



Pipeline Safety Division Investigation Report

Investigation regarding: NIPSCO

UPPAC Database Record ID: 3607

Report Date: 5/8/2013

Investigator: Mike Orr

Damage Date: 8/22/2012 10:11:02 AM

Damage Address: N West St, Crown Point, Lake

The Parties

Excavator: **Ziese & Sons Excavating, Inc.**

Address: 6929 West 109th Avenue, Crown Point, In 46307

Facility Owner: **NIPSCO**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Sewer

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1208140972

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

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

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 10/12/2012. The excavator had a valid locate request. The gas operator's field representative reported the locate marks to be off by three (3) feet. The picture provided by the excavator supports the excavators claim that the facility was not marked.

Conclusion: The gas operator failed to properly locate the natural gas facility as reported by the gas operator's field representative.

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



150 West Market Street, Suite 600
Indianapolis, IN 46204

February 15, 2013

[Via Electronic Transmission – PipelineDamageCase@urc.in.gov](mailto:PipelineDamageCase@urc.in.gov)

Pipeline Safety Division – Case No. 3607
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Notification of Possible Violations; Pipeline Division Case No. 3607
Date of Event: 8/22/12
Event Location: N WEST STREET, CROWN POINT
Excavator: Ziese & Sons Excavating, Inc.
Other Party: N/A

To Whom It May Concern:

This letter responds to the Indiana Utility Regulatory Commission, Division of Pipeline Safety, Notification of Possible Violations for Case No. 3607 (as detailed above) identifying potential violations of Indiana law dated January 16, 2013. NIPSCO has not identified any additional information related to this incident not already provided in its October 18, 2012 response. NIPSCO denies that the locate marks for this damage were inaccurate and the photos provided in support of its initial response support that conclusion. There appears to be no dispute that the excavator shown in the photo was used in close proximity to the marks.

If there are any additional questions, please contact the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher C. Earle".

Christopher C. (Kit) Earle
NiSource Corporate Services - Legal
Phone: 317-684-4904
Fax: 317-684-4918
Email: cearle@nisource.com



101 West Ohio Street, Suite 1707
Indianapolis, IN 46204

October 18, 2012

Via Electronic Transmission – PipelineDamageCase@urc.in.gov

Pipeline Safety Division – Case No. 3607
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 3607

To Whom It May Concern:

Attached please find Northern Indiana Public Service Company's ("NIPSCO") written information, and supporting documentation, relating to the following event:

Date of Event: 8/22/2012

Event Location: N West St, Crown Point

Facility Owner: Northern Indiana Public Service Company

Excavator: Ziese & Sons Excavating, Inc.

Other Party: N/A

Pipeline Division Case No. 3607

NIPSCO has reviewed its recovery and damage prevention files for this matter and has provided answers, when known, to the list of questions set forth in the Information Request. To the extent available, NIPSCO is also providing a copy of the Damage Information Report – Pipeline Safety Division previously submitted by NIPSCO to IURC Pipeline Safety as well as additional documentation relating to this Event Location.

Upon completion of the investigation, NIPSCO requests that it be provided with a copy of the Pipeline Division's Investigation Report with findings that will be forwarded to the Underground Plant Protection Advisory Committee. If there are any additional questions, please contact the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher Earle".

Christopher C. (Kit) Earle
NiSource Corporate Services - Legal
Phone: 317-684-4904
Fax: 317-684-4918
Email: cearle@nisource.com

IURC INFORMATION REQUEST	
Pipeline Safety Division Case No. 3607	
Date of Event	8/22/2012
Event Location	N West St, Crown Point
Facility Owner	Northern Indiana Public Service Company
Excavator	Ziese & Sons Excavating, Inc.
Date of IURC Information Request	9/18/2012
THE PARTIES	
EXCAVATOR:	
BUSINESS NAME	Ziese & Sons Excavating Inc
RESPONSIBLE PARTY PERSONAL NAME	
TITLE (IF ANY)	
ADDRESS	6929 W 109 th Ave
CITY/ STATE/ZIP	Crown Point, IN 46307
PREFERRED TELEPHONE	219-663-2625
CELL PHONE TELEPHONE	
EMAIL ADDRESS	TINA@ZIESE.NET
FACILITY INFORMATION - OWNER/OPERATOR OF UTILITY LINE:	
BUSINESS NAME	NORTHERN INDIANA PUBLIC SERVICE COMPANY
RESPONSIBLE PARTY PERSONAL NAME	LUKE SELKING
TITLE	
ADDRESS	1501 HALE AVENUE
CITY/STATE/ZIP	FORT WAYNE, IN 46802
PREFERRED TELEPHONE	260/439-1290
SECONDARY TELEPHONE	
EMAIL ADDRESS	LSELKING@NISOURCE.COM
LOCATOR SERVICE INFORMATION	
BUSINESS NAME	USIC
RESPONSIBLE PARTY PERSONAL NAME	Morgan Thompson
TITLE (IF ANY)	Claims Coordinator
ADDRESS	9045 N. River Rd. Suite 300
CITY/ STATE/ZIP	Indianapolis, IN 46240
PREFERRED TELEPHONE	1-317-538-7301
CELL PHONE TELEPHONE	Same
EMAIL ADDRESS	morganthompson@usicinc.com
OTHER (WITNESS, POLICE, FIRE, OTHER) INFORMATION	
PERSONAL CONTACT	
BUSINESS/ORGANIZATION NAME	
TITLE (IF ANY)	

