

CONSENT ORDER APPROVAL

CASE: 19-G-0345 - In the Matter of an Enforcement Proceeding Against The Engel Burman Group for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid.

Company Name: The Engel Burman Group  
(TEBG)

Principal Contact: Mr. Nick Masem

Address: 124 Atlantic Avenue  
Lynbrook, NY 11563

Alleged Code Violation: 753-3.1(a)(1)

Description of Violation: Failure to provide notice of intent to excavate to the one-call notification system

Date of Violation: December 13, 2018

Damaged Facility: 1-inch natural gas service

Date of NOPV: February 11, 2019

Response: Email correspondence on February 18, 2019; and an informal conference on February 19, 2019

Proposed Penalty: \$2,000

Circumstances

In an email correspondence on February 18, 2019, and during an informal conference on February 19, 2019, TEBG admitted that it failed to provide notice of intent to excavate to the one-call notification system prior to commencing mechanized excavation.

TEBG committed to taking corrective action and training, and was cooperative throughout the investigation.

Mitigating Factors to Support a Reduced Penalty

1. The Engel Burman Group has committed to take remedial actions to prevent re-occurrence and will complete a training session given by New York 811.
2. The Engel Burman Group was cooperative throughout the investigation and enforcement proceeding.