

**IOWA**  
**ONE CALL**

The Official Newsletter of Iowa One Call

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# Excavator

## QUARTERLY



|   |           |
|---|-----------|
| <b>What's Up Below</b>  | <b>01</b> |
| <b>The 2026 Iowa Excavation Safety Summit Recap</b>   | <b>05</b> |
| <b>Mark Your Calendar: 2026 ESAP Webinar – December 1st</b>   | <b>08</b> |
| <b>Recognizing Excellence: Excavator of the Year &amp; Locator of the Year Awards</b>               | <b>08</b> |
| <b>Building Safe Habits Early: Our Partnership with the Iowa Utilities Commission Youth Program</b> | <b>09</b> |
| <b>In the News</b>  | <b>10</b> |

# WHAT'S UP BELOW



## ATTORNEY GENERAL'S OFFICE FILES ONE CALL ENFORCEMENT ACTIONS IN FOUR COUNTIES

On January 27, 2026, Iowa Attorney General Brenna Bird announced that her office has filed three lawsuits against excavators in Boone, Woodbury, and Polk counties for alleged violations of Iowa's One Call Law – Iowa Code Chapter 480. The Attorney General is also seeking contempt of court against an excavator in Marion County for violating a prior consent decree issued in an earlier case involving violations of Iowa's One Call Law.

As a reminder to all stakeholders, Iowa Code Chapter 480 requires that anyone planning to engage in excavation must notify Iowa One Call (IOC) at least 48 hours (excluding the day of notice, Saturdays, Sundays, and legal holidays) before beginning the excavation. Underground facility operators must respond to notices transmitted from the IOC notification center and mark or "clear" their facilities within the required 48-hour period. Excavation should not begin until the legal start date and time reflected on the ticket, and all facilities in the area have been addressed.

**Note:** If all operators listed on a notice ("dig ticket") have officially statused the notice as "marked" or "clear" through Iowa One Call's positive response system prior to the expiration of the 48-hour notice period, excavation may begin at that time. Iowa One Call provides excavators who initiate a notice with an electronic copy of the positive response status for all operators on the ticket.

Similarly, if the 48-hour notice period has elapsed and one or more operators listed on the ticket have not responded, excavation may legally begin. However, it is strongly recommended that the excavator initiate a "No Response" notice with IOC and wait for the locating and marking to be completed, as this is the safest course of action, even though it is not specifically required by law.

Below is a summary of the reported enforcement actions:

### BOONE COUNTY

Keller Excavating placed a locate request and underground facilities were reportedly marked accurately. During excavation, the excavator struck a natural gas pipeline that had been clearly marked.

According to the Attorney General's release, the excavator did not hand-dig or otherwise visually expose the pipeline to determine its precise location prior to excavation. Keller Excavating has agreed to a \$5,000 civil penalty.



It is important for excavators to understand that failing to exercise due care when excavating is an enforceable violation of Iowa's One Call Law. Excavators must always

exercise due care to avoid damaging underground facilities, including maintaining reasonable clearance from marked lines and using potholing or other approved methods to visually expose facilities when excavation must cross, occur near, or take place within the marked area, or when required by the operator.

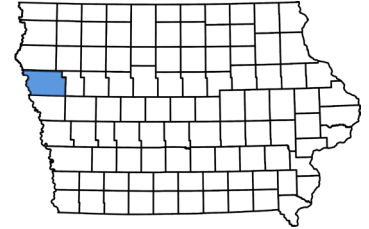
### WOODBURY COUNTY

The excavator, RP Constructors, placed a locate request. However, the electronic white lining polygon shown on the ticket was narrower than the written description in the “area to be marked” section.

As a result, certain underground facility operators did not receive notice of the excavation and did not have the opportunity to locate and mark their facilities.

The excavator failed to exercise due care and proceeded with excavation despite the presence of a clearly visible above-ground pipeline marker and the absence of yellow gas locate markings for that pipeline. RP Constructors has agreed to a \$5,000 civil penalty.

This matter highlights an important operational point: the written description and the mapped area must align. If they do not, not all affected operators may receive notice. Excavators should carefully review each notice before submitting it to ensure the written description and the mapped area accurately match.



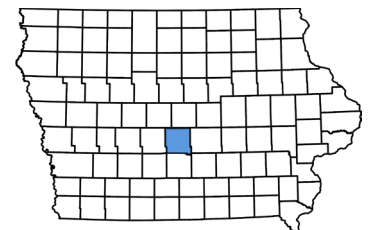
### POLK COUNTY

An excavator, Wood Duck Landscapes, placed a locate request with a legal start date of October 14, 2024. On October 10, 2024, prior to the expiration of the required 48-hour notice period and before all facilities had been located and marked, the excavator began removing landscaping blocks and conducting preliminary excavation.

