



## Pipeline Safety Division Investigation Report

### Investigation regarding: **Bayer's Plumbing, Inc.**

UPPAC Database Record ID: 3288

Investigator: Mike Orr

Report Date: 1/4/2013

Damage Date: 6/28/2012 9:07:21 AM

Damage Address: 5723 Waterstone Dr

City: Newburgh

County: Warrick

### The Parties

Excavator: **Bayer's Plumbing, Inc.**

Contact: Tera Bayer

Address: 7944 Bell Oaks Drive, Newburgh, In 47630

Telephone:

Facility Owner: Vectren

Contact: Darlene Kulhanek

Address: 1 N Main Street, Evansville, IN 47702

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Distribution

**Investigation regarding: Bayer's Plumbing, Inc.**

UPPAC Database Record ID: 3288

**Damage Impact**

Product release: Yes

Ignition: No

Service Interruption: False

Number of Customers Affected: 0

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$750

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

Excavator request locates: Yes    Indiana 811 ticket Number: 1206253218

Type of Equipment: Backhoe/Trackhoe

Type of work performed: Water

**Synopsis:** A 2” plastic natural gas line was damaged during excavation for a water line.

**Findings:** Reported by Indiana 811; excavator did not respond to initial notice mailed 7/13/2012. The excavator had a valid locate request; however, the gas operator failed to mark the natural gas facility. After notice was sent the gas operator by the IURC 9/5/2012 with response time expired, the determination is an OPERATOR VIOLATION.

**Conclusion:** There was a failure to accurately locate the natural gas facility.

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



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: 6/28/2012

Event Location: 5723 Waterstone Dr, Newburgh

Facility Owner: Vectren

Excavator: Bayers Plumbing Incorporated

Other Party: N/A

Pipeline Division Case No. 3288

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: Bayers Plumbing

Business address (number and street): 7944 Bell Oaks Drive

City, State, and ZIP code: Newburgh, IN 47630

Telephone number (area code): 812-853-2305

Fax number (area code): 812-853-2807

E-mail address: Unknown

## Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Water

**Date and Location of Damage**

Date of damage (month, day, year): 6-28-2012

County: Warrick

City: Newburgh

Street address (number and street, city, state, and ZIP code):  
5723 Waterstone Drive, Newburgh, IN

Nearest intersection: Same

Right of way where damage occurred: Dedicated Public Utility Easement

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 \$ 750

**Affected Facility Information**

What type of pipeline was damaged? Natural Gas

What was the affected facility? Distribution

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: 1206253218

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? No

Were facilities marked correctly? No

Type of markings used: Other

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: --Facility marking or location not sufficient

### **Additional Comments**

2" plastic main damaged by hoe. Incomplete.

Vectren Claim Number: \_\_\_\_\_

FDS0016480

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

Police Report / MO #: \_\_\_\_\_

Date of Damage 6/28/12

Cost Center # 5856

Time Occurred 8:00 am/pm

Time Found 8:20 am/pm

Latitude 37.971380 Longitude: -87.353540

# FACILITIES DAMAGE REPORT

## GAS

Vectren Claims Camera:

VE02225  
4

**DAMAGE SITE:**

Address 5723 Waterstone DR Lot # \_\_\_\_\_

County Warren City Newburgh State IN Township \_\_\_\_\_

**FACILITY TYPE:**

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

**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 checked="" type="checkbox"/> Main	0.75 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Meter (Residential)	1.00 inch	<input 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 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"/>
<input type="checkbox"/> Other _____	16.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	20.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other _____			

*1564*

**VISUAL OBSERVATION AT DAMAGE SITE:**

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

*6/29 7/3 6W Morgan*

**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)

JUL 2 2012

**TYPE OF MATERIAL:**

- Cast Iron  Severed
- Plastic (HDPE)  Not Cut
- Plastic (MDPE)  Severed
- Steel
- Other Puncture

