



**DAMAGE
PREVENTION
COMPLAINT FORM
TUTORIAL**



**IDAHO DAMAGE PREVENTION BOARD
STATE OF IDAHO DIVISION OF BUILDING SAFETY**

1090 East ~~Watertower~~ Street, Suite 150

Meridian, Idaho 83642

Ph: 800-955-3044

Fax: 877-810-2840

Email: dbs.dpbcomplaints@dbs.idaho.gov

Website: dbs.idaho.gov

DAMAGE PREVENTION COMPLAINT FORM

This complaint form is authorized pursuant to section 55-2011, Idaho Code, and the rules of the Damage Prevention Board. It is a public record subject to the provisions of chapter 2, title 74, Idaho Code. This document is a formal complaint form from which discipline may be imposed on the alleged violator pursuant to section 55-2211, Idaho Code. General reports of underground facility damage or excavator downtime, which are not complaints but required by section 55-2208(5), Idaho Code should be made separately in accordance with procedures established by the Board.

****YOU MUST NOTIFY THE ALLEGED VIOLATOR OF THE COMPLAINT AND PROVIDE PROOF OF WRITTEN NOTIFICATION WHEN FILING A COMPLAINT WITH THE DIVISION OF BUILDING SAFETY****

****ALL FIELDS MUST BE COMPLETED****

Company or Person(s) making the complaint: Your company's name/Your name

123 Ridgewood Ln Warm River ID 83420
Address City State Zip

208-555-5309 Digsafe208@gmail.com
Phone Number Email Address

- The first section is for information on you/your company.
- Make sure you write clearly and all fields are filled in completely.

Location of alleged violation: 789 E Broadway Ave
Address

Meridian ID 83646
City State Zip

Date(s) of alleged violation: 7/1/2018

Date(s) Complainant became aware of alleged violation (if different): 7/19/2018

- At the bottom of the first page of the form is where you enter the information on the violation. First the location of the violation and then the date the violation occurred.
- If you became aware of the violation at a later date please include this on the last line.

The violation, or when you became aware of the violation, must be within 30 days of filing the complaint form



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Description of alleged violation (*describe below and check the appropriate box on page 3*):

ABC Gas Company located their underground utilities but missed one causing my company to damage it. DigLine ticket # 2018123454

Did the violation cause damage to an underground facility?

Yes

No

If yes, explain: Line was not located causing me to damage it with a backhoe.

Did the violation cause excavator downtime?

Yes

No

If yes, explain: Had to wait for utility company to repair damaged utility line

- On the second page, describe the violation.
- Mark if the violation caused damage or not and explain the situation.
- Mark if there was downtime or not and explain what caused the downtime.

In accordance with IDAPA rule 07.10.01.018.01, notice of a complaint shall also be served concurrently on the alleged violator by the person submitting the complaint. Verifiable proof of such notification of a complaint provided to the alleged violator shall also be provided to the administrator.

- You must provide written notification to the person/company you are filing a complaint against. You may do this at the same time or before you file the complaint. The notification usually includes a written letter and certified mail receipt. Attach copies of both of these when filing the complaint with DBS.

7/19/2018

ABC Gas Company,

On 7/1/2018 our company damaged one of your service lines located at 789 E Broadway Ave, Meridian, ID 83646 due to ABC Gas Company not locating it properly. We will be reporting this occurrence to the Damage Prevention Board, Idaho Division of Building Safety (DBS). This action is precipitated by rules and regulations established by the State of Idaho Law.

“Underground facility owners and excavators who observe, suffer or cause damage to an underground facility or observe, suffer or cause excavator downtime related to a failure of one (1) or more stakeholders to comply with applicable damage prevention regulations shall report such information to the board in accordance with the rules promulgated by the board.” - Idaho Code, Title 55. Property In General. Chapter 22. Underground Facilities Damage Prevention. 55-2208. Paragraph 5.

According to the rules established by the Damage Prevention Board, the DBS damage prevention administrator will notify you upon receipt of the complaint. You will then have 30 days to respond to the complaint or the administrator will recommend a course of action based on the information provided by our company.