ADDRESS	
CITY/ STATE/ZIP	
PREFERRED TELEPHONE	
CELL PHONE TELEPHONE	
EMAIL ADDRESS	
UTILITY LINE IMPACT	
LOCATION OF DAMAGE	
ADDRESS	302 W Joliet St
CITY/STATE/ZIP	Crown Point, IN 46307
NEAREST INTERSECTION	West St
PRODUCT TYPE (Select One)	
NATURAL GAS	X
LIQUID PIPELINE	
UNKNOWN/OTHER	
FACILITY TYPE (Select One)	
DISTRIBUTION	
GATHERING	
SERVICE/DROP	X
TRANSMISSION	
UNKNOWN/OTHER	
SIZE (DIAMETER/ETC.)	5/8" Plastic
PRESSURE (PSIG/INCHES)	40
INTERRUPTION IN SERVICE (YES/NO)	Y
NUMBER OF CUSTOMERS AFFECTED	1
EVACUATION (YES/NO)	N
IF YES, HOW MANY EVACUATED	0
REPAIR COST (IF KNOWN) (\$)	
CAUSE OF DAMAGE INFORMATION:	
TYPE OF EQUIPMENT (Select One)	
Auger	
Backhoe/Trackhoe	X
Boring/Drilling	
Directional Drilling	
Explosives	
Farm Equipment	
Grader/Scraper	
Hand Tools	
Milling Equipment	
Probing Device	

Trancher	
Vacuum Equipment	
Unknown/Other	
TYPE OF WORK PERFORMED (Select 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)	X
Site Development	
Steam	
Storm Drain/Culvert	
Street Light	
Telecommunications	
Traffic Signal	
Traffic Sign	
Water	
Waterway Improvement	
Unknown/Other	
RELEASE OF PRODUCT (YES/NO)	Y
IGNITION AND/OR FIRE (YES/NO)	N
EXCAVATOR NOTIFY 811 (YES/NO)	Y- 1208221185
LOCATE INFORMATION:	
EXCAVATOR REQUEST LOCATE (YES/NO)	Y

INDIANA 811 LOCATE TICKET NUMBER	1208140972
LOCATE MARKS VISIBLE (YES/NO)	Y
LOCATE MARKS CORRECT (YES/NO)	Y
EXCAVATOR "WHITE LINED" (YES/NO)	N
MAPS USED TO MARK FACILITIES (YES/NO)	Y
OPERATOR EMPLOYEES ON-SITE DURING EXCAVATION (YES/NO)	N
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	
<p>Failure to use hand tools where required</p> <p>Although Nipsco report estimated marks to be approx 3 feet off, USIC investigation shows 22 inches off and attached pictures confirm that.</p>	

Fact Based Investigation Report

NOTIFICATION ID: 01820120822006 **DISTRICT:** Northern IN
DAMAGE DATE: 8/22/2012 10:11:18 AM **NOTIFICATION DATE:** 8/22/2012 10:15:14 AM
NOTIFIED BY: TINA BRITE
DAMAGE ADDRESS: N WEST ST & JOLIET (17 N COURT ST)
CITY: CROWN POINT **ST:** IN **ZIP:**

DAMAGED CUSTOMER: NIPSCO

INVESTIGATION DATE: 08/22/2012
FROM: 10:00:00 **TO:** 10:15:00

EXCAVATOR INVOLVED: ZIESE & SONS EXCAVATING
TYPE OF EXCAVATION: sewer repair

ORIG. LOCATE REQ.: 1208140972 **START DATE/TIME:** 8/16/2012 9:45:00 AM
TYPE OF TICKET: Routine **LOCATE REQ. INFO N/A:**

