

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2004-1318-WQ-E TCEQ ID: RN100733138 CASE NO.: 18892
RESPONDENT NAME: FORT WORTH EXCAVATING, INC.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 5265 Shelby Road, Fort Worth, Tarrant County</p> <p>TYPE OF OPERATION: surface mining operation</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 21, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873 TCEQ Enforcement Coordinator: Mr. Craig Fleming, Air Enforcement Section, MC 149, (512) 2395806 TCEQ Regional Contact: Mr. Sid Slocum, DFW Regional Office, MC R-4, (817) 588-5901 Respondent: Mr. Frank Stegient, President, Fort Worth Excavating, Inc., 5265 Shelby Road, Fort Worth, Texas 76140 Respondent's Attorney: Mr. Lane Odom, Berry, Odom & Rabinowitz, LLP., 611 9th Avenue, Fort Worth, Texas 76104</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: May 27, 2004</p> <p>Date of NOE Relating to this Case: August 9, 2004</p> <p>Background Facts: This case was originally referred to the Litigation Division on March 1, 2005. It was referred back to the Enforcement Division for further case development, and sent back to Litigation on March 28, 2007. The EDPRP was filed on July 25, 2007. Settlement was achieved and a signed Agreed Order with penalty payment was received on or about November 30, 2007.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p>WQ:</p> <p>Failed to obtain authorization to discharge storm water associated with industrial activity to water in the state through an individual permit or the Multi-Sector General Permit [30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(a)].</p>	<p>Total Assessed: \$3,210</p> <p>Total Deferred: \$0</p> <p>Total Paid to General Revenue: \$3,210</p> <p>The Respondent has paid the assessed penalty in full.</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Technical Requirements:</p> <p>The Respondent shall:</p> <ol style="list-style-type: none"> 1. Within 30 days develop and implement a storm water pollution prevention plan, in accordance with the requirements of Texas Pollutant Discharge Elimination System general permit TXR05000; and 2. Within 30 days submit an administratively complete Notice of Intent for authorization to discharge under Texas Pollution Discharge Elimination System general permit TXR05000. <p>Since the order was signed, Respondent has completed the Technical Requirements and is now in compliance.</p>



Policy Revision 2 (September 2002)

PCW Revision May 17, 2004

Penalty Calculation Worksheet (PCW)

DATES

PCW Screening Priority Due EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent
 Reg. Ent. Ref. No.
 Additional ID No(s).
 Facility/Site Region Major/Minor Source

CASE INFORMATION

Enf./Case ID No. No. of Violations
 Docket No. Order Type
 Case Priority Enf. Coordinator
 Media Program(s) EC's Team
 Multi-Media
 Admin. Penalty \$ Limit Minimum Maximum

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 7% Enhancement Subtotals 2, 3, & 7

Notes

Culpability No 0% Enhancement Subtotal 4

Notes

Good Faith Effort to Comply 0% Reduction Subtotal 5

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	<i>(mark with a small x)</i>

Notes

Economic Benefit 0% Enhancement* Subtotal 6

Total EB Amounts *Capped at the Total EB \$ Amount
 Approx. Cost of Compliance

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL 0% Reduction Adjustment

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Inc. WQ\FortWorthLitigation\PCWRevisedonOctober29,2007_1.qpw
 Screening Date 23-Aug-2004 Docket No. 2004-1318-WQ-E PCW
 Respondent Fort Worth Excavating, Inc. Policy Revision 2 (September 2002)
 Case ID No. 18892 PCW Revision May 17, 2004

Reg. Ent. Reference No. RN100733138

Additional ID No(s) 0

Media [Statute] Water Quality

Enf. Coordinator J. Craig Fleming

Site Address 5265 Shelby Road, Fort Worth, Tarrant County, Texas.

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 7%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes Adjustment made for one NOV dated August 28, 2003 with same or similar violations and one NOV dated April 20, 2004 with unsimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 7%

Respondent Fort Worth Excavating, Inc.

Policy Revision 2 (September 2002)

Case ID No. 18892

PCW Revision May 17, 2004

Reg. Ent. Reference No. RN100733138

Additional ID No(s). 0

Media [Statute] Water Quality

Enf. Coordinator J. Craig Fleming

Violation Number 1

Primary Rule Cite(s) 30 Tex. Admin. Code § 281.25(a)(4) and 40 Code of Federal Regulations § 122.26(a)
 Secondary Rule Cite(s)

Violation Description Failed to obtain authorization to discharge storm water associated with industrial activity to water in the state through an individual permit or the Multi-Sector General Permit as documented during investigations conducted on May 27, 2004.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent
	Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			10%

Matrix Notes 100% of the rule requirement was not met.

