



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD
EXECUTIVE COMMITTEE
Meeting on May 24, 2022**

MINUTES

The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:00 a.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

Executive Committee Members Present:

Wayne Hastings, Vice Chairman
Kevin Tubberville, Chairman

Board Member(s) Via Telephone:

Eddie Hood

TPUC Staff Present:

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

Tennessee 811 Present:

Bill Turner
Craig Ingram

Roll Call & Minutes:

Roll call which confirmed Vice Chairman Wayne Hastings and Chairman Kevin Tubberville as present making a physical quorum. Mr. Eddie Hood attended by phone. The Committee considered the Minutes of the meeting of April 26, 2022. Vice Chairman Hastings motioned to approve the Minutes which were approved.

Presentation of Investigation of Complaints:

The Committee heard and ruled on the following complaints:

EB22-0046-

Wayne Hastings recused himself from this complaint.

Alleged Violator: Knox Chapman Utility

Alleged Excavator: Unknown

Complainant: Enbridge

Facility Type: Gas

Equipment: N/A

Root Cause: Reporting a false emergency for a locate ticket

Finding: No violation

EB22-0048-

Alleged Violator: Lawn Masters

Alleged Excavator: Nathan Imlay

Complainant: Atmos Energy

Facility Type: Gas

Equipment: N/A

Root Cause: Excavating beyond the 15-day expiration

Finding: In violation for excavating beyond the 15-day expiration and Nathan Imlay ordered to attend compliance training.

EB22-0049-

Alleged Violator: Affordable Drain Cleaning

Alleged Excavator: Calvin Hannah

Complainant: Metro Water & Sewer

Facility Type: Water

Equipment: N/A

Root Cause: Reporting a false emergency for a locate ticket

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

EB22-0050-

Alleged Violator: SBW Constructors

Alleged Excavator: Pedro Caba

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Backhoe

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

Finding: No violation

EB22-0052-

Alleged Violator: Shaun Boling

Alleged Excavator: Shaun Boling

Complainant: East Tennessee Natural Gas

Facility Type: Gas

Equipment: N/A

Root Cause: Excavating before locate ticket was valid

Finding: No violation

EB22-0054-

Alleged Violator: LG Grading

Alleged Excavator: Fernando Guerrero

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Grader

Root Cause: Excavating beyond the 15-day expiration

Finding: In violation for excavating beyond the 15-day expiration, Fernando Guerrero ordered to attend compliance training, and a civil penalty of \$2,500 is assessed for subsequent violation.

EB22-0055-

Alleged Violator: Davis H. Elliot Company

Alleged Excavator: Arron Mathis

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Backhoe

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 Arron Mathis ordered to attend compliance training.

EB22-0059-

Alleged Violator: CKF Excavating

Alleged Excavator: Chuck Eades

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Backhoe

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 Chuck Eades ordered to attend compliance training.

EB22-0060-

Alleged Violator: CKF Excavating

Alleged Excavator: Chuck Eades

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Backhoe

Root Cause: Failure to report damage

Finding: No violation

EB22-0062-

Alleged Violator: 567 Partners

Alleged Excavator: Bill Parrot

Complainant: Atmos Energy

Facility Type: Gas

Equipment: Backhoe

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 Bill Parrot ordered to attend compliance training.

EB22-0074-

Alleged Violator: L.A. Construction and Drilling

Alleged Excavator: Unknown

Complainant: Property Owner

Facility Type: Water

Equipment: Boring machine

Root Cause: Failure to report damage

Finding: No violation

EB22-0053, EB22-0056, and EB22-0057 -

Alleged Violator: First Violation

Root Cause: Failure to notify Tennessee 811

Finding: In violation for failure to give notice prior to excavation.

Discussion of Future Topics for the Next Executive Committee Meeting

The next Executive Committee meeting is June 28. The training and staff update was given during the full board meeting following the Executive Committee meeting.

No member of the public sought to make comment during the public comment period.

The Executive Committee meeting adjourned at 9:28 a.m.