During that work, the excavator struck and damaged an underground line that was mistakenly believed to be an irrigation pipe. The line was, in fact, a natural gas service line located near the residence’s above-ground gas meter (a clear visual indicator that a gas line was present). After the damage occurred, the excavator failed to notify the operator and appropriate authorities, as required by Iowa law.

The Attorney General's office has filed suit in this matter. The action requests:

- Civil penalties not to exceed \$10,000 per day per violation involving natural gas pipelines and up to \$1,000 per day per violation involving other underground facilities.
- A permanent injunction requiring the company to properly notify Iowa One Call before any non-emergency excavation and comply with all required notice and timing provisions.
- A permanent injunction prohibiting excavation outside the scope and schedule of a valid locate notice.
- A permanent injunction requiring prompt notification to facility owners if underground facilities are damaged.



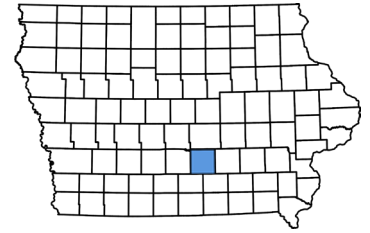
### MARION COUNTY

In April 2024, excavator Van Den Broek Concrete placed a locate request to remove and replace a residential driveway with a start date of April 15, 2024, at 8:00 a.m., but reportedly began excavation on April 13, 2024, before the expiration of the required 48-

hour notice period and before all facilities had been located and marked.

Van Den Broek Concrete has previously been cited for one call violations in 2021 and 2023 and has paid \$22,000 in penalties.

Because of prior violations and an existing consent decree prohibiting future violations, the Attorney General is seeking contempt of court for repeated failure to comply with Iowa's "One Call" Statute, Iowa Code Chapter 480.



Stakeholders should be aware that, in addition to seeking civil penalties in these types of legal proceedings, the Attorney General's Office typically also seeks a permanent injunction prohibiting future violations of Iowa's One Call Law

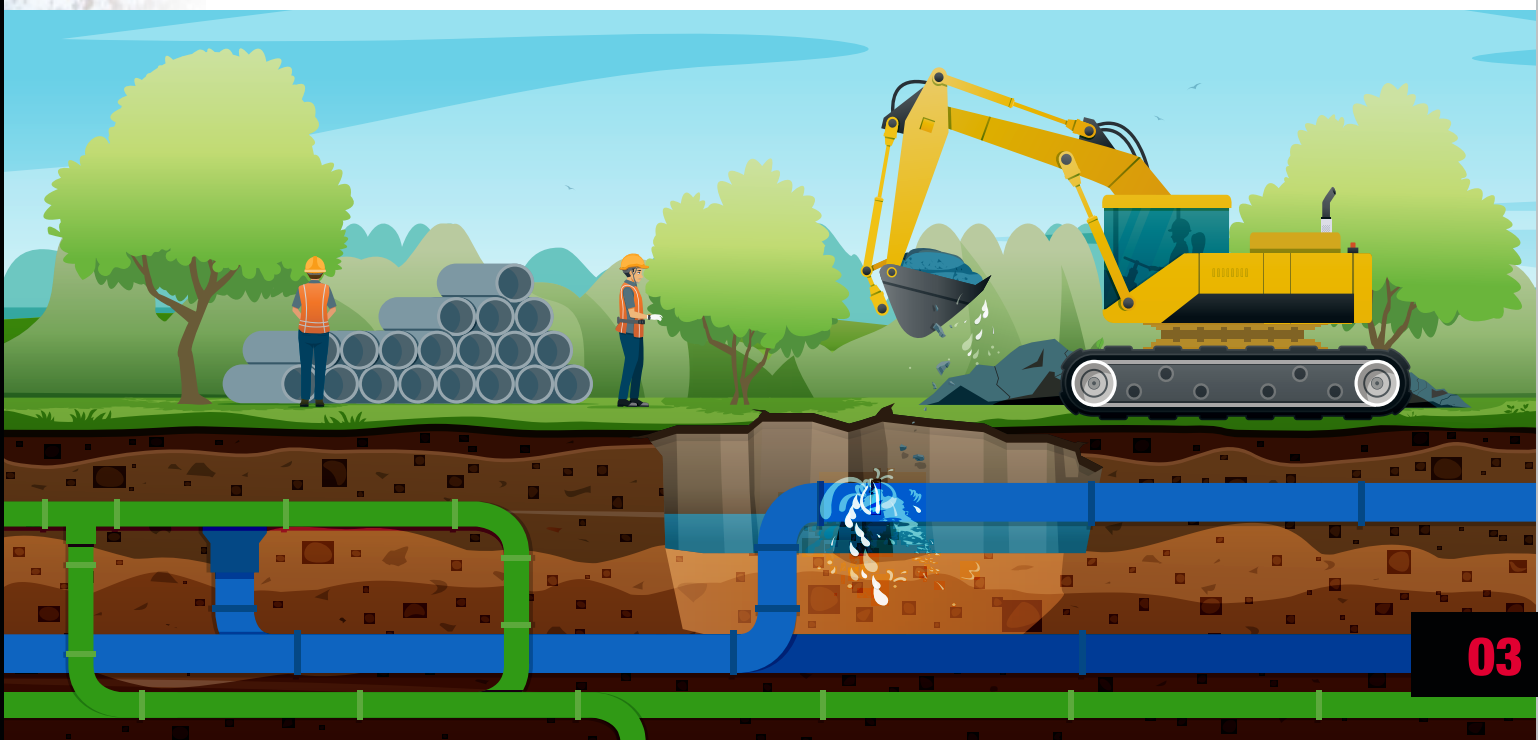
A court-ordered injunction is not merely advisory—it is a binding court order. If a party later disregards that order and commits additional violations, the Attorney General may seek a finding of contempt of court. Contempt is a serious legal matter. Depending on the circumstances, sanctions may include additional monetary penalties and, in some cases, the possibility of jail time as determined by the court.

