



Pipeline Safety Division Investigation Report

Investigation regarding: **Dave O'mara Contractor, Inc.**

UPPAC Database Record ID: 3195

Report Date: 4/18/2013

Investigator: Mike Orr

Damage Date: 6/18/2012 1:18:20 PM

Damage Address: 129 W Poplar St, North Vernon, Jennings

The Parties

Excavator: **Dave O'mara Contractor, Inc.**

Address: 1100 East O And M Avenue, North Vernon, In 47265

Facility Owner: **Midwest Natural Gas Corporation**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: WATER

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: False

Number of Customers Affected: 0

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1206060149

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

Synopsis: A natural gas service was damaged during excavation for a water line.

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 8/10/2012. The excavator had a valid locate request. The operator reported the gas line had been retired on the opposite side of the street from the main. This left a service stub under the road and no documentation to indicate it existed. The operator has revised the procedures on how they retire facilities.

Conclusion: There was a failure to provide locate markings due to inaccurate maps and records.

Violation: 8-1-26-18(f) Operator failed to locate or provided incorrect locate markings.



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 3195

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

Upon completion of answers select email button for submission.

The Parties

Excavator Information:

Business Name: Omara Contracting

Responsible Party Personal Name: N/A

Title (if any): Operator

Address (number and street): 1100 E. O&M Ave.

City, State and ZIP Code: North Vernon, IN 47265

Preferred Telephone Number (area code): (812) 346-4135

Cellular Telephone Number (area code): 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

Address (number and street): 1652 W. McClain Ave.

City, State and ZIP Code: Scottsburg, IN 47170

Preferred Telephone Number (area code): (812) 752-2230

Cellular Telephone Number (area code): (812) 595-0633

Email Address: tshafer@midnatgas.com

Locator Service Information:

Business Name: Midwest Natural Gas Corp.

Responsible Party Personal Name: Barry Vance

Title (if any): Utility Service

Address (number and street): N/A

City, State and ZIP Code: North Vernon, IN 47265

Preferred Telephone Number (area code): (812) 752-2230

Cellular Telephone Number (area code): (812) 259-9278

Email Address: N/A

Cause of Damage Information

Type of Equipment (select one): Backhoe/Trackhoe

Type of Work Performed (select one): Water

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

Personal Contact: N/A

Business/Organization Name: N/A

Title (if any): N/A

Address (number and street): N/A

City, State and ZIP Code: N/A

Preferred Telephone Number (area code): N/A

Cellular Telephone Number (area code): N/A

Email Address: N/A

Utility Line Impact

Location of Damage:

Address (*number and street*): 129 W. Poplar St.

City, State and ZIP Code: North Vernon, IN 47265

Nearest Intersection: W. Walnut St.

Product Type (*select one*): Natural Gas

Facility Type (*select one*): Distribution

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

Pressure (PSIG/Inches): 50

Interruption in Service: Yes No **Number of Customers Affected:** _____

Evacuation: Yes No **If yes, How Many Evacuated?** _____

Repair Cost (if known): \$ _____

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: 1206182620

Locate Marks Visible: Yes No

Locate Marks Correct: Yes No

Excavator "White Lined": Yes No

Maps Used to Mark Facilities: Yes No

Was Locate Provided within Two (2) Working Days: Yes No

Operator Employees On-site during Excavation: Yes No

Incident Impact Information

Number of Outpatient Treated: None

Number of Inpatient Treated: None

Number of Fatalities: None

Fire Department Response: Yes No

Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

The gas service that was damaged had been partially retired at the point of the roadway years ago, therefor leaving a small section unable to be located.
Midwest Natural Gas changed the retirement policy in 2004, which states: any gas service to be retired shall be cut off at the point of the main connection.

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 3195

Your Full Name: Terry Shafer

Full Name of Business / Entity (if applicable): Midwest Natural Gas Corp.

Your Business Title (if applicable): Regional Area Manager

Address (number and street): 1652 W. McClain Ave.

