



**TIM GRIFFIN**  
ATTORNEY GENERAL

May 9, 2024

The Honorable Terry Rice  
The Honorable Jeff Wardlaw  
Arkansas Legislative Council  
1 Capitol Mall  
Little Rock, AR 72201

***RE: Quarterly Report – Arkansas Underground Facilities Damage Prevention Act***

Dear Co-Chairs Rice and Wardlaw:

In accordance with Arkansas Code Annotated § 14-271-104(g), I submit this quarterly report for review by the Arkansas Legislative Council. This report covers the period from January 1, 2024, through March 31, 2024.

Act 309 of 2023, which amended the Arkansas Underground Facilities Damage Prevention Act (the “AUFDP”), was enacted with an emergency clause on March 24, 2023. That legislation requires, among other things that my office report (1) the number of complaints submitted under the AUFDP; (2) the number of the submitted complaints that were settled or prosecuted; and (3) the amount of fines collected during the previous quarter.

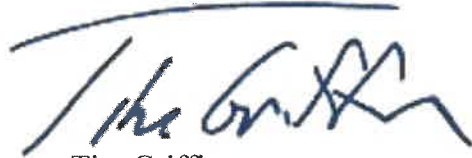
From January 1, 2024, to March 31, 2024, my office mailed 40 letters to excavators notifying them that my office received complaints that they violated the AUFDP. In these letters, I requested that they voluntarily undergo training in underground facilities damage prevention offered by the One Call Center as required by the AUFDP. From January 1, 2024, to March 31, 2024, the One Call Center has confirmed that 31 excavators have completed the training. My office continues to follow up with the excavators that have not completed the training or that have not responded to the letters. During this quarter, my office continued its investigations of excavators with multiple alleged violations of the AUFDP. Those investigations are ongoing, and we have not collected any fines.

Finally, from January 1, 2024, to March 31, 2024, my office has received 49 complaints against excavators, compared to the 77 complaints in the prior quarter. We have also received eight complaints against companies, which allege that they did not timely mark underground facilities. My office will continue to work closely with the One Call Center to ensure that we are putting forth our best effort to enforce the AUFDP.

The Honorable Terry Rice  
The Honorable Jeff Wardlaw  
Arkansas Legislative Council  
May 2, 2024  
Page 2

If you have questions or concerns, please do not hesitate to contact me at (501) 837-5190.  
With best regards, I am

Very truly yours

A handwritten signature in blue ink, appearing to read 'Tim Griffin', with a long horizontal line above it.

Tim Griffin

CC: Scott Bowman, Chief Executive Officer, Arkansas One Call Center (811)  
Danni Hoefler, Chief of Staff, Arkansas Public Service Commission  
Michael Marchand, Executive Director, Arkansas Public Service Commission  
Jason Donham, Pipeline Safety Program Manager, Arkansas Public Service Commission