Size 1/2 x 1/2

**PRESSURE:**

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

*16.162*

**PROTECTION IN PLACE:**

- Building  Fence  None
- Post  Rail  Vault  N/A
- Other \_\_\_\_\_

**DURATION OF ESCAPING GAS:**

Minutes: 72

**LEAK REPORT**

NUMBER: 20015

EFV Activated  Yes  No  N/S

Number of Customers

Affected; 0

Total Hours Service

Was Off: 0

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

Observation by (ID#): 0733

Name of Locator: 1

**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 Water Service

**NOTIFICATIONS AND OTHER DETAILS OF LOCATE:**

Locate Ticket: \_\_\_\_\_  
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

**WORKING FOR:**

- City  County  Developer
- State  Property Owner
- Utility

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: \_\_\_\_\_  
 # of Regular Hours: \_\_\_\_\_  
 # of Overtime Hours: \_\_\_\_\_  
 # of Regular Hours: \_\_\_\_\_  
 Crew Type: \_\_\_\_\_

**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

INVOICE:

- Yes  No  N/S

**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

**DAMAGING PARTY:**

Name: Beyer's Plumbing Inc.  
 Address: Newburgh  
 City/ State/ Zip: \_\_\_\_\_  
 Phone: (812) 853-2305  
 Prepared / Investigated By: Tom Lechner Date: 6-28-12

**PARTY TO INVOICE:**

Name: USIC  
 Address: \_\_\_\_\_  
 City/ State/ Zip: \_\_\_\_\_  
 Phone: (\_\_\_\_\_) \_\_\_\_\_  
 Reviewed by Field Supervisor: [Signature] Date: 6-28-12

NORMAI, NOTICE

Ticket : 1206253218 Date: 06/25/2012 Time: 03:22 Oper: TERA.BAYER Chan:000

State: IN Cnty: WARRICK Twp: OHIO  
 Cityname: NEWBURGH Inside: N Near: Y  
 Subdivision: WATERSTONE Lot: 37

Address : 5723  
 Street : WATERSTONE DR  
 Cross 1 : ANDERSON RD Within 1/4 mile: Y  
 Location: ENTIRE PROPERTY  
 :  
 Grids : 3759C8721D 3759B8721D 3759C8721C 3759B8721C 3759C8721B  
 Grids : 3759B8721B

Work type : WATER INSTALLATION  
 Done for : MAKEN CORP  
 Start date: 06/27/2012 Time: 15:45 Hours notice: 60/48 Priority: NORM  
 Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N  
 Duration : ALL DAY Depth: 5 FOOT

Company : BAYERS PLUMBING INCORPORATED Type: CONT  
 Co addr : 7944 BELL OAKS DRIVE  
 City : NEWBURGH State: IN Zip: 47630  
 Caller : TERA BAYER Phone: (812)853-2305  
 Contact : MIKE BAYER - CELL Phone:  
 BestTime:  
 Mobile : (812)305-3323  
 Fax : (812)853-2807  
 Email : TERA@BAYERSPLUMBING.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time  
 Will you be white-lining the dig site area? NO  
 :

Submitted date: 06/25/2012 Time: 03:22  
 Members: ID0716 ID2935 ID3356 ID5856 ID6412 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
IN AMERICAN WATER NEWBURGH	
NEWBURGH, TOWN OF	SEWER
TIME WARNER NEWBURGH	FIBER OPTIC
VECTREN- ROCKPORT/BOONVILLE	GAS & ELECTRIC
WIDE OPEN WEST	CABLE TV

[View Map](#)

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DAMAGE SEE REMARKS

Ticket : 1206280483 Date: 06/28/2012 Time: 09:01 Oper: AROYSTON Chan:000

State: IN Cnty: WARRICK Twp: OHIO  
 Cityname: NEWBURGH Inside: N Near: Y  
 Subdivision: WATERSTONE Lot: 37