City: Scottsburg, State: IN ZIP Code: 47170

Your E-mail Address: tshafer@midnatgas.com

Today's Date (month, day, year): 7/23/12

Your Signature: _____ Title (if any) Regional Area Mgr

Please return your Narrative Statement to:

Pipeline Safety Division – Case Number 3195
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov



MIDWEST NATURAL GAS CORPORATION

Still Your Best Energy Choice



1652 W. McClain Ave. Scottsburg, IN 47170 (800) 654-2361 (812) 752-2230 Fax: (812) 752-7845

1/18/13

Case No. 3195

Midwest Natural Gas service person was dispatched to the 100 block of W. Poplar St. per Indiana 811 dig ticket no. 1206182620.

MNG service person located, painted and flagged the entire area as requested per dig ticket.

The excavation area involved a vacant lot, which had previously been retired.

At the time of retirement, MNG procedure for a retirement was to determine if the service tap was located in the roadway and if so, retire the service outside of the roadway, to try and minimize city road damage as much as possible.

This case involved a 1/2" cts gas service that extended across Poplar St. to a grass area, where it had been capped off, with the main being located along the opposite side of Poplar St, therefore leaving a small section of line under the road, which was unknown to the service person performing the locate.

Midwest Natural Gas dispatched a crew to perform a complete retirement of the remaining section of pipeline at the point of the main. See W/O # 129122

This particular retirement policy was revised in 2004 to state that any gas service being cut off for any reason was to be disconnected and capped as close to the point of the main as possible.

Please see attached drawing for additional information.

Terry Shafer
Regional Area Manager
Scottsburg Office
tshafer@midnatgas.com

Midwest Natural Gas Corporation

1652 W. McClain Ave.
Scottsburg, IN 47170

Work Order No. 129113

Name: _____

Account No. 227-000-000-00

Address: W. POPLAR

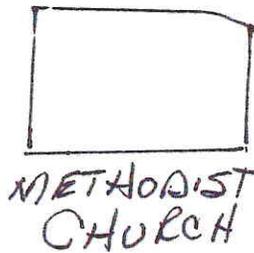
Date: 6.18.12

Installed By: _____

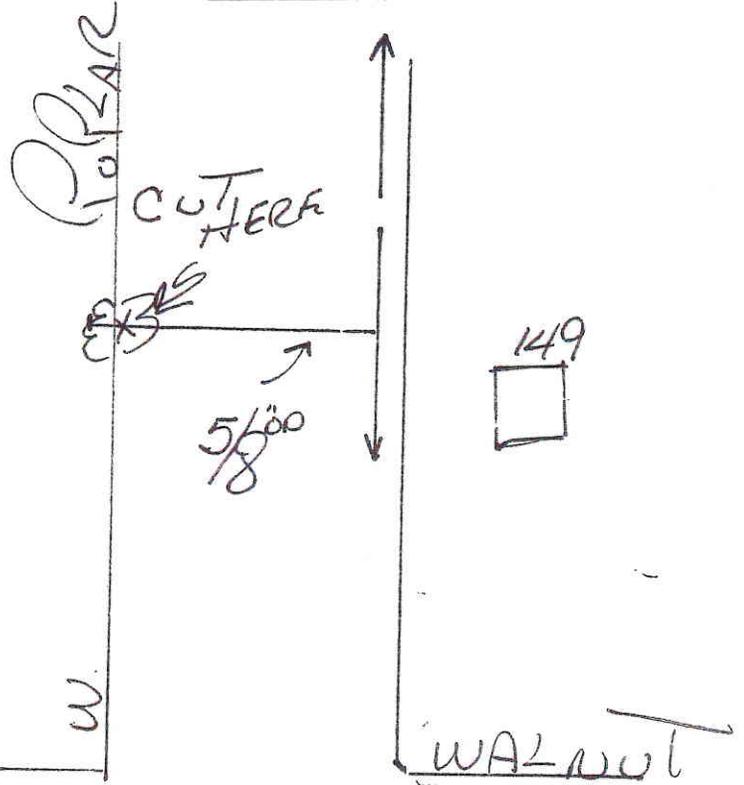


N.