DIG UP/DAMAGE REQ.: 1208221185 **START DATE/TIME:** 8/22/2012 10:10:00 AM

PICTURES TAKEN BY: reggie flemings **DATE/TIME:** 8/22/2012 10:05:00 AM
PHOTOGRAPHY TYPE: Digital **FRAME #:**

INVESTIGATOR EMP#: 129675 **INVESTIGATOR NAME:** reggie flemings
BASED ON YOUR INVESTIGATION, IS FURTHER INVESTIGATION NEEDED? No

Fact Based Investigation Customer Information

NOTIFICATION ID: 01820120822006
SELECT A CUSTOMER: NIPSCO
CUSTOMER #: (optional)

FACILITY DESCRIPTION: LOWPROF **FACILITY ID:** Gas Service
LOCATOR NAME & EMP #: Linn Jonathon - 125982
LOCATOR NOT KNOWN:

CHECK ALL THAT APPLY TO INVESTIGATION:
Facility Marked Accurately

Other:

CHECK ALL THAT APPLY TO METHOD OF INVESTIGATION (at least one must be checked):
Visual, Facility Exposed At Time Of Investigation,

Investigator Verified Existing Marks By Hooking Up

INVESTIGATOR STATEMENT/CAUSAL FACTORS:

gas service hit. original marks off by approx 20-22", within tolerance. USIC not at fault.

NAMES OF UTILITY REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:

na

NAMES OF EXCAVATOR'S REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:

na

LIST ANY OTHER INDIVIDUALS ON SITE:

na

WERE ANY MARKINGS VISIBLE ON THE DAMAGE SITE UPON ARRIVAL? Yes

WERE ANY OTHER INDICATORS OF FACILITY PRESENT IN THE AREA? Yes

WAS THE EXCAVATION WITHIN THE TOLERANCE ZONE OF MARKS? Yes

EXTENT OF FACILITY DAMAGE unknown

REPLACEMENT FOOTAGE unknown

WAS CONTRACTOR ASSISTANCE REQUIRED? IF YES, WHO? No

WHAT CONTRACTOR EQUIPMENT WAS USED? unknown

IS THE FACILITY SHOWN ON THE UTILITY RECORDS? No

IF YES, PLEASE LIST RECORD #(S)

NIPSCO 00315 IUPPSa 08/22/2012 10:11:18 1208221185-00A EMER DAMG GRID

DAMAGE SEE REMARKS

Ticket : 1208221185 Date: 08/22/2012 Time: 10:10 Oper: AHINES Chan:085

State: IN Cnty: LAKE Twp: CENTER
Cityname: CROWN POINT Inside: Y Near: N
Subdivision:

3607

Address :
Street : N WEST ST
Cross 1 : US RT 231 Within 1/4 mile: Y
Location: FROM THE ABOVE INTERSECTION TRAVEL NORTH TO THE REAR OF THE ADDRESS 17
N COURT STREET AND LOCATE BOTH SIDES OF THE ROAD AND THE ROADWAY FOR THE ENTIRE
LENGTH OF THAT ADDRESS - AREA IS MARKED IN ORANGE PAINT

Grids : 4125D8721A 4125D8722D
Boundary: n 41.419319 s 41.417217 w -87.366837 e -87.365372

Work type : SANITARY SEWER REPAIR
Done for : FRATERNAL ORDER OF EAGLES
Start date: 08/22/2012 Time: 10:10 Hours notice: 0/0 Priority: EMER
Ug/Oh/Both: 0 Blasting: N Boring: N Railroad: N Emergency: Y
Duration : 2 WEEKS Depth: 10 FEET

Company : ZIESE AND SONS EXCAVATING Type: CONT
Co addr : 6929 WEST 109TH AVENUE
City : CROWN POINT State: IN Zip: 46307
Caller : TINA BRITE Phone: (219)663-2625
Contact : TINA BRITE - OFFICE Phone:
BestTime:
Mobile : (219)663-2625
Fax : (219)663-1620
Email : TINA@ZIESE.NET

