



Pipeline Safety Division Investigation Report

Investigation regarding: Miller Pipeline

UPPAC Database Record ID: 3286

Investigator: Howard Friend

Report Date: 04/27/2012

Damage Date: 06/27/2012 5:01:23 PM

Damage Address: Walnut St

City: Crawfordsville

County: Montgomery

The Parties

Excavator: **Miller Pipeline**

Contact: Ralph Miller, Vice President

Address: 8850 Crawfordsville Rd, Indianapolis, In 46234

Telephone: 317-293-0278

Facility Owner: Vectren

Contact: Darlene Kulhanek

Address: 1 N Main Street, Evansville, IN 47702

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Investigation regarding: Miller Pipeline

UPPAC Database Record ID: 3286

Damage Impact

Product release: Yes

Ignition: No

Service Interruption: False

Number of Customers Affected: 0

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$300

Excavator Activities/Cause of damage information:

Excavator request locates: Yes Indiana 811 ticket Number: 1206270241

Type of Equipment: Directional Drilling

Type of work performed: Natural Gas

Synopsis: A one inch plastic gas service was damaged during a boring procedure to install a new gas service.

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 08/08/2012. Damage occurred during a gas service replacement job by a contractor hired by the operator/utility. The damaged plastic service had been inserted into the old steel service. Damage occurred when the boring rod fell on the steel casing, and the sharp edge at the end of the casing cut the plastic service. Paperwork submitted by the repair crew indicated that the service was spotted and exposed on a valid locate ticket, "properly bored" was the phrase used.

Conclusion: Excavator failed to plan excavation to avoid damage to the gas service.

Violation: IC 8-1-26-20(b): Failure to plan excavation to avoid damage or interference with underground facilities; Failure to maintain two (2) feet clearance with mechanized equipment.



INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

July 13, 2012

Ms. Darlene Kulhanek
Vectren
1 N Main Street
Evansville, IN 47702

Subject: Investigation Request for Information

Date of Event: 6/27/2012

Event Location: Walnut St, Crawfordsville

Facility Owner: Vectren

Excavator: Miller Pipe Line

Other Party: N/A

Pipeline Division Case No. 3286

Dear Ms. Kulhanek:

Pursuant to Indiana Code 8-1-26, the *Indiana Damage to Underground Facilities Act*, the Pipeline Safety Division of the Indiana Utility Regulatory Commission ("Pipeline Division") is required to investigate reported incidents of alleged statutory violations involving underground pipeline safety. The purpose of this statute is to promote excavation and pipeline safety and to reduce the imminent danger to life, health, property, or loss of service associated with unsafe digging practices. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

The Pipeline Division received information regarding potential statutory violations regarding the date and location referenced above. You were identified as a person or entity that might have information that would assist the Pipeline Division in its investigation. Therefore, we have contacted you in order to receive the full account of information in order to make a fair determination related to the circumstances of this incident.

We have asked all involved parties, entities and witnesses to provide *written* information within *30 days* in order to meet legal deadlines to conclude our investigation. **Please consider this letter as a formal request to receive any and all information and evidence (including a narrative, documentation, maps, photographs or any other written information) you can access regarding anything you may know about the incident referenced above.**



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)
INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: 07-18-2012

Who is submitting this information?

Name of person providing this information: Darlene Kulhanek

Business address (*number and street*): 1 Main Street

City, State, and ZIP code: Evansville, IN 47711

Telephone number (*area code*): 812-491-4227

Fax number (*area code*): 812-491-4504

E-mail address: dkulhanek@vectren.com

Excavator Information, if known

Full name: Miller Pipeline

Business address (*number and street*): 8850 Crawfordsville Rd.

City, State, and ZIP code: Indianapolis, IN 46234

Telephone number (*area code*): 317-295-6417

Fax number (*area code*): 317-295-6418

E-mail address: Unknown

Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Boring

Type of work performed: Natural Gas

Date and Location of Damage

Date of damage (*month, day, year*): 6-27-2012

County: Montgomery

City: Crawfordsville

Street address (*number and street, city, state, and ZIP code*):
506 S Walnut Street, Crawfordsville, IN

Nearest intersection: Unknown

Right of way where damage occurred: Private - Land Owner

Was there a release of product? Yes

If yes, was there an ignition of product? No

Were evacuations necessary as a result of release? No

If yes, how many evacuated? 0

Was there a customer service interruption? No

If yes, how many affected? 0

Time to restore service (*in hours*): 0

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 300

Affected Facility Information

What type of pipeline was damaged? Natural Gas

What was the affected facility? Service/Drop

What was the depth of the facility, in inches? _____

Notification, Locating, Marking

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1206120803

Was the locate request completed within two working days? Yes

If locates were performed, were they done so by a contractor or pipeline employee? Contract Locator

If a contractor locator, enter the company name, if known: USIC _____

Were facility marks visible in the area of excavation? Yes

Were facilities marked correctly? Yes

Type of markings used: Paint

If other, please specify: None _____

Was site marked by "White Lining"? No

Were special instructions part of the locate request? Unknown/Other

Were maps used to complete the locate request? Unknown/Other

Were pipeline company representatives on site during excavation? No

Did the excavator notify the operator in the event of this damage? Yes

Did the excavator notify Indiana 811 in the event of this damage? Yes

Did the excavator notify 911 in the event of a release of product? Unknown/Other

Description of Cause

Select from the list the most accurate cause for the damage: --Failure to maintain clearance

Additional Comments

1" plastic service severed by bore. Failure to maintain clearance.

