

## Fresno County, PG&E face legal complaints over gun range explosion

By Marc Benjamin



A fireball erupts after a large gas pipeline exploded at a gun range in Fresno on April 17..

KEVIN LING — VIA ASSOCIATED PRESS

- Injury update

Seven people remain hospitalized at Community Regional Medical Center after the gas line explosion .

One Fresno County Jail inmate has returned to Community Regional for treatment and is listed in stable condition. He was one of the victims who initially went to Madera Community Hospital and was later transported back to the jail.

Three jail inmates are listed in critical but stable condition; one jail inmate is listed in critical condition; one jail inmate is listed in serious but stable condition. In addition, the Fresno County public works employee driving the tractor when the explosion occurred is listed in critical condition.

- *Claims seek in excess of \$650,000 from the county.*
- *Unlimited damages are sought from PG&E.*
- *PG&E and Fresno County could both be responsible.*

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An attorney for a Fresno County Jail inmate injured in last week's fiery gas line explosion filed a legal complaint on Wednesday against [Pacific Gas & Electric](#) in Fresno County Superior Court and a claim for damages against Fresno County.

The claim and complaint, both precursors to lawsuits, say that PG&E and [Fresno County](#) had some level of responsibility for the explosion Friday at the Fresno County Sheriff's Foundation shooting range that injured 13, including seven who are still hospitalized.

"PG&E has the duty to maintain the pipeline in a safe condition and inspect it properly and in a timely way," said Fresno lawyer Butch Wagner, who is representing inmate Sam Ouk in the civil claims. "Having that pipeline on that property, it has to be buried at a certain depth, but as we know, the ground moves and soil moves, and they have to be aware what's happening to the ground above their pipeline."

The unlimited damages complaint said that "PG&E negligently manufactured, designed, installed and maintained a natural gas pipeline on the ... property." Those failures, Wagner said, resulted in the explosion that severely burned Ouk.

He is seeking damages in excess of \$650,000. Wagner said Ouk's injuries were less severe than other victims, but he was burned on his neck, face, head and right arm. The damages include medical expenses, pain and suffering, lost wages and emotional distress.

Fresno County Counsel Dan Cederborg said he had no comment on the claim.

PG&E spokesman Denny Boyles said he could not comment on "pending litigation."

Last week's explosion and fire injured two deputies, members of an inmate work crew and a county employee who was driving a loader at the range in the area of the pipeline. Fresno County Sheriff Margaret Mims said the inmate crew was building up berms and doing other maintenance. Deputies saw the loader on a road behind the berms just before the explosion. Mims said the driver had not been digging but was smoothing out dirt.

Ouk, who was part of the inmate work crew, has been in jail since December on a stolen vehicle charge. His release date is June 9, according Fresno County Jail records.

The county, the claim said, failed in its duty to "properly train and supervise one or more of its employees on the

proper use of (equipment) that allegedly came into contact with the PG&E gas line, causing it to explode.” The claim also said the county failed to notify PG&E that work was going to occur in the area of the pipeline.

“He was apparently moving dirt around and not digging,” said Wagner. “If he’s not digging and the explosion occurs, the greater percentage of fault is probably on PG&E. If the county employee is digging, then the county has an obligation to call PG&E or another regulatory agency to notify them they were digging.”

It’s possible both PG&E and the county could be at fault, Wagner said.

Fresno County will have to reject the claim before a lawsuit is filed. The county has six months from the date of the claim’s filing to reject it.

The explosion and fire remain under investigation by California Public Utilities Commission, PG&E, Fresno County Sheriff’s Office and Fresno Fire Department.

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