Remarks : All tickets are taken and processed on Eastern Daylight Time
PREVIOUS TICKET 1206221116 -- A GAS LINE HAS BEEN DAMAGED -- THE LINE BELONGS TO
NIPSCO -- THE LINE IS NOT BLOWING -- COULD HEAR AND SMELL IT -- THE LINE WAS
DAMAGED IN THE MIDDLE OF THE ROAD -- THE LINE IS 5/8 INCH BLACK GREY PIPE --
ADVISED CALLER TO CALL 911 -- CREW IS ON SITE -- CALLER HAS CONTACTED THE
UTILITY COMPANY -- PREVIOUS TICKET 1208140972
Will you be white-lining the dig site area? NO
:

Submitted date: 08/22/2012 Time: 10:10
Members: COMCN IB ID2287 NIPSCO SM

NIPSCO 00256 IUPPSa 08/14/2012 09:29:04 1208140972-00A NORM NEW GRID

NORMAL NOTICE

Ticket : 1208140972 Date: 08/14/2012 Time: 09:27 Oper: KSWANK Chan:063

State: IN Cnty: LAKE Twp: CENTER
Cityname: CROWN POINT Inside: Y Near: N
Subdivision:

#3607

Address :

Street : N WEST ST

Cross 1 : US RT 231 Within 1/4 mile: Y

Location: FROM THE ABOVE INTERSECTION TRAVEL NORTH TO THE REAR OF THE ADDRESS 17
N COURT STREET AND LOCATE BOTH SIDES OF THE ROAD AND THE ROADWAY FOR THE ENTIRE
LENGTH OF THAT ADDRESS - AREA IS MARKED IN ORANGE PAINT

:

Grids : 4125D8721A 4125D8722D

Boundary: n 41.419319 s 41.417217 w -87.366837 e -87.365372

Work type : SANITARY SEWER REPAIR

Done for : FRATERNAL ORDER OF EAGLES

Start date: 08/16/2012 Time: 09:45 Hours notice: 48/48 Priority: NORM

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

Duration : 2 WEEKS Depth: 10 FEET

Company : ZIESE AND SONS EXCAVATING Type: CONT

Co addr : 6929 WEST 109TH AVENUE

City : CROWN POINT State: IN Zip: 46307

Caller : TINA BRITE Phone: (219)663-2625

Contact : TINA BRITE - OFFICE Phone:

BestTime:

Mobile : (219)663-2625

Fax : (219)663-1620

Email : TINA@ZIESE.NET

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

:

Submitted date: 08/14/2012 Time: 09:27

Members: COMCN IB ID2287 NIPSCO SM

NORTHERN INDIANA PUBLIC SERVICE COMPANY FACILITY DAMAGE REPORT

**** COMPLETE FORM FOR ALL DAMAGES TO NIPSCO FACILITIES ****

REPORTING OPERATING AREA Crown Point MAXIMO WO # _____

OPERATING AREA CONTACT Stanley Ambroski JOB ORDER # 572967

TRACKING NUMBER 018-2012-0822-001 LOCATE REF # _____

Locate Performed By: _____

DATE AND TIME OF ACCIDENT 8-22 9:48 2012 A M DATE OF REPORT 8-22-12

PLACE OF DAMAGE (INCLUDE CITY) 302 W. TOLLET ST Crown Point 46307

DAMAGE WAS TO:

ELECTRIC - POLE/ TRANSFORMER: # _____ SIZE _____ YEAR INSTALLED _____ BROKEN YES () NO ()

OTHER (DESCRIBE) _____

GAS: SERVICE MAIN () SIZE _____ MATERIAL: PLASTIC STEEL () METER () REG STATION () STUB ()
OTHER (DESCRIBE) _____

DEPTH OF FACILITY (inches) 3 FEET PRESSURE (PSI) 40 Lbs.

RELEASE OF GAS: YES NO () IGNITION OF GAS: YES () NO EVACUATION REQUIRED: YES () # _____ NO

INTERRUPTION OF SERVICE: YES NO () NUMBER OF CUSTOMERS LOST: 1

DURATION OF INTERRUPTION: TIME REPORTED 0945 TIME RESTORED 11:00

DIAMETER/MEASUREMENT OF HOLE IN GAS FACILITY: 5/8" PLASTIC SEVERED IN HALF

LOCATE MARKS ON SITE: YES DISTANCE BETWEEN FACILITY AND LOCATE MARKS APPROX 3 FEET NO ()
HOW LOCATED: PAINT FLAGS () BOTH () WHITE LINED ()

PARTY THAT CAUSED DAMAGES (NAME) ZIESE + SONS EXCAVATING INC.