### **CIVIL PENALTIES UNDER IOWA CODE §480.6**

Iowa Code Section 480.6 outlines the civil penalties associated with violations:

- Natural gas and hazardous liquid pipelines: Up to \$10,000 per violation, per day, up to a maximum of \$500,000.
- All other underground facilities: Up to \$1,000 per violation, per day, up to a maximum of \$20,000.
- Locator time-limit violations: If a locator fails to meet statutory time requirements and a complaint is filed, the Attorney General may assess a civil penalty of up to \$100 per violation, per day, up to a maximum of \$5,000. If the locator is employed by an operator, the operator may be assessed the penalty.

Under §480.6, upon receipt of a complaint, the Attorney General may initiate legal proceedings to enforce the penalty provisions. At the Attorney General's direction, the Iowa Utilities Commission (IUC) investigates violations and submits a written summary and evidence. The IUC may also independently receive and investigate complaints involving locators.



In addition to civil penalties, Iowa Code §480.7 allows any affected person to apply to district court for injunctive relief from a violation of Chapter 480. An injunction is a court order requiring a party to stop violating the law or to comply with its requirements.

This means enforcement is not limited to monetary penalties. Courts may order compliance where ongoing or repeated violations occur.

### KEY TAKEAWAYS FOR STAKEHOLDERS



#### FOR EXCAVATORS:

- Always exercise due care when excavating to avoid damaging underground facilities, and pay close attention to visual indicators such as above-ground transformers, meters, pedestals, vaults, junction points, and warning signs.
- Do not begin excavation before the legal start date and time listed on the ticket.
- Ensure the written description in a notice (ticket) aligns with the digital map, and/or electronic white lining map.
- Hand-dig or use nondestructive methods to safely expose (“pothole”) underground facilities when required.
- Do not assume the identity of an unmarked facility.
- If an underground facility is struck, notify the operator as soon as practical and call 911 in the event of an emergency.
- Adhere to any court-ordered injunctions or consent decrees.
- Excavators must respond to a locator’s attempts to make contact.



#### FOR OPERATORS AND LOCATORS:

- Adhere to positive response requirements by completing locate tickets within the required 48-hour period and updating Iowa One Call with the appropriate ticket status (locator time-limit violations may result in civil penalties).
- A locate ticket is considered complete when marking has been performed or the ticket has been properly cleared (no conflict).
- Contact the excavator if additional information or action is needed to complete locating and marking, using the designated contact number listed on the ticket.
- Failure by an excavator to respond to a locator’s reasonable attempts to make contact may result in a final ticket status of “Lack of Response by the Excavator.”
- Locators seeking an alternative marking agreement must obtain the excavator’s mutual agreement; leaving a voicemail or message alone does not constitute an agreement.

