

Crockford, Konrad S.

From: jerred.storms@gmail.com
Sent: Tuesday, December 31, 2024 12:55
To: Crockford, Konrad S.
Subject: RE: Complaint against Storms Construction Inc.

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MDU was contacted by Storms Construction on each occasion. The first strike, 911 was not called, I was on site, and coordinated my crew to contain the area as the wind was favorable. I also hand exposed the main in a safe area up stream to allow MDU to pinch off their line as soon as they arrived. The second strike, I was on vacation, and I had the guys call 911. I think they acted in a manner that I trained them in on the first strike. Tribal Fire contained the area by blocking off the street on both intersections the same as I directed my guys to do on this low traffic street the first time. The third strike was very small, and 911 was not notified.

From: Crockford, Konrad S. <kcrockford@nd.gov>
Sent: Tuesday, December 31, 2024 12:37 PM
To: Jerred Storms <jerred.storms@gmail.com>
Subject: RE: Complaint against Storms Construction Inc.

Good Afternoon Jared,

Thank you for your response to the One-Call complaints and your acknowledgement of the tardiness of the response.

After reviewing your response, I do have a few follow up questions:

1. For each incident, were notifications of the damage made to MDU by Storms Construction or was MDU notified by a customer?
2. For each incident, did Storms Construction contact 911 in response to the gas line strikes?

I would appreciate a response to these questions no later than 01-06-2025.

Thank you,

Konrad Crockford
Director, Compliance Division

*Weights & Measures • Railroad Safety • Pipeline Safety
Damage Prevention & Enforcement • Risk Management*

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From: Jerred Storms <jerred.storms@gmail.com>
Sent: Monday, December 30, 2024 20:52
To: Crockford, Konrad S. <kcrockford@nd.gov>
Subject: Complaint against Storms Construction Inc.

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Konrad,

I severely apologize for the late reply. Not that it is of value. This was mailed addressed to me at the Mandan office, and I work out of the Devils Lake office, and just received this. It was not known what it was, so the office simply held onto it until I went home this weekend for Christmas.

I am attempting to now read through this and decipher what it's about other than getting fined for stuff that was already billed and paid for.

I do agree that there was an instance that a line was hit after the 21 days. This should not have happened. I requested the area to be relocated. There was a different area less than a block away that was relocated by my office unbeknownst to me. In attempting to be kind and not blanket cover the entire area, only one was done at a time, and a mistake was made.

The second hit was in fact in the same location, and locate was good. My operator somehow hit the gas line that was already exposed to do work on the water main while backfilling. Something about a stupid torque wrench that was buried and he inadvertently dug through the gas main that he was fully aware was there in a futile attempt to save a 40.00 wrench. The third probe hit was in my opinion faulty pipe, but should not have happened. When the operator Josh came out to repair this service line, he also probed through it immediately after the first repair, and had to fix his probe hole.

We made every attempt to salvage marks in the time frame we were digging. This area was difficult to say the least. It is called by locals, "the Ghetto", for a reason. The only way we could keep marks visible for more than a day or two, we literally had to go around the entire project and pound feathers and stakes in to the ground where the paint was immediately after the locators were there.

There is never an excuse for hitting a line, especially hitting one more than once in the same spot. I can't say that we had the locates done at the correct times with the mistakes that were made.

I believe all the damages were already invoiced and paid as well.

There is another point I'd like to make. All of these gas mains were installed directly over the water main in this area. The easement is piggy backed. Over the past 2 years I've been attempting to alleviate this issue with the tribal utility commission, and the BIA. I was not aware of the reason for this issue until last year when I was planning the start of our Crow Hill water main, and the center line of our pipe was suppose to follow WBI Energy high pressure gas main. When I looked into it, the BIA issued the easement as a piggy back on the existing gas main easement. This explained why all the utilities on this reservation do in fact follow one another. They are all piggy backed easement.

To answer this unjustified complaint, we do not in any way shape or form condone hitting another utility when we are digging. Yes, mistakes were made that led to multiple hits. This was stupid, and uncalled

for, but everyone makes mistakes. When you are crossing multiple lines a day, even under perfect conditions, there is always a chance of something happening that damages a utility. The 2" gas main in question was exposed and dug around and under at least 7 times through the course of our work. It was directly over top of a water main tie in that we had to pressure test, disinfect, cap to isolate, and finally do a final tie in. If they don't want their gas line to be touched, maybe they should make certain they aren't directly over the top of another utility that's much deeper. Apparently they care not about this as they are on top, and this means they are more important. I can state for a fact that the water main was there first though. They should have made an attempt to make sure they weren't conflicting another utility when they installed it.

Let me know if I have to get my lawyers involved.

Thanks,

Jerred Storms
(701)527-5502

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