Vectren Claim Number: _____

FDS 0016472

Task No: 103.0510 Capital / O & M (circle one)

Police Report / MO #: _____

Date of Damage 6 / 27 / 12

Cost Center # 5953

Time Occurred 4:15 pm am / pm

Time Found 4:15 pm am / pm

Latitude 40.047840 Longitude: +86.9086360

FACILITIES DAMAGE REPORT

GAS

Vectren Claims Camera:

VE00369
Form 3112

DAMAGE SITE:

Address 506 S. WALNUT ST Lot # _____

County MONTGOMERY City CRAWFORDSVILLE State IN Township _____

FACILITY TYPE:

- Distribution
- Service
- Transmission: (include supplemental report)
- Propane
- Storage

FACILITIES DAMAGED:

	ORIFICE SIZE(S):	(1)	(2)	(3)
<input type="checkbox"/> Farm Tap	0.50 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Heater	5/8 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Main	0.75 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Residential)	1.00 inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Industrial / Commercial)	1.25 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Odorizer	2.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Regulator Station	3.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Relief Valve	4.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Riser	5.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Service Line	6.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Valve	10.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	12.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	16.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	20.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other _____				

VISUAL OBSERVATION AT DAMAGE SITE: 6/28

- Visual Observation: Above Ground Below Ground
- Locate Applicable: Yes No N/S
- Facilities Properly Marked: Yes No N/S
- Marking Methods: Conventional Flags None
- Offset Paint Stakes Whiskers
- Locate Marking Faded: Yes No N/S
- Wrong Address Requested: Yes No N/S

Facilities Improperly Located:

- Qualified Locator Could Not Have Accurately Located
- Inaccurate Maps / Cards
- Broken or No Tracer Wire (Plastic)
- Insulation Preventing Accurate Locate

Locator Error:

- Failure to Follow Policy
- Inappropriate Site Markings
- Incomplete Locate
- No Locates Performed
- Qualified Locator Could Have Accurately Located
- Wrong Address Located
- Marking Off By: _____ (Feet / Inches)

TYPE OF MATERIAL:

- Cast Iron
- Plastic (HDPE)
- Plastic (MDPE)
- Steel
- Other _____

DAMAGE TYPE:

- Severed
- Not Cut
- Severed
- Size 1" x 1"

PRESSURE:

- 25 PSIG
- 40 PSIG
- 50 PSIG
- 55 PSIG
- 60 PSIG
- 6 WC (2163)
- 7 WC (252)
- Other _____

PROTECTION IN PLACE:

- Building Fence None
- Post Rail Vault N/A
- Other _____

DURATION OF ESCAPING GAS:

Minutes: 15 MIN

LEAK REPORT NUMBER:

09682

EFV Activated Yes No N/S

Number of Customers Affected: 1

Total Hours Service Was Off: ALREADY OFF INACTIVE

Were Facility Marks Visible Yes No

- Was Area White Lined Yes No Destroyed
- Positive Response Yes No Destroyed
- Tolerance Zone Violated Yes No
- Part of Project Yes No
- Company Representative On-Site Yes No

Observation by (ID#): 5692

Name of Locator: A. HAMSTRA

LOCATING ORGANIZATION:

- Contract Locator
- Unknown / Other
- Utility Owner

SERVICE ORDER NUMBER: _____

DAMAGED BY:

- Company Crew
- Contractor
- County
- Developer
- Farmer
- Municipality
- Property Owner/ Tenant
- Railroad
- State
- Unknown
- Utility
- Vehicle Accident
- Other _____

TYPE OF CONSTRUCTION:

- Agriculture
- Building Construction
- Building Demolition
- Cable TV
- Curbs / Sidewalk
- Drainage
- Driveway
- Electric
- Engineering / Surveying
- Fencing
- Grading
- Irrigation
- Landscaping
- Liquid Pipeline
- Milling
- Pole
- Natural Gas
- Public Transit Authority
- Railroad Maintenance
- Other _____

NOTIFICATIONS AND OTHER DETAILS OF LOCATE:

Locate Ticket: 120620803 120273377 120270241 DAMAGED #

Date: _____ Time: _____ am / pm

TYPE OF REQUEST:

- Regular Request Emergency Request
- Locate Company Notified
- Contact Name: _____
- Time Called: _____ am / pm
- Time Locator Arrived at the Site: _____ am / pm

Company Notified of Locate Near Critical Facilities

- Yes No N/S

Copy of Mark Out Request Provided Within 2 Working Days

- Yes No N/S

ONE-CALL CENTER:

- IUPPS
- OUPS
- Unknown

Vectren Claim Number: _____

TYPE OF EQUIPMENT:

- Auger
- Backhoe / Track hoe
- Boring
- Drilling
- Explosives
- Farm Equipment
- Grader / Scraper
- Hand Tools
- Milling Equipment
- Plow
- Probing Device
- Trencher
- Vacuum Equipment
- Vehicle
- Other _____

ROOT DAMAGING CAUSE:

- Abandoned Facility
- Deteriorated Facility
- Facility Could Not be Found/ Located
- Facility Was Not Located / Marked
- Failure to Maintain Clearance
- Failure to Maintain Marks
- Failure to Support Exposed Facility
- Failure to Use Hand Tools Where Required
- Improper Backfilling
- Incorrect Records / Maps
- Marking or Location Not Sufficient
- No Notification Made to One-Call
- One-Call Notification Error
- Previous Damage
- Wrong Information Provided
- Other _____

CONTRACTOR REPAIRS:

- Contractor Working for Vectren Made Repairs at Own Expense
 Yes No N/S
- Contractor Repaired Damage
 Yes No N/S

Name of Contractor: Miller Pipeline
 # of Regular Hours; _____
 # of Overtime Hours; 1 hr
 # of Regular Hours; _____
 Crew Type: Honey

MATERIALS OR ROAD WORK:

- Meter was replaced _____ (Stores Code)
- Regulator Was Replaced _____ (Stores Code)
- Temporary Asphalt Repair: _____ (sq. ft.)
- Permanent Asphalt Repair: _____ (sq. ft.)

- Did Excavator Notify You Yes No
- Excavation Required Yes No
- Media at Site Yes No
- Was There Ignition of Gas? Yes No

RIGHT OF WAY:

- Dedicated Utility Easement
- Federal Utility Easement
- Pipeline
- Power / Transmission Line
- Private - Business
- Private - Easement
- Private - Land Owner
- Public - County Road
- Public - Interstate Highway
- Public - Other
- Public - State Highway
- Public - City Street
- Unknown

INVOICE: Yes No N/S

DAMAGING PARTY:
 Name: Miller Pipeline
 Address: 8850 CRAWFORDSURKA TR
 City/ State/ Zip: INDIANAPOLIS IN
 Phone: (317) 293-0278
 Prepared / Investigated By: A. HAMSTRA Date: 6-27-12

PARTY TO INVOICE:
 Name: SAME
 Address: _____
 City/ State/ Zip: _____
 Phone: (_____) _____
 Reviewed by Field Supervisor: Alexander Date: 7-9-12

NOTE - BORE ROD FELL ON 1" PLASTIC SERVICE INSERTED INTO 1-1/4" ST. SERVICE WAS SPOTTED AND PROPERLY BORED. THERE WAS A GAP IN THE CASING WHERE THE OLD ST. VALVE WAS REMOVED FOR THE INSERTION ABOUT 1' OUTSIDE OF WHERE IT WAS SPOTTED AND THE PLASTIC SERVICE WAS CUT WHEN THE BORE ROD ~~WAS~~ FELL ON THE CASING, CUTTING IT AT THE UNPROTECTED CASING END.
 MAX # 802 4855

NORMAL NOTICE JOB EXTENSION

Ticket : 1206270241 Date: 06/27/2012 Time: 07:48 Oper: SARAH.HEMINGER Chan:000
 Old Tkt: 1206120803 Date: 06/12/2012 Time: 09:34 Oper: SARAH.HEMINGER Rev: 00A

State: IN Cnty: MONTGOMERY Twp: UNION
 Cityname: CRAWFORDSVILLE Inside: Y Near: N
 Subdivision:

Address :
 Street : WALNUT ST
 Cross 1 : COLLEGE ST Within 1/4 mile: Y
 Location: PAINT AND FLAG ENTIRE RIGHT OF WAY ON BOTH SIDE OF WALNUT ST FROM THE
 NORTH SIDE OF COLLEGE ST HEADING SOUTH TO THE SOUTH RIGHT OF WAY JENNISON ST
 APROX 750FT
 ***Boring Where = FRANKLIN ST
 :
 Grids : 4002D8654D 4002C8654D

Work type : REPLACE GAS MAIN
 Done for : VECTREN
 Start date: 06/29/2012 Time: 08:00 Hours notice: 48/48 Priority: NORM
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N
 Duration : 4 WEEK Depth: 3FT TO 4FT

Company : MILLER PIPE LINE Type: CONT
 Co addr : 8850 CRAWFORDSVILLE RD
 City : INDIANAPOLIS State: IN Zip: 46234
 Caller : SARAH HEMINGER Phone: (317)295-6417
 Contact : PATRICK Phone:
 BestTime:
 Mobile : (317)695-5118
 Fax : (317)295-6418
 Email : SARAH.HEMINGER@MILLERPIPELINE.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
 NEED ALL UTILITIES TO RETURN AND REMARK PREVIOUS TICKET 1206120803
 Will you be white-lining the dig site area? NO
 :