ADDRESS OF PARTY (INCLUDE CITY) 6929 W. 109TH AVE Crown Point

WHO WAS IN CHARGE OF THE WORK SITE AT TIME OF DAMAGE ZACK ZIESE

WITNESS NAME AND ADDRESS _____

WITNESS REMARKS _____

AGENCIES NOTIFIED / ONSITE: POLICE () AGENCY _____ REPORT # _____

FIRE () AGENCY _____ REPORT # _____

OTHER () _____ Any Injuries? () YES # _____ NO

PHOTOS TAKEN: YES NO () TAKEN BY: USFC LOCATE Co. (ATTACH PHOTOS TO REPORT)

MEDIA ON SITE YES () NO

WORK IN PROGRESS WHEN FACILITY DAMAGED -- CHECK APPROPRIATE CHOICE BELOW

- | | | | |
|--|-------------------------------------|---|---|
| <input type="checkbox"/> AGRICULTURE/FARMING | <input type="checkbox"/> CABLE TV | <input type="checkbox"/> CURB/SIDEWALK | <input type="checkbox"/> TELECOMMUNICATIONS |
| <input type="checkbox"/> BLDG CONSTRUCTION | <input type="checkbox"/> DEMOLITION | <input type="checkbox"/> DRAINAGE | <input type="checkbox"/> WATER |
| <input type="checkbox"/> DRIVEWAY | <input type="checkbox"/> ELECTRIC | <input type="checkbox"/> SURVEYING | <input type="checkbox"/> DRAINS/CULVERTS |
| <input type="checkbox"/> FENCING | <input type="checkbox"/> GRADING | <input type="checkbox"/> IRRIGATION | <input type="checkbox"/> MOWING |
| <input type="checkbox"/> LANDSCAPING | <input type="checkbox"/> PIPELINE | <input type="checkbox"/> MILLING | <input type="checkbox"/> OTHER _____ |
| <input type="checkbox"/> POLE/SIGN POST | <input type="checkbox"/> ROAD WORK | <input checked="" type="checkbox"/> SEWER | |

TYPE OF EQUIPMENT USED -- CHECK APPROPRIATE CHOICE BELOW

- | | | |
|--|---|--|
| <input type="checkbox"/> AUGER | <input type="checkbox"/> HAND TOOLS | <input checked="" type="checkbox"/> BACKHOE/TRACKHOE |
| <input type="checkbox"/> MILLING EQUIPMENT | <input type="checkbox"/> PROBING DEVICE | <input type="checkbox"/> BORING / DRILLING |
| <input type="checkbox"/> EXPLOSIVES | <input type="checkbox"/> TRENCHER | <input type="checkbox"/> FARM EQUIPMENT |
| <input type="checkbox"/> VACCUUM EQUIPMENT | <input type="checkbox"/> GRADER | <input type="checkbox"/> OTHER _____ |

REASON DAMAGE OCCURRED-- CHECK APPROPRIATE CHOICE BELOW

- | | | |
|--|--|---|
| <input type="checkbox"/> AUTOMOTIVE ACCIDENT | <input type="checkbox"/> EXCAVATING BEFORE LOCATES DUE | <input type="checkbox"/> CARELESS MACHINE OPERATOR |
| <input type="checkbox"/> NO NOTIFICATION | <input type="checkbox"/> MARKS DISTURBED | <input type="checkbox"/> STUB |
| | | <input checked="" type="checkbox"/> OTHER <u>MISLOCATED</u> |

