



## Pipeline Safety Division Investigation Report

### Investigation regarding: Mitchell & Stark Construction

UPPAC Database Record ID: 1582

Investigator: Howard Friend

Telephone: 317-232-2717

Report Date: 01/10/2012

Damage Date: 08/20/2010

Damage Address: 197 N Jackson Street

City: Medora

County: Jackson

### The Parties

Excavator: **Mitchell & Stark Construction**

Contact: Fred C. Harrison, President

Address: P.o. Box 219, 170 W 1st Street, Medora, In 47260

Telephone: 812-966-2151

Facility Owner: Midwest Natural Gas Corporation

Contact: Arthur Campbell

Address: 107 SE Third Street, Washington, IN 47501-0520

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

## **Investigation regarding: Mitchell & Stark Construction**

UPPAC Database Record ID: 1582

### **Damage Impact**

Product release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$272

### **Excavator Activities/Cause of damage information:**

Excavator request locates: No    Indiana 811 ticket Number:

Type of Equipment: Auger

Type of work performed: Bldg. Construction

**Synopsis:** Damage to a 5/8" plastic natural gas service occurred during work to install fencing for a secure fuel storage containment area.

**Findings:** Reported by operator, excavator responded to initial notice on or about 10/26/2011. This work was done on the excavator's business property in response to an earlier break-in and theft and discharge of diesel fuel, however, they failed to request locates on the property.

**Conclusion:** There was a failure to request that underground facilities on the property be located prior to beginning work.

**Violation: IC 8-1-26-16(g): Failure to provide notice of excavation.**

**Mitchell & Stark Construction** currently has 7 reports of damages in the record, between 10/12/2009 and 11/16/2011.

NO

LOCATE

TICKET

PROVIDED

# INFORMATION REQUEST

## Pipeline Safety Division Indiana Utility Regulatory Commission

The Pipeline Safety Division of the Indiana Utility Regulatory Commission requests any and all information you can provide regarding the following criteria:

### **The Parties:**

Pipeline Division Case No. 1582

#### **Excavator Information:**

Business Name: Mitchell & Stark

Responsible Party Personal Name: N/A

Title (if any): N/A

Address: P.O. Box 219

City, State, Zip: Medora, IN 47260

Preferred Telephone: (812) 966-2151

Cell Phone Number: N/A

Email Address: N/A

#### **Facility Information:**

Business Name: Midwest Natural Gas Corp.

Responsible Party Personal Name: Terry Shafer

Title (if any): Regional Area Manager Scottsburg District

Address: 1652 W. McClain Ave. P.O. Box 707

City, State, Zip: Scottsburg, IN 47170

Preferred Telephone: (812) 752-2230

Cell Phone Number: (812) 595-0633

Email Address: [tshafer@midnatgas.com](mailto:tshafer@midnatgas.com)

#### **Locator Service Information:**

Business Name: Midwest Natural Gas Corp.

Responsible Party Personal Name: Donnie Douglas

Title (if any): Service Technician

Address: 1652 W. McClain Ave. P.O. Box 707

City, State, Zip: Scottsburg, IN 47170

Preferred Telephone: (812) 752-2230

Cell Phone Number: (812) 595-0633

Email Address: N/A

**Other (Witness, Police, Fire, Other) Information:**

Personal Contact: N/A

Business/Organization Name: N/A

Title (if any) N/A

Address: N/A

City, State, Zip: N/A

Preferred Telephone: N/A

Secondary Telephone: N/A

Email Address: N/A

**Utility Line Impact:**

**Product Type (circle one):**

- Natural Gas
- Liquid Pipeline
- Unknown/Other

**Facility Type (Circle One):**

- Distribution
- Gathering
- Service/Drop
- Transmission
- Unknown/ Other

**Size (Diameter/etc.):**

5/8" PE

**Pressure (PSIG/Inches):**

50#

**Interruption in Service:**

Yes

No

**Number of Customers Affected:**

1

**Evacuation:**

Yes

No

**If yes, How Many Evacuated?**

                    

**Repair Cost (if know):**

\$

N/A

**Cause of Damage Information:**

**Type of Equipment (circle one):**

- Auger
- Backhoe/Trackhoe
- Boring/Drilling
- Directional Drilling
- Explosives
- Farm Equipment
- Grader/Scraper
- Hand Tools
- Milling Equipment
- Probing Device
- Trencher
- Vacuum Equipment
- Unknown/Other

**Type of work performed (circle one):**

- Agriculture
- Cable TV
- Curb/Sidewalk
- Bldg. Construction**
- Bldg. Demolition
- Drainage
- Driveway
- Electric
- Engineering/Surveying
- Fencing
- Grading
- Irrigation
- Landscaping
- Liquid Pipeline
- Milling
- Natural Gas
- Pole
- Public Transit Authority
- Railroad Maintenance
- Road Work
- Sewer (Sanitary/Storm)
- Site Development
- Steam
- Storm Drain/Culvert
- Street Light
- Telecommunications
- Traffic Signal
- Traffic Sign
- Water
- Waterway Improvement
- Unknown/Other

Release of Product:            **Yes**            No  
Ignition and/or Fire:            Yes            **No**  
Excavator Notify 811:            Yes            **No**

**Locate Information:**

**Excavator Request Locate:**            Yes            **No**  
**Indiana 811 Locate Ticket Number:**            **N/A**  
**Locate Marks Visible:**            Yes            **No**  
**Locate Marks Correct:**            Yes            No  
**Excavator "White Lined":**            Yes            **No**  
**Maps Used to Mark Facilities:**            Yes            No





**Mitchell & Stark Construction Co., Inc.**  
**Engineers and Contractors**

P.O. Box 219 • 170 West First Street  
Medora, IN 47260  
Phone: (812) 966-2151  
Fax: (812) 966-2862

October 20, 2011

Mr. William Boyd  
Director, Pipeline Safety Division  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 E  
Indianapolis, IN 46204

Dear Mr. Boyd:

Attached is our response to your Notice of Preliminary Determination of Violation for your inquiry referenced to Pipeline Safety Division Case 1582.