Submitted date: 06/27/2012 Time: 07:48
 Members: ID0059 ID1900 ID5170 ID5693 ID5958 ID6161 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
COMCAST / CRAWFORDSVILLE	CABLE TV
CRAWFORDSVILLE ELECTRIC LIGHT & POWER	ELECTRIC
CRAWFORDSVILLE WASTEWATER DEPT	
IN AMERICAN WATER CRAWFORDSVILLE	WATER
QWEST COMMUNICATIONS	FIBER OPTIC
VECTREN-CRAWFORDSVILLE	GAS

[View Map](#) | [Close Map](#)

NORMAL NOTICE JOB EXTENSION

Ticket : 1206120803 Date: 06/12/2012 Time: 09:34 Oper: SARAH.HEMINGER Chan:000
 Old Tkt: 1205251736 Date: 05/25/2012 Time: 12:56 Oper: SARAH.HEMINGER Rev: 00A

State: IN Cnty: MONTGOMERY Twp: UNION
 Cityname: CRAWFORDSVILLE Inside: Y Near: N
 Subdivision:

Address :

Street : WALNUT ST

Cross 1 : COLLEGE ST Within 1/4 mile: Y

Location: PAINT AND FLAG ENTIRE RIGHT OF WAY ON BOTH SIDE OF WALNUT ST FROM THE
 NORTH SIDE OF COLLEGE ST HEADING SOUTH TO THE SOUTH RIGHT OF WAY JENNISON ST
 APROX 750FT

***Boring Where = FRANKLIN ST

:

Grids : 4002D8654D 4002C8654D

Work type : REPLACE GAS MAIN

Done for : VECTREN

Start date: 06/14/2012 Time: 09:45 Hours notice: 48/48 Priority: NORM

Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N

Duration : 4 WEEK Depth: 3FT TO 4FT

Company : MILLER PIPE LINE Type: CONT

Co addr : 8850 CRAWFORDSVILLE RD

City : INDIANAPOLIS State: IN Zip: 46234

Caller : SARAH HEMINGER Phone: (317)295-6417

Contact : PATRICK Phone:

BestTime:

Mobile : (317)695-5118

Fax : (317)295-6418

Email : SARAH.HEMINGER@MILLERPIPELINE.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time

NEED ALL UTILITIES TO RETURN AND REMARK PREVIOUS TICKET 1205251736

Will you be white-lining the dig site area? NO

:

Submitted date: 06/12/2012 Time: 09:34

Members: ID0059 ID1900 ID5170 ID5693 ID5958 ID6161 SBCIN SM

Member Name**Facility Types**

AT&T - DISTRIBUTION	COMMUNICATIONS
COMCAST / CRAWFORDSVILLE	CABLE TV
CRAWFORDSVILLE ELECTRIC LIGHT & POWER	ELECTRIC
CRAWFORDSVILLE WASTEWATER DEPT	
IN AMERICAN WATER CRAWFORDSVILLE	WATER
QWEST COMMUNICATIONS	FIBER OPTIC
VECTREN-CRAWFORDSVILLE	GAS

[View Map](#)[Close Map](#)

DAMAGE SEE REMARKS

Ticket : 1206273377 Date: 06/27/2012 Time: 16:59 Oper: SPOPE Chan:044

State: IN Cnty: MONTGOMERY Twp: UNION
 Cityname: CRAWFORDSVILLE Inside: Y Near: N
 Subdivision:

Address :
 Street : WALNUT ST
 Cross 1 : COLLEGE ST Within 1/4 mile: Y
 Location: PAINT AND FLAG ENTIRE RIGHT OF WAY ON BOTH SIDE OF WALNUT ST FROM THE
 NORTH SIDE OF COLLEGE ST HEADING SOUTH TO THE SOUTH RIGHT OF WAY JENNISON ST
 APROX 750FT
 ***Boring Where = FRANKLIN ST
 :
 Grids : 4002D8654D 4002C8654D

Work type : REPLACE GAS MAIN
 Done for : VECTREN
 Start date: 06/27/2012 Time: 17:00 Hours notice: 0/000 Priority: EMER
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: Y
 Duration : 4 WEEK Depth: 3FT TO 4FT

Company : MILLER PIPE LINE Type: CONT
 Co addr : 8850 CRAWFORDSVILLE RD
 City : INDIANAPOLIS State: IN Zip: 46234
 Caller : PATRICK GREGORY Phone: (317)295-6417
 Contact : PATRICK GREGORY--CELL Phone:
 BestTime:
 Mobile : (317)695-5118
 Fax : (317)295-6418
 Email : SARAH.HEMINGER@MILLERPIPELINE.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
 VECTREN GAS LINE HAS BEEN CUT--LINE IS NOT BLOWING--1 INCH TAN PLASTIC
 LINE--LINE WAS CUT IN FRONT OF 506 S WALNUT--CREW ON SITE--PREV TICKET
 1206270241--THANK YOU
 Will you be white-lining the dig site area? NO
 :

