

CONSENT ORDER APPROVAL

CASE: 14-G-0346 In the Matter of an Enforcement Proceeding Against Laroche Construction for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Orange and Rockland Utilities, Inc..

Company Name: Laroche Construction (Laroche)

Principal Contact: Mr. Anthony Laroche

Address: PO Box 612
Greenwood Lake, NY 10925

Alleged Code
Violation(s): 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: August 6, 2012

Damaged Facilities: 1-inch plastic high-pressure natural gas service

Date of NOPV: April 19, 2013

Response: Letter received May 31, 2013

Proposed Penalty: \$500

Circumstances

Laroche stated that it believed the gas line was a "straight shot" from the original mark-out, provided over one-year prior, to the gas meter. Therefore, it did not believe it needed to provide notice of intent to excavate to the one-call notification system. Laroche has no prior violations, committed to taking corrective action and training, and was cooperative throughout the investigation.

Mitigating Factors to Support a Reduced Penalty

1. Laroche Construction has no history of prior violations.
2. Laroche Construction has committed to take remedial actions to prevent re-occurrence - it will complete a training session given by Dig Safely New York.
3. Laroche Construction was cooperative throughout the investigation and enforcement proceeding.