COMMENTS: LOCATE MARKS APPEAR APPROXIMATELY 3 FEET
FROM CUT SERVICE - DISPUTED BY US 12, LOCATE
REP ON SITE

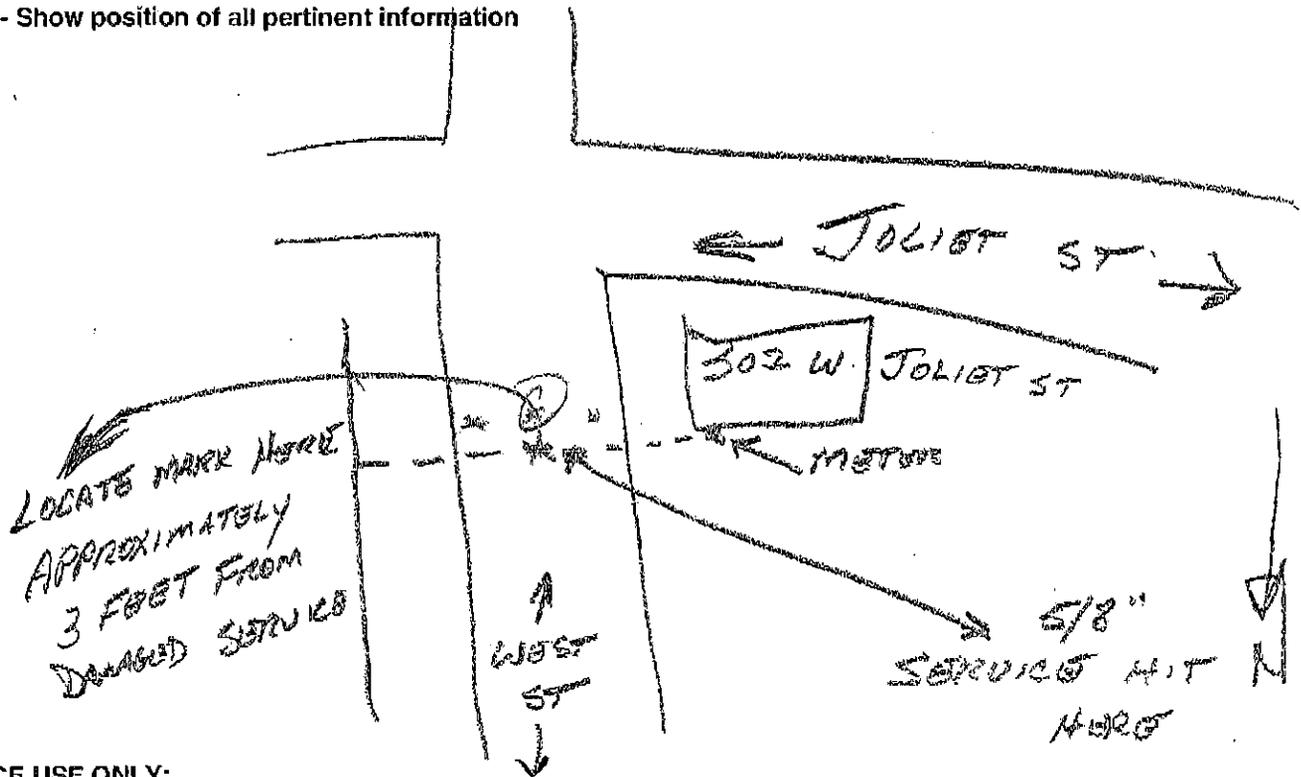
PERSON PREPARING REPORT JAMES A. ADAMS

FIELD SUPERVISOR STAN LEWANDOWSKI

FIELD MANAGER _____

- ORIGINAL REPORT AND SUPPORTING INFORMATION IS TO BE SENT TO FACILITY DAMAGE RECOVERY
- COPY OF REPORT IS TO BE SENT TO DAMAGE PREVENTION

SKETCH: - Show position of all pertinent information



FOR OFFICE USE ONLY:

- | | | |
|---|-----|----|
| • DID EXCAVATION OCCUR BEFORE LOCATES WERE DUE | YES | NO |
| • NO IN 811 LOCATE CALLED IN | YES | NO |
| • DAMAGE CAUSED FROM EXCAVATION WITHIN 24" ZONE | YES | NO |
| • EXPIRED LOCATE | YES | NO |
| • WAS WHITE LINING INDICATED ON LOCATE REQUEST | YES | NO |

COMPLETED BY: _____ DATE: _____



Property of United States Infrastructure Corporation
Photo taken on 8/22/2012 10:12:12 AM



Property of Local News Infrastructure Corporation
Photo taken on 6/22/2012 10:12:24 AM



ZIESE & SONS EXCAVATING, INC.

6929 W. 109th Avenue
Crown Point, IN 46307-8843
(219) 663-2625 Office
(219) 663-1620 Fax

October 10, 2012

Pipeline Safety Division
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204
(317) 232-2701 Office
(317) 232-6758 Fax

Re: "INITIAL DOCUMENTS – EXCAVATOR"
Pipeline Safety Division Case No. 3607
N West Street, Crown Point, Lake County
Ziese & Sons Excavating - Excavator

To Whom It May Concern:

Ziese & Sons Excavating, Inc. is the corporation which was excavating in the subject incident. Tina Brite is an employee, the office manager, of the corporation. Tina Brite's responsibility as to this incident is limited to her responsibilities to call in locate requests/notifications for jobsites where the corporation is working. Zachary Ziese is the Vice President of the company and the operator that was excavating on this particular jobsite in issue.

Ziese & Sons Excavating, Inc. is "Responsible