The image shows a U.S. Postal Service Certified Mail Receipt form. The form is green and white. At the top, it says "U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only". Below that, it says "- For delivery information, visit our website at www.usps.com™." The form is divided into several sections. The "OFFICIAL USE" section is highlighted in green. The "Certified Mail Fee" section is empty. The "Extra Services & Fees (check box, add fee as appropriate)" section has five checkboxes: "Return Receipt (hardcopy)", "Return Receipt (electronic)", "Certified Mail Restricted Delivery", "Adult Signature Required", and "Adult Signature Restricted Delivery". The "Postage" section is empty. The "Total Postage and Fees" section is empty. The "Sent To" section is filled out with "ABC Gas Company", "456 W Main St", and "Boise ID 83704". The "Street and Apt. No., or PO Box No." and "City, State, ZIP+4®" fields are also filled out. The form number "PS Form 3800, April 2015 PSN 7530-02-000-9047" and "See Reverse for Instructions" are at the bottom.

OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	ABC Gas Company
Street and Apt. No., or PO Box No.	456 W Main St
City, State, ZIP+4®	Boise ID 83704

Please include any additional documents, photographs, invoices, contracts and/or other relevant information in support of the complaint and attach it to this complaint form.

I swear (or affirm) under penalty of perjury that the foregoing information is true, complete, and correct. Additionally, I agree to assist the Division and Board in the resolution of this complaint, and if necessary appear before the board to verify and support the information contained in this complaint.

John Hancock
Name (Print or Type)


Signature

7/19/2018
Date Executed

- When filing the complaint, please provide any supporting documentation.
- Make sure you print your name clearly, sign, and date the form. If this is missing DBS will not process the complaint.

Please check the nature of the violation being alleged below (*check all that may apply*):

****MUST PROVIDE DOCUMENTATION FOR ANY VIOLATION CHECKED****

- Pre-marking Excavation Site. Any person who fails to adequately pre-mark onsite the path of proposed excavation as reasonably required under the circumstances in accordance with Section 55-2205(1)(b), Idaho Code.
- Notice of Excavation. Any person who fails to provide notice of the scheduled commencement of excavation to any underground facility owner through a one-number notification service, or directly to a facility owner, as applicable within the prescribed time as required by Section 55-2205(1)(c), Idaho Code.
- One-Number Notification to Facility Owner. A one-number notification service that fails to provide notice of a scheduled excavation upon notification from an excavator.
- Failure to Locate or Mark. An underground facility owner who fails to locate or mark its underground facilities in accordance with Section 55-2205(2), Idaho Code, or within the prescribed time provided therein.
- Failure to Wait for Locate or Maintain Markings. An excavator who commences excavation prior to waiting the time prescribed by Section 55-2205(2), Idaho Code, for all known facilities to be located and marked, or an excavator who fails to maintain the markings of underground facilities previously so marked subsequent to the commencement of excavation in accordance with Section 55-2205(2), Idaho Code.
- Failure to Cease Excavation or Report Unidentified Facilities. An excavator who does not cease excavation in the immediate vicinity upon the discovery of underground facilities therein, whether such facilities be active or abandoned, which were not previously identified or located with reasonable accuracy, or does not notify the owner or operator of the facilities, or a one-number notification service in accordance with Section 55-2205(4), Idaho Code.
- Failure to Identify Facilities in Contract Documents. Project owners who fail to indicate in bid or contract documents the existence of underground facilities known by the owner to be located within the proposed area of excavation in accordance with Section 55-2207, Idaho Code.
- Precautions to Avoid Damage. An excavator who does not engage in any of the activities required by Section 55-2207(2), Idaho Code, or use reasonable care to avoid damage to underground facilities.
- Reporting of Damage to Facility. An excavator who fails to report to a facility owner and a one-number notification service any contact or damage to an underground facility caused by such excavator in the course of excavation, or fails to alert an appropriate authority upon an actual breach of a facility which causes the release of gas or hazardous liquids as required by Section 55-2208(1), Idaho Code.
- Failure to Participate. Any person who fails to participate or cooperate with a one-number notification service as required by Section 55-2206, Idaho Code.

- On the last page of the complaint form is where you mark what violation occurred.
- You must provide proof of any violation marked on this page.
- In this case the underground facility owner failed to locate its facility.

- Once the form is complete, you can either mail it to Idaho Division of Building Safety, 1090 E Watertower St, Ste 150, Meridian, ID 83642 or email it to dbs.dpbcomplaints@dbs.idaho.gov

Reminder:

- Make sure you include the proof of notification to the alleged violator, any documentation you would like to include to support the complaint and the three (3) page completed complaint form.