NOTE:
Indicate Exact
Meter Location



VACANT
LOT



Drawing By: BLV

Cathodic Potential Rading _____

Line Test	
Pressure On: _____	Pressure Off: _____
Time On: _____	Time Off: _____
Duration Time: _____	
Test Conducted By: _____	
All excavation 5 feet or deeper must be protected before entry. Any depth excavation must be protected if there is a potential for cave-in.	
Excavation Depth _____	Feet
Soil Classification:	A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/>
Excavation Protection System	N/A <input type="checkbox"/> Sloping <input type="checkbox"/>
Benching <input type="checkbox"/>	Shoring <input type="checkbox"/> Shielding <input type="checkbox"/>



Dave O'Mara Contractor, Inc.
1100 East O & M Avenue, PO Box 1139
North Vernon, Indiana 47265

Phone: 812.346.4135

www.daveomara.com

Fax: 812.346.6305

VIA E-MAIL

July 27, 2012

Pipeline Safety Division – Case No. 3195
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, Indiana 46204
PipelineDamageCase@urc.in.gov

RE: Notice of Preliminary Determination of Violation
Pipeline Safety Division Case No. 3195 – Information Request

To Whom It May Concern:

This letter and the documents submitted herewith are the response of Dave O'Mara Contractors, Inc. ("DOCI") to a letter, dated July 13, 2012, from William Boyd, Director of the Pipeline Safety Division of the Indiana Utility Regulatory Commission.

Please note that any further information or communication with respect to this matter should be directed to Jessica A. Hill, Graydon Head & Ritchey LLP, 7759 University Drive, Suite A, West Chester, Ohio 45069.

**DOCI'S RESPONSES TO THE PIPELINE SAFETY DIVISION OF THE
INDIANA UTILITY REGULATORY COMMISSION'S INFORMATION REQUESTS**

1. The Parties:

▪ Excavator Information:

Response: Dave O'Mara Contractor, Inc.
Lance Schaefer, Foreman
1100 East O & M Avenue
P.O. Box 1139
North Vernon, Indiana 47265
Preferred Phone: 812-346-4135
rachelr@daveomara.com

- Facility Information:

Response: Midwest Natural Gas Company
107 Southeast Third Street
Washington, IN 47501
812-254-5087

- Locator Service Information:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request.

- Other (Witness, Police, fire, Other) Information:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request and believes that there no other individuals or entities involved.

2. Utility Line Impact:

- Location of Damage:

Response: 149 West Poplar Street
North Vernon, IN 47265

- Product Type:

Response: The product type involved was natural gas.

- Facility Type:

Response: Service/Drop

- Size (Diameter/etc.):

Response: The diameter of the facility was one half (1/2) inch.

- Pressure (PSIG/Inches):

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to

have relevant information, DOCI does not know the pressure that was within the facility.

- Interruption in Service:

Response: No, there was no interruption in service.

- Number of Customers Affected:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI does not know whether any customers were affected.

- Evacuation:

Response: There was no need for an evacuation, and therefore, no evacuation occurred.

- Repair Cost (if known):

Response: DOCI has not been billed for any repair cost.

3. Cause of Damage Information:

- Type of Equipment:

Response: The equipment used was an excavator.

- Type of Work Performed:

Response: DOCI was performing water line work.

- Release of Product:

Response: Yes, there was a minimal release of product.

- Ignition and/or Fire:

Response: There was not any ignition or fire involved.

- Excavator Notify 811:

Response: Yes, 811 was notified after the incident occurred.

