffin
Alleged Excavator: Edgar Gallageoe
Complainant: Knoxville Utilities Board
Facility Type: Gas
Equipment: Backhoe
Root Cause: Excavating beyond 15-day ticket expiration
Finding: In violation for excavating beyond 15-day ticket expiration and Edgar Gallageoe ordered to attend compliance training.

EB21-0141-

Alleged Violator: Young Plumbing
Alleged Excavator: Chris Young
Complainant: Knoxville Utilities Board
Facility Type: Gas
Equipment: Mini excavator
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: No violation

EB21-0142-

Alleged Violator: Blalock Construction
Alleged Excavator: Jimmy Ogle
Complainant: Knoxville Utilities Board
Facility Type: Gas
Equipment: Mini excavator
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: No violation

EB21-0093, EB21-0095, EB21-0096, EB21-0100, EB21-0101, EB21-0102, EB21-0103, EB21-0125, EB21-0126, EB21-0127, EB21-0128, EB21-0131, EB21-0134, EB21-0137, EB21-0143, EB21-0145, EB21-0147, EB21-0149, and EB21-0151-

Alleged Violator: First Violation
Root Cause: Failure to notify Tennessee 811
Finding: In violation for failure to give notice prior to excavation.

The training update was deferred until the full Board meeting scheduled at 10:00 am Central. A Public Comment period was offered but no members of the public sought recognition. The Executive Committee meeting adjourned at 9:48 a.m.