Should you require additional information please advise.

Very Truly,

Mitchell & Stark Construction Co., Inc.

*Fred C. Harrison*

Fred C. Harrison

## Information Request

### Pipeline Safety Division Indiana Utility Regulatory Commission

The Pipeline Safety Division of the Indiana Utility Regulatory Commission requests any and all information you can provide regarding the following criteria:

#### **The Parties:**

##### **Excavator Information:**

Business Name: Mitchell & Stark Const. Co., Inc.

Responsible Party Personal Name: Fred C. Harrison

Title (if any): President

Address: P.O. Box 219

City, State Zip: Medora, IN 47260

Preferred Telephone: 812-966-2151

Cell Phone Number: 812-569-4881

Email Address: fharrison@mitchellstark.com

##### **Facility Information:**

Business Name: Midwest Natural Gas Corp.

Responsible Party Personal Name:

Title (if any):

City, State, Zip: Scottsburg, IN 47170

Address: 1652 W. McClain St.

Preferred Telephone: 812-752-2230

Cell Phone Number:

Email Address:

##### **Locator Service Information:**

Business Name:

Responsible Party Personal Name:

Title (if any):

Address:

City, State Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

**Other (Witness, Police, Fire, Other) Information:**

Personal Contact: Roger Baker, Monte Striegel

Business/Organization Name: Mitchell & Stark Construction Co., Inc.

Title (if any) Shop Foreman, Project Superintendent

Address: 170 W. First St.

City, State, Zip: Medora, IN 47260

Preferred Telephone: 812-966-2151

Cell Phone Number: 812-525-8719, 812-528-1095

Email Address:

**Utility Line Impact:**

**Product Type (circle one):**

- Natural Gas
- Liquid Pipeline
- Unknown/Other

**Facility Type (circle one):**

- Distribution
- Gathering
- Service/Drop
- Transmission
- Unknown/Other

**Size (Diameter/etc.):** 1/2"

**Pressure (PSIG/Inches):** Low

**Interruption in Service:**  Yes /  No

**Number of Customers Affected:** 1 (only interruption was to our own building)

**Evacuation:** Yes /  No **If yes, How Many Evacuated?** \_\_\_\_\_

**Repair Cost (if known):** \$ 272.37

**Cause of Damage Information:**

**Type of Equipment (circle one):**

- Auger
- Backhoe/Trackhoe
- Boring /Drilling
- Directional Drilling
- Explosives
- Farm Equipment
- Grader/Scraper
- Hand Tools
- Milling Equipment
- Probing Device
- Trencher
- Vacuum Equipment
- Unknown/Other

**Type of Work Performed (circle one):**

- Agriculture
- Cable TV
- Curb/Sidewalk
- Bldg. Construction
- Bldg. Demolition
- Drainage
- Driveway
- Electric
- Engineering/Surveying
- Fencing
- Grading
- Irrigation
- Landscaping
- Liquid Pipeline
- Milling
- Natural Gas
- Pole
- Public Transit Authority
- Railroad Maintenance
- Road Work
- Sewer (Sanitary/Storm)
- Site Development
- Steam
- Storm Drain/Culvert
- Street Light
- Telecommunications
- Traffic Signal
- Traffic Sign
- Water
- Waterway Improvement
- Unknown/Other

**Release of Product:**  Yes / No

**Ignition and/or Fire:** Yes  No

**Excavator Notify 811:** Yes  No

**Locate Information:**

**Excavator Request Locate:** Yes  No

**Indiana 811 Locate Ticket Number:** \_\_\_\_\_

**Locate Marks Visible:** Yes  No

**Locate Marks Correct:** Yes/No

**Excavator "White Lined":** Yes  No

**Maps Used to Mark Facilities:** Yes  No



## ATTACHMENT A

During the night of August 15, 2010 vandals broke into the Mitchell & Stark fuel storage facility located on Mitchell & Starks private property. The vandals not only stole diesel fuel, but also left the fuel hose laying on the crushed stone parking lot discharging fuel. The result was not only the loss of the fuel, but more importantly was the environmental contamination and fire hazard that resulted from all the fuel discharged to the stone. Mitchell & Stark contacted the Indiana Department of Environmental Management (IDEM) and followed its directions to excavate the crushed stone and bricks that made up the parking lot to a depth of approximately 24" and disposed of all of the contaminated material as required by IDEM.

In an effort to secure the fuel storage area and prevent any future vandalism, Mitchell & Stark began to construct, on its own property, a concrete containment facility enclosed by a chain link fence with locked gates. This secure facility is located very close to where the contaminated material had been excavated. During the placement of the fence posts a small gas line that runs between two of Mitchell & Starks shop buildings was struck. Mitchell & Stark immediately notified Midwest Natural Gas, the facility owner. We assisted Midwest Natural Gas in the repair and immediately paid for the damages and cost of the repair.

Mitchell & Stark has always been concerned with safety and the protection of underground facilities. In order to help prevent this type of problem in the future, we have added a discussion of excavation procedures and facility location requirements to our weekly safety talks.