Submitted date: 06/27/2012 Time: 16:59
 Members: ID0059 ID1900 ID5170 ID5693 ID5958 ID6161 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
COMCAST / CRAWFORDSVILLE	CABLE TV
CRAWFORDSVILLE ELECTRIC LIGHT & POWER	ELECTRIC
CRAWFORDSVILLE WASTEWATER DEPT	
IN AMERICAN WATER CRAWFORDSVILLE	WATER
QWEST COMMUNICATIONS	FIBER OPTIC
VECTREN-CRAWFORDSVILLE	GAS

[View Map](#) | [Close Map](#)

Service Order Status

Friday, July 13, 2012

Enter Service Order Number:

5292204



Clear Form Refresh Data

Banner Instance: CS03PROD CS01PROD CS02PROD

Order Number: N5292204

Order Type: LEAK

Order Status: Completed

Customer: 008888888 - INACTIVE CUSTOMER

Prem: 5719092 - 506 S WALNUT

Technician: 5692 - Hamstra, Wes

Order Dates and Times

Need Date: 6/27/2012 5:54:00 PM
Time Created: 6/27/2012 5:21:33 PM
Time Dispatched: 6/27/2012 5:21:32 PM
Time In Route: 6/27/2012 5:24:49 PM
Time On-Site: 6/27/2012 5:24:52 PM
Tech Complete: 6/27/2012 6:31:38 PM
Time Closed: 6/27/2012 6:31:38 PM

Events Performed/Completion Code

LKNS - CMP

Meter Information

Current ReadStatus

Old Meter:

New Meter:

Completion Notes

miller pipeline cut 1" pl service pulling back bore on bsci job, they had service spotted, inserted in 1-1/4 stl, bored over and when pulling back the bore rod dropped down and fell on steel casing cutting service where valve was removed

Request Notes

HIT GAS LINE PER AMY 811/ HIT BY MILLER PIPE LINE IN FRT OF THIS PREM/ XST COLLEGE/ CONT ONSITE IS PATRICK GREGORY 317 695 5118/ NO BLOWING/ 1 INCH TAN PLASTIC LINE/ LOC#1206270241/ DAMAGE #1206273377

MDSI Event Dates and Times

Event	Date/Time	User
AsnAssignmentManualAck_evt	6/27/2012 5:24:45 PM	Hamstra, Wes
AsnAssignmentEnRoute_evt	6/27/2012 5:24:49 PM	Hamstra, Wes
AsnAssignmentOnSite_evt	6/27/2012 5:24:52 PM	Hamstra, Wes
OrdOrderComplete_evt	6/27/2012 6:31:38 PM	Hamstra, Wes

NOTE: The Reporting database replicates in near real-time; it has been approximately 0 minute(s) since the last transaction replicated.

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

July 13, 2012

Patrick Gregory
Miller Pipe Line
8850 Crawfordsville Rd
Indianapolis, In 46234

Subject: Notice of Preliminary Determination of Violation, Pipeline Safety Division Case No. 3286
Date of Event: 6/27/2012
Event Location: Walnut St, Crawfordsville, Montgomery County
Excavator: Miller Pipe Line
Facility Owner: Vectren

To Whom It May Concern:

On behalf of the Indiana Utility Regulatory Commission ("IURC"), I am writing to inform you that information has been filed with our Pipeline Safety Division regarding an alleged violation of Indiana Code chapter 8-1-26, the Indiana Damage to Underground Facilities Act ("the Act"). You are receiving this letter because you have been identified as the Respondent Excavator.

The purpose of this Act is to promote excavation and pipeline safety and to reduce imminent danger to life, health, property, or loss of service associated with unsafe digging practices. Based upon the information received, the Pipeline Safety Division is commencing an investigation into the event concerning you or your business. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

Although the law was enacted in 1991, enforcement measures did not go into effect until July 2009. The IURC was tasked with completing a formal rulemaking on how to determine whether a violation occurred, as well as how the subsequent penalties should be determined. Due to the amount of time required for the rule to take effect and for the Underground Plant Protection Advisory Committee ("Advisory Committee") to be appointed and convened, you are now receiving this notification. Your case will be handled according to the recently approved administrative rule, 170 IAC 5-5, which can be found here: http://www.in.gov/legislative/iac/iac_title?iact=170.

The Pipeline Safety Division has preliminarily identified that one or more of the following statutory violation(s) may have occurred:

- IC 8-1-26-16(g): Failure to provide notice of excavation.
- IC 8-1-26-16(h): Failure to perform required white lining.
- IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment.

You have an opportunity to file documentation explaining what occurred. *In order for this information to be considered, you must provide a written response to each allegation and written evidence (e.g., maps, photographs, narrative statements, or other evidence) within thirty (30) days of the date of this letter.* The

investigation will be completed after this time period, even if you do not respond or fail to provide additional evidence for the Pipeline Safety Division to consider. Findings will then be forwarded to the Advisory Committee for a recommendation to the IURC on the appropriate penalty.