Adjustment -\$9,000

Base Penalty Subtotal \$1,000

Violation Events

Number of Violation Events 3

mark only one use a small x	daily	
	monthly	X
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,000

Three (3) monthly events are recommended based on the May 27, 2004 investigation date to the August 23, 2004 screening date to make the penalty commensurate with the situation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$181

Violation Final Penalty Total \$3,210

This violation Final Assessed Penalty (adjusted for limits) \$3,210

Economic Benefit Worksheet

Respondent Fort Worth Excavating, Inc.
 Case ID No. 18892
 Reg. Ent. Reference No. RN100733138
 Additional ID No(s). 0
 Media [Statute] Water Quality
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$2,000	28-Aug-2003	19-Jun-2005	1.8	\$181	n/a	\$181
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost of submitting the Notice of Intent and to prepare a Storm Water Pollution Prevention Plan. Date Required is the earliest documented date of the violation; Final Date is expected date of compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$2,000**

TOTAL \$181

Compliance History

Customer/Respondent/Owner-Operator:	CN600419923 FORT WORTH EXCAVATING INC	Classification: AVERAGE	Rating: 4.000
Regulated Entity:	RN100733138 FORT WORTH EXCAVATING INC	Classification: AVERAGE	Site Rating: 5.00
ID Number(s):	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	TA1189L
Location:	5265 SHELBY RD, FORT WORTH, TX, 76140	Rating Date: 9/1/04	Repeat Violator: NO
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	September 08, 2004		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 17, 1999 to August 17, 2004		

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Chris Miller Phone: 325-698-6136

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- | | | | |
|---|------------|----------|--|
| 1 | 08/09/2004 | (287556) | |
|---|------------|----------|--|
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- | | | | |
|--------------|---|----------|--|
| Date: | 04/20/2004 | (266524) | |
| Self Report? | NO | | |
| Citation: | 30 TAC Chapter 328, SubChapter A 328.5(b)[G] | | |
| Description: | Failure to submit a core data form and a notice of intent prior to conducting recycling activities. | | |
| | Classification: Minor | | |
| Self Report? | NO | | |
| Citation: | 30 TAC Chapter 328, SubChapter A 328.2(5)(C)(f) | | |
| Description: | Failure to maintain documentation on the amount of metals being recycled. | | |
| | Classification: Minor | | |
| Self Report? | NO | | |
| Citation: | 30 TAC Chapter 330, SubChapter A 330.4(f) | | |
| Description: | Failure to prevent unauthorized waste from being disposed in a clean fill site. | | |
| | Classification: Minor | | |
| Self Report? | NO | | |
| Citation: | 30 TAC Chapter 328, SubChapter A 328.5(e) | | |
| Description: | Failure to prepare and maintain a fire prevention and suppression plan. | | |
| Date: | 08/28/2003 | (149503) | |
| Self Report? | NO | | |
| Citation: | 30 TAC Chapter 281, SubChapter A 281.25(a)(4) | | |
| Description: | Failure to obtain authorization to discharge storm water associated with industrial activity. | | |
| | Classification: Major | | |
- F. Environmental audits.
N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

5. An administrative penalty in the amount of three thousand two hundred and ten dollars (\$3,210.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). FWE has paid three thousand two hundred and ten dollars (\$3,210.00) of the administrative penalty.
7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
3. The Executive Director of the TCEQ and FWE have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that FWE has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

1. FWE is alleged to have violated 30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(a) by failing to obtain authorization to discharge storm water associated with industrial activity to water in the state through an individual permit or the Multi-Sector General Permit, as documented on May 27, 2004.

III. DENIALS

FWE generally denies each allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that FWE pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and FWE's

compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Fort Worth Excavating, Inc., Docket No. 2004-1318-WQ-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2 FWE shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order, Fort Worth Excavating shall:
 - i. Develop and implement a storm water pollution prevention plan, in accordance with the requirements of Texas Pollutant Discharge Elimination System general permit TXR050000; and
 - ii. Submit an administratively complete Notice of Intent for authorization to discharge under Texas Pollution Discharge Elimination System general permit TXR050000 to:

Texas Commission on Environmental Quality
Storm Water & General Permits Team, MC 228
P.O. Box 13087
Austin, Texas 78711-3087

- b. Within 90 days after the effective date of this Agreed Order, Fort Worth Excavating shall submit written certification that the Storm Water Permit has been obtained or cease operations until such permit is obtained. The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather

and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Copies of documentation necessary to demonstrate compliance with these Ordering Provisions shall be mailed to:

Work Leader
Team 1, Section V
Enforcement Division, MC 224
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

With a copy to:

Mr. Sid Slocum, Manager
Water Section
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

- 3 The provisions of this Agreed Order shall apply to and be binding upon FWE. FWE is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4 If FWE fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, FWE's failure to comply is not a violation of this Agreed Order. FWE shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. FWE shall notify the Executive Director within seven days after FWE becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5 The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and

substantiated showing of good cause. All requests for extensions by FWE shall be made in writing to the Executive Director. Extensions are not effective until FWE receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

5. This Agreed Order, issued by the Commission, shall not be admissible against FWE in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
3. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to FWE, or three days after the date on which the Commission mails notice of the Order to FWE, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Fort Worth Excavating, Inc.
 TCEQ Docket No. 2004-1318-WQ-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

 For the Commission

Bryson Penland

7/25/08

 For the Executive Director

 Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that Fort Worth Excavating, Inc.'s failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on Fort Worth Excavating, Inc.'s compliance history;
- Greater scrutiny of any permit applications submitted by Fort Worth Excavating, Inc.;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against Fort Worth Excavating, Inc.;
- Automatic referral to the Attorney General's Office of any future enforcement actions against Fort Worth Excavating, Inc.; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Frank Stegiant

 Signature

11-27-07

 Date

Frank Stegiant

 Name (Printed or typed)

Pres.

 Title

Authorized representative of
 Fort Worth Excavating, Inc.