In summary, these recent enforcement actions serve as a reminder that compliance with Iowa’s One Call Law is taken seriously. Excavators, locators, and operators each play a critical role in damage prevention, and adherence to Iowa Code Chapter 480 helps protect public safety and underground infrastructure across the state.

Iowa One Call remains committed to excavation safety and underground damage prevention through the operation of its 24/7 notification center and the continued development and maintenance of programs, processes, and tools designed to support an efficient and effective notification system for all stakeholders.



# LOOKING AHEAD — IOWA EXCAVATION SAFETY SUMMIT

Let's just start with the numbers, because they tell a story all on their own.

The first ever Iowa Excavation Safety Summit took place in November of 2024 and drew in approximately 563 attendees, which, at the time, felt like a fantastic turnout for a brand new event. Fast forward to January 29, 2026—we had more than 875 people walk through those very same doors of the Jacobson Center at the Iowa State Fairgrounds. Out of 1,128 pre-registered, more than 875 showed up. That's not a fluke. That is an industry coming together for a greater purpose, and it was felt in every corner of that building.



When we decided to shift the summit from November to January, the hope was that it would open the door for more people to attend. We had no idea it would look like that.

The venue itself was buzzing all day. Forty-one exhibitors and sponsors lined the floor, roughly 225 organizations were represented among those in attendance, and Iowa One Call's very own Ben Booth was at the helm as moderator alongside co-moderator Jackie Schmillen—yes, the same Jackie Schmillen you may recognize from the Iowa Wild. They kept the day moving with tons of energy and just made it look too easy.

The speaker lineup was genuinely one of the best parts of the day. Iowa Assistant Attorney General Jacob Larson opened things up talking about the role of the AG's office as it relates to Chapter 480 and recent enforcement actions—the kind of real-world context that reminds everyone in the room why this safety stuff really matters. Travis Beran, President of Subsurface Solutions, took a—let's just say—different approach and turned his session into a game of “Who Wants to Be a Locator?” walking the audience through what it actually takes to be a locator and how utility locating works in practice. It was one of those presentations that was equal parts entertaining and genuinely educational. Iowa State Trooper Robert Wittkowski covered DOT requirements for commercial vehicle operation, providing information that is relevant to a lot of people in this industry and not always easy to find in one place. Mark Woodward of Sellenriek Companies spoke about what an active approach to workplace safety actually looks like in practice, not just in theory. And our keynote speaker Aaron Putze spoke about the power of strong person-to-person connections and the real impact they can have on both safety and





success out in the field. A message we know that stuck with a lot of folks.

Then there was everything else: a game of “Who Wants to Be a Millionaire?” where contestants had their chance to win up to \$1,000, an excavator rodeo with its own cash prizes, a card game that had attendees collecting cards through meaningful conversations with exhibitors, which they then used to compete in a best-hand showdown for some prizes. Not to mention tool giveaways and much more!

And of course, the presentation of the Excavator of the Year and Locator of the Year awards to two individuals who have earned every bit of that recognition.

It was a full day. A really, really good full day.

And none of it happens without the exhibitors and sponsors who invest in this event. None of it matters without the people who show up ready to engage. To everyone who was part of the 2026 summit, thank you! YOU made it a success.

We are already looking ahead to 2027, tentatively planned for **January 28 at the Varied Industries Building at the Iowa State Fairgrounds**. We'd love to see you there. Visit [iowasafetysummit.com](http://iowasafetysummit.com) for updates as they become available.



Check out the 2026 Iowa Safety Summit recap video at [iowasafetysummit.com](http://iowasafetysummit.com)!

# INTRODUCING THE Safe Excavator App



State laws pertaining to excavation (or digging) vary – and finding the specific information you're looking for quickly can be a challenge.

The **Safe Excavator App** makes it easy to find state-specific excavation information including the following requirements or events:

- ▼ Advance notice or wait time
- ▼ Pre-marking ('whitelining')
- ▼ 811 ticket information
- ▼ Names of local enforcement agencies and 811 call centers, also connecting you electronically to submit a locate request
- ▼ Includes safe digging tips + checklist

PLEASE CONTACT  
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WITH ANY QUESTIONS.

  
**National  
Excavator  
Initiative**  
*Safety always.*

FREE to download in the App store (Apple) and Google Play (Android)

Search "safe excavator" or "safeexcavator" and look for the orange shovel



As simple as...  
**1...2...3!**

- 1**  
Select a state
- 2**  
Pick an activity
- 3**  
Research your topic



[www.safeexcavator.com](http://www.safeexcavator.com)



Know what's below.  
**811 before you dig.**

The National Excavator Initiative is an effort to raise the awareness of a critically important program: 811.