If you are a business entity, please provide your full personal name and business title, as well as your legal authority to represent the business in this matter. If you lack such authority or are mistakenly named as the Respondent, you must notify the Pipeline Safety Division as soon as possible, providing the name of the proper representative, if known.

Pursuant to the Act, civil penalties may include:

1. A warning letter for homeowners and tenants who are first time offenders regarding a violation in which no one was personally injured;
2. A civil penalty up to a maximum of ten thousand dollars (\$10,000.00);
3. Required participation of employees in a mandatory education and training program sponsored by the IURC; and/or
4. Required development of a plan to avoid future violations, which must be approved by the IURC.

Depending upon the individual circumstances of each case, any combination of the civil penalties may be reduced to a Consent Agreement between the IURC and the Respondent.

If you believe there are other parties or witnesses with relevant information for the Pipeline Safety Division to consider in its investigation, we request that you *immediately* provide their name, address, telephone number and email address *in writing* to the Pipeline Safety Division. Because the investigation should be completed within sixty (60) days, any delay in providing additional persons to be contacted may result in the investigation being concluded without this additional source of information.

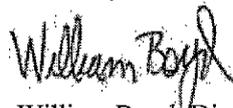
You are encouraged to fill out the required information form electronically by going to <http://www.in.gov/iurc/2335.htm> and clicking on Information Request. However, you may call Bobi Culver at (317) 233-6140 to request a hard copy to return by mail. In addition to the information form, you can forward additional information such as maps and drawings by mailing them to the address below or by scanning and emailing them. Please include your assigned Pipeline Safety Division Case Number on all communications and add your Case Number and denote "INITIAL DOCUMENTS - EXCAVATOR" at the top of your materials or in the subject heading of your email.

Mail: Pipeline Safety Division – Case No. 3286
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

Email: PipelineDamageCase@urc.in.gov

Included with this letter is a *Summary of Procedures and Respondent's Rights* to assist in answering your questions. Should you have procedural or legal questions regarding the Advisory Committee or the IURC, please contact DeAnna L. Poon, Advisor to the Advisory Committee and Assistant General Counsel at the IURC, at (317) 232-6735. For questions regarding the pipeline damage identified above, or our investigation, please contact me at (317) 232-2718. Thank you for your assistance.

Sincerely,



William Boyd, Director Pipeline Safety Division

Enclosures: Summary of Procedures and Respondent's Rights



SUMMARY OF PROCEDURES
AND
RESPONDENT'S RIGHTS

INDIANA DAMAGE TO UNDERGROUND FACILITIES ACT
I.C. 8-1-26

Note: *The following is offered for informational purposes and does not constitute legal advice. Anyone involved in this process is entitled to individual legal representation and should retain their own counsel in order preserve their rights.*

- Any person or entity may report a violation of the Indiana Damage to Underground Facilities Act ("Act") to the Indiana Utility Regulatory Commission Pipeline Safety Division ("Pipeline Division"), but most reports of violations are communicated regularly to the Pipeline Division from the Indiana Plant Underground Protection Service, commonly referred to as the 811 Association Office; 170 IAC 5-5-2 (a);
- Violations are to be reported to the Pipeline Division within thirty 30 days of their occurrence; 170 IAC 5-5-2 (b);
- The Pipeline Division shall commence an investigation of each report by contacting all known persons or entities involved by sending a written request for information within 60 days; 170 IAC 5-5-3 (a);
You have been contacted and have this current opportunity to present written evidence (documents, photographs, maps, drawings, narrative statements or whatever written materials you want to submit) for the Pipeline Division's investigation of the incident in which you were allegedly involved. If you know of additional interested persons, entities or witnesses that you think should be contacted, you must immediately provide their name, address, telephone number and email address in writing to: Pipeline Safety Division, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Be sure to include your Investigation Number on your correspondence. You may also provide your information electronically to: PipelineDamageCase@urc.in.gov

- The Pipeline Division shall forward its findings of violations to the Underground Plant Protection Advisory Committee (“Advisory Committee”), whose role is to make a recommendation to the Indiana Utility Regulatory Commission (“Commission”) for a civil penalty; 170 IAC 5-5-3 (b);
- The Advisory Committee was created by the Act and includes seven (7) members, representing a cross section of participants, appointed by the Governor from the following entities: two (2) representing commercial excavators; one (1) representing the 811 Association; one (1) representing investor owned gas utilities; one (1) representing operators of pipeline facilities or pipelines; one (1) representing municipal gas utilities; one (1) representing providers of facility locate marking service companies; I.C. 8-1-26-23 (b);
- The Advisory Committee will provide the person or entity accused of violating the Act, referred to as the “Respondent,” with a copy of the Pipeline Division’s findings in its Investigation Report; 170 IAC 5-5-3 (c);
You are entitled to receive a copy of the Pipeline Division’s Investigation Report that is provided to the Advisory Committee for a possible civil penalty recommendation.
- The Advisory Committee will provide the Respondent with notice and an opportunity to appear before the Advisory Committee prior to the Advisory Committee making a recommendation to the Commission for a civil penalty for violations; 170 IAC 5-5-3 (d) and I.C. 8-1-26-23 (h).
You are entitled to receive notice of the date, time, and location of when the Advisory Committee will consider your case. The Advisory Committee’s deliberations will be conducted in public. You are entitled to attend, but at this stage of the proceedings there is not yet an opportunity for a hearing. There will be no opportunities to present witnesses, to cross examine others’ witnesses or to present additional evidence.
- In lieu of appearing before the Advisory Committee, Respondents may send correspondence to the Advisory Committee regarding the Pipeline Division’s findings so long as it is received seven (7) days in advance; 170 IAC 5-5-3 (e).
If you would like to present responsive evidence in advance of the Advisory Committee’s consideration of your case in response to the Pipeline Division’s Investigation Report, you are entitled to send correspondence, including additional evidence (as generally described above) to the Advisory Committee so long as it is received seven (7) days in advance of your scheduled Advisory Committee deliberation. Your written correspondence must be mailed or filed with the Advisory Committee no later than seven (7) days in advance of your scheduled date. This deadline is necessary in order to allow the Advisory Committee administrative staff adequate time to photocopy the additional documents, organize and distribute to the Advisory Committee members the various case files in advance of the scheduled day when your case will be considered. If you fail to provide additional information in accordance with this deadline, it will not be included in your file to the Advisory Committee and will not be considered. The additional correspondence should be timely mailed in order to be received by the Advisory Committee seven (7) days in advance, or delivered, to:

Underground Plant Protection Advisory Committee, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204 or: PipelineDamageCase@urc.in.gov Be sure to include the Pipeline Division Case Number on your materials.

- The Commission will provide the Respondent with a copy of the Advisory Committee's recommendation, if any, for a civil penalty; 170 IAC 5-5-3 (f); civil penalties are defined in the Act; they are: "(1) Civil penalties consistent with this chapter. (2) Participation in education or training programs developed and implemented by the commission. (3) Warning letters. (4) Development of a plan to avoid future violations of this chapter."; I.C. 8-1-26-23 (h)

You are entitled to receive a copy of the Advisory Committee's advisory recommendation of a civil penalty to the Commission. Potential civil penalties are limited to: a warning letter, civil penalty up to \$10,000.00, a requirement of participation in an education and training program, a development plan to avoid future violations of the Act.

- The Respondent has 30 days to request in writing for a public hearing before the Commission to appeal the Advisory Committee's civil penalty recommendation; 170 IAC 5-5-3 (f) and (g);

If you disagree with the Advisory Committee's recommended civil penalty to the Commission, you have the right to a full-fledged hearing before the Commission. In order to preserve your right to a hearing, you must file a written request for such a hearing with the Commission Secretary, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Be sure to include your Case Number with your request. Such a request for a hearing must be filed within 30 days of the date of the Advisory Committee's recommendation. Appeal requests to the Commission will be dated upon their receipt by the Commission.

- If the Respondent requests a public hearing before the Commission to contest the Advisory Committee's recommendation for a civil penalty, the parties are required to comply with the formal rules of practice and procedure of the Commission; 170 IAC 5-5-3 (i);

There are formal procedures required by law to be followed regarding all proceedings pending before the Commission. For instance, corporations and some business entities are required to be represented by an attorney admitted to practice law in Indiana.

- The Commission's formal rules of practice and procedure are specified in "Rule 1.1 Practice and Procedure Before the Commission"; 170 IAC 1-1.1-1.

The formal procedures required to be followed in Commission proceedings are specified in the Indiana Administrative Code and may be found at 170 IAC 1-1.1-1. It may be advisable to seek the advice or representation by an attorney.

- If a monetary civil penalty is imposed by the Commission, Respondents must make payment within 90 days of being assessed to the Commission; 170 IAC 5-5-3 (j);

Monetary civil penalties must be paid to the Commission within 90 days or they will be referred to the Indiana Attorney General's Office for collection. Schedules for compliance with non-monetary civil penalties, such as education and training classes or the approval of a development plan to avoid additional violations, will be addressed in the Commission's final order. All monetary civil penalties are used by the Commission, pursuant to I.C. 8-1-26-24, only upon programming to prevent further pipeline accidents.



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 3286

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: Miller Pipeline

Responsible Party Personal Name: Pat Gregory

Title (if any): Foreman

Address (number and street): 8850 Crawfordsville Rd.

City, State and ZIP Code: Indianapolis, IN 46234

Preferred Telephone Number (area code): 317 293 0278

Cellular Telephone Number (area code): _____

Email Address: info@millerpipeline.com

Facility Information:

Business Name: Vectren

Responsible Party Personal Name: Wes Hamstra

Title (if any): Inspector

Address (number and street): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Locator Service Information:

Business Name: USIC _____

Responsible Party Personal Name: _____

Title (*if any*): _____

Address (*number and street*): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Cause of Damage Information

Type of Equipment (*select one*): Boring/Drilling

Type of Work Performed (*select one*): Natural Gas

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

Personal Contact: Wes Hamstra _____

Business/Organization Name: Vecrten _____

Title (*if any*): Inspector _____

Address (*number and street*): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Utility Line Impact

Location of Damage:

Address (*number and street*): 509 S. Walnut Str.