Address : 5723  
 Street : WATERSTONE DR  
 Cross 1 : ANDERSON RD Within 1/4 mile: Y  
 Location: ENTIRE PROPERTY  
 :  
 Grids : 3759C8721D 3759B8721D 3759C8721C 3759B8721C 3759C8721B  
 Grids : 3759B8721B

Work type : WATER INSTALLATION  
 Done for : MAKEN CORP  
 Start date: 06/28/2012 Time: 09:02 Hours notice: 0/000 Priority: EMER  
 Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y  
 Duration : ALL DAY Depth: 5 FOOT

Company : BAYERS PLUMBING INCORPORATED Type: CONT  
 Co addr : 7944 BELL OAKS DRIVE  
 City : NEWBURGH State: IN Zip: 47630  
 Caller : TERA BAYER Phone: (812)853-2305  
 Contact : MIKE BAYER - CELL Phone:  
 BestTime:  
 Mobile : (812)305-3323  
 Fax : (812)853-2807  
 Email : TERA@BAYERSPLUMBING.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time  
 A MAIN GAS LINE WAS HIT IN THE FRONT OF THE PROPERTY -- VECTREN -- GAS IS  
 BLOWING -- FRONT YARD -- 2 INCH/UNKNOWN/UNKNOWN -- ADVISED CALLER TO CONTACT 911  
 -- CREW IS ON SITE -- VECTREN HAS BEEN CALLED -- PREVIOUS TICKET NUMBER  
 1206253218  
 Will you be white-lining the dig site area? NO  
 :

Submitted date: 06/28/2012 Time: 09:01  
 Members: ID0716 ID2935 ID3356 ID5856 ID6412 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
IN AMERICAN WATER NEWBURGH	
NEWBURGH, TOWN OF	SEWER
TIME WARNER NEWBURGH	FIBER OPTIC
VECTREN- ROCKPORT/BOONVILLE	GAS & ELECTRIC
WIDE OPEN WEST	CABLE TV

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

# Service Order Status

Tuesday, July 3, 2012

**Enter Service Order Number:**

2081640



**Banner Instance:**  CS03PROD  CS01PROD  CS02PROD

**Order Number:** S2081640

**Order Type:** LEAK

**Order Status:** Completed

**Customer:** 300174468 - MAKEN CORPORATION

**Prem:** 1418620 - 5723 WATERSTONE DR

**Technician:** 0733 - Lechner, Tom

**Order Dates and Times**

**Need Date:** 6/28/2012 8:15:00 AM

**Time Created:** 6/28/2012 8:01:51 AM

**Time Dispatched:** 6/28/2012 8:01:51 AM

**Time In Route:** 6/28/2012 8:09:56 AM

**Time On-Site:** 6/28/2012 8:19:39 AM

**Tech Complete:** 6/28/2012 10:33:22 AM

**Time Closed:** 6/28/2012 10:33:22 AM

**Events Performed/Completion Code**

LKNS - CMP

**Meter Information**

**Current ReadStatus**

**Old Meter:**

**New Meter:**

**Completion Notes**

repaired 2" plastic main cut by contractor made safe @ 9:12 am 6-28-12 by crew  
T L

**Request Notes**

HIT GAS MAIN...BLOWING PER TARA WITH BAYERS PLUMBING...THEY WERE WORKING NEAR THE WATER MTR LOC FRONT OF PROPERTY...XST: ANDERSON RD...CONT 812-853-2305....LOC 1206253218/per 811 damage ticket 12062804  
3

**MDSI Event Dates and Times**

Event	Date/Time	User
AsnAssignmentManualAck_evt	6/28/2012 8:09:53 AM	Lechner, Tom
AsnAssignmentEnRoute_evt	6/28/2012 8:09:56 AM	Lechner, Tom
AsnAssignmentOnSite_evt	6/28/2012 8:19:39 AM	Lechner, Tom
OrdOrderComplete_evt	6/28/2012 10:33:22 AM	Lechner, Tom

NOTE: The Reporting database replicates in near real-time; it has been approximately 1 minute(s) since the last transaction replicated.