4. Locate Information:

- Excavator Request Locate:

Response: Yes, the excavator did make a locate request. The Request Ticket Number from Indiana 811 is 1206060149. A copy of the Request Ticket Number 1206060149 is enclosed.

- Locate Marks Visible:

Response: Yes, the locate marks were visible.

- Locate Marks Correct:

Response: No, the locate marks were not correct.

- Excavator “White Lined”:

Response: No, the excavator did not “white line.”

- Maps Used to Mark Facilities:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request.

- Was Locate Provided within Two (2) Working Days?

Response: Yes, locate was provided within two working days.

- Operator Employees On-site: Were operator’s employees on site at the time of the incident?

Response: Yes, the employees were on-site.

5. Incident Impact Information:

- Number of Outpatient Treated:

Response: There were no injuries or fatalities related to this incident, and therefore, there were no patients treated through outpatient treatment.

- Number of Inpatient Treated:

Response: There were no injuries or fatalities related to this incident, and therefore, there were no patients treated through in-patient treatment.

▪ Number of Fatalities:

Response: There were no fatalities as a result of this incident.

▪ Fire Department Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local fire department was not called in regards to this incident.

▪ Police Department Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local police department was not called in regards to this incident.

▪ Ambulance Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local ambulance service was not called in regards to this incident.

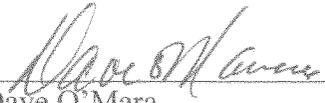
6. Additional Information/Comments:

Response: There is no additional information or comments that DOCI would like to make at this time.

This concludes the response of DOCI to the foregoing request regarding Pipeline Safety Division Case No. 3195.

Sincerely,

DAVE O'MARA CONTRACTORS, INC.
1100 East O & M Avenue, P.O. Box 1139
North Vernon, Indiana 47265
812-346-4135

By: 
Dave O'Mara

Title: President

Date: July 30, 2012

Enclosures

NORMAL NOTICE REMARK

Ticket : 1206060149 Date: 06/06/2012 Time: 07:08 Oper: RACHEL.RICE Chan:000
 Old Tkt: 1205223287 Date: 05/22/2012 Time: 15:42 Oper: RACHEL.RICE Rev: 00A

State: IN Cnty: JENNINGS Twp: CENTER
 Cityname: NORTH VERNON Inside: Y Near: N
 Subdivision:

Address :

Street : W POPLAR ST
 Cross 1 : WALNUT ST Within 1/4 mile: Y
 Location: FROM THE INTERSECTION OF WALNUT AND POPLAR LOCATE POPLAR STREET GOING
 NORTH FOR 1000 FEET ON THE EAST SIDE OF THE ROAD
 :
 Grids : 3900D8537A 3900C8537A

Work type : WATER

Done for : CITY OF NORTH VERNON
 Start date: 06/08/2012 Time: 07:30 Hours notice: 48/48 Priority: NORM
 Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
 Duration : UNKNOWN Depth: 7 FEET

Company : DAVE OMARA CONTRACTOR Type: CONT
 Co addr : 1100 EAST O AND M AVENUE
 City : NORTH VERNON State: IN Zip: 47265
 Caller : RACHEL RICE Phone: (812)346-4135
 Contact : MATT ALEXANDER Phone:
 BestTime:
 Mobile : (812)592-0686
 Fax : (812)352-1235
 Email : RACHELR@DAVEOMARA.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
 REF JOB 113212 NV WATER DISTRIBUTION - 48
 REMARK DUE TO CONSTRUCTION AND WEATHER
 Will you be white-lining the dig site area? NO
 :

Submitted date: 06/06/2012 Time: 07:08
 Members: ID0002 ID2230 ID5493 ID8000 ID8791 SM

Member Name	Facility Types
COMCAST - SEYMOUR	CABLE TV
DUKE ENERGY / FORMERLY CINERGY	ELECTRIC
FRONTIER	TELEPHONE
MIDWEST NATURAL GAS CORPORATION	GAS
NORTH VERNON MUNICIPAL UTILITIES	

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