City, State and ZIP Code: Crawfordsville, IN

Nearest Intersection: W. College Str.

Product Type (*select one*): Natural Gas

Facility Type (*select one*): Service/Drop

Size (Diameter/etc.): 1"

Pressure (PSIG/Inches): Low

Interruption in Service: Yes No Number of Customers Affected: 1

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: 1207130172

- 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: 0

Number of Inpatient Treated: 0

Number of Fatalities: 0

Fire Department Response: Yes No

Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

While we were directional drilling (DD) in a new 2" Polyethylene (PE) main pipeline along and under a sidewalk we approached an existing sewer that was perpendicular to our pipe path and there was also an existing steel gas service with a 1" PE service inserted into it. The existing service was within a few inches of the top of the sewer. We would have had to go very deep to get under them, so we went over both of them. We had both the sewer and existing service exposed and watched the pilot bore head go past and while pulling the new 2" PE back with the DD the bore rod hit/rubbed the steel gas service. Unknown to us, since it was not uncovered, in the ditch bank, and several feet from our hole was a gap in the steel service where a curb stop once existed. This is where the small 1" PE inserted service began leaking and was quickly dug out, exposed, and repaired by our crew. The inserted 1" PE gas service just bridged the gap where the curb stop once existed and the vibration/shock damaged it in that area. It was quickly and easily repaired by our crew.

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 3286

Your Full Name: Ralph Miller

Full Name of Business / Entity (if applicable): Miller Pipeline

Your Business Title (if applicable): VP

Address (number and street): 8850 Crawfordsville Rd.

City: Indianapolis State: IN ZIP Code: 46234

Your E-mail Address: ralph.miller@millerpipeline.com

Today's Date (month, day, year): July 24, 2012

Your Signature: Ralph Miller Title (if any) VP

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number 3286
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204**

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov

Miller, Ralph

From: Heminger-Frazier, Sarah
Sent: Monday, July 16, 2012 2:01 PM
To: Miller, Ralph
Subject: ORGINIAL TICKET

DAMAGE TICKET WAS CALL IN BY VECTREN INSPECTOR, DAMAGE TICKET NUMBER SHOULD BE ON THE PD THAT WAS TURN IN.

From: Heminger-Frazier, Sarah
Sent: Friday, July 13, 2012 1:46 PM
To: Gregory, Patrick
Subject: Emailing: Ticket Text and Map display for Ticket # 1207130172.htm

NORMAL NOTICE JOB EXTENSION

Ticket : 1207130172 Date: 07/13/2012 Time: 07:45 Oper: SARAH.HEMINGER Chan:000
Old Tkt: 1206270241 Date: 06/27/2012 Time: 07:48 Oper: SARAH.HEMINGER Rev: 00A

State: IN Cnty: MONTGOMERY Twp: UNION
Cityname: CRAWFORDSVILLE Inside: Y Near: N
Subdivision:

Address :
Street : WALNUT ST
Cross 1 : COLLEGE ST Within 1/4 mile: Y
Location: PAINT AND FLAG ENTIRE RIGHT OF WAY ON BOTH SIDE OF WALNUT ST FROM THE
NORTH SIDE OF COLLEGE ST HEADING SOUTH TO THE SOUTH RIGHT OF WAY JENNISON ST
APROX 750FT
***Boring Where = FRANKLIN ST
:
Grids : 4002D8654D 4002C8654D

Work type : REPLACE GAS MAIN
Done for : VECTREN
Start date: 07/17/2012 Time: 08:00 Hours notice: 96/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N
Duration : 4 WEEK Depth: 3FT TO 4FT

Company : MILLER PIPE LINE Type: CONT
Co addr : 8850 CRAWFORDSVILLE RD
City : INDIANAPOLIS State: IN Zip: 46234
Caller : SARAH HEMINGER Phone: (317)295-6417
Contact : PATRICK Phone:
BestTime:
Mobile : (317)695-5118
Fax : (317)295-6418
Email : SARAH.HEMINGER@MILLERPIPELINE.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
NEED ALL UTILITIES TO RETURN AND REMARK PREVIOUS TICKET 1206270241
Will you be white-lining the dig site area? NO
:

Submitted date: 07/13/2012 Time: 07:45
Members: ID0059 ID1900 ID5170 ID5693 ID5958 ID6161 SBCIN SM

Member Name**Facility Types**

AT&T - DISTRIBUTION	COMMUNICATIONS
COMCAST / CRAWFORDSVILLE	CABLE TV
CRAWFORDSVILLE ELECTRIC LIGHT & POWER	ELECTRIC
CRAWFORDSVILLE WASTEWATER DEPT	
IN AMERICAN WATER CRAWFORDSVILLE	WATER
OWEST COMMUNICATIONS	FIBER OPTIC
VECTREN - CRAWFORDSVILLE	GAS

[View Map] [Close Map]