Contacting 811 before digging is the single most critical action an excavator can take to help ensure their health and safety are protected, while at the same time preventing financial harm and environmental impact.



# MARK YOUR CALENDAR

## 2026 ESAP WEBINAR – DECEMBER 1ST

The 2026 Excavation Safety Awareness Program Webinar is set for Tuesday, December 1st, and we are excited about this one! This year's webinar will center around the new two-way communication system – why it exists, how it works, and why it matters for everyone involved in the ticketing process. This is a topic that truly does affect everyone at all levels of the ticketing process, and we want to make sure people have access to the information they need to understand it and use it well.



More details will be coming as we get closer to the date, so stay tuned. In the meantime, save the date! December 1st! Make sure you don't miss!



# RECOGNIZING EXCELLENCE: EXCAVATOR OF THE YEAR & LOCATOR OF THE YEAR AWARDS



Each year as we work through the planning process for the Excavation Safety Summit, one of the most meaningful conversations we have is about the people doing the hard work in the field every single day. To honor that dedication, we introduced a public nomination process for two prestigious recognitions: Excavator of the Year and Locator of the Year.

These awards were created to give the industry, as a whole, a voice in celebrating individuals who have demonstrated exceptional performance, professionalism, and commitment to safe, quality work in the field. During the summit planning cycle, we open a public nomination form where anyone—colleagues, supervisors, contractors, or industry partners—can submit the name of someone they believe deserves to be recognized. Those selected are then honored at the forthcoming Excavation Safety Summit in front of their peers, making for one of the most anticipated moments of the event.

Well, we have decided to make a significant change to how nominations are collected. Rather than limiting submissions to a specific window tied to summit planning, nominations will now be open year-round. This means that when you witness outstanding work in the field, you no longer have to wait or risk forgetting to submit that person's name when the window opens. You can act on it right then and there. We believe this change will lead to a more diverse and robust pool of nominees and ensure that truly deserving individuals don't slip through the cracks simply due to timing.

If you know someone who exemplifies what it means to be a top-tier excavator or locator, we encourage you to take a few minutes to submit their name. Nominations can be submitted [HERE](#). The form is straightforward and only takes a few minutes to complete.

**Great work deserves to be recognized!**



# BUILDING SAFE HABITS EARLY

## OUR PARTNERSHIP WITH THE IOWA UTILITIES COMMISSION YOUTH PROGRAM

One of the most exciting developments in our community outreach efforts has been the creation of a youth education program by the Iowa Utilities Commission, and we are proud to say we have partnered with them on it. The program is designed to bring the message of safe digging practices directly into the classroom, introducing elementary-aged students to the importance of contacting Iowa One Call before digging, understanding underground utilities, and learning why these practices matter for the safety of their communities.

It might seem a little early to be talking to young kids about dig safety, but the logic is simple: the habits and awareness we build early tend to stick. By reaching students at the elementary level, we have an opportunity to plant seeds that grow into a culture of safety long before these kids ever step foot on a job site or pick up a shovel.

In 2025, the program made its debut in two school districts, **Baxter** and **Collins-Maxwell**. By all accounts, the response has been fantastic, and it reinforces just how receptive young students can be when important topics are presented in an engaging way.

But the momentum doesn't stop there. We already have additional schools lined up for 2026, and the goal is to reach **five to eight schools per year** as the program continues to grow. Each school visit is an opportunity to connect with a new group of future community members, homeowners, and perhaps even future industry leaders—all of whom will carry these lessons with them.

We are genuinely excited about where this program is headed and grateful to the Iowa Utilities Commission for their vision in creating it.



# IN THE NEWS



*Local Excavation and Safety News From Around the Web*




## National Safe Digging Month Stresses Importance of Utility Locate Tickets Before Digging

*iuc.iowa.gov*

An estimated 60 million American households plan to undertake an outdoor digging project in the next year, according to Common Ground Alliance, but roughly one in six homeowners are likely to not have their underground utilities located before that work begins.

In Iowa, contacting 811 to have underground utilities marked before starting an excavation project is the law — and not submitting a locate ticket can damage utilities or lead to serious injury or death.

The Iowa Utilities Commission joins the National Association of Regulatory Utility Commissioners (NARUC) in recognizing April as National Safe Digging Month, and the IUC reminds Iowans to submit an Iowa One Call ticket at least 48 hours before starting a digging project — whether planting a tree, installing fence posts or mailboxes, or tackling major construction.... [\[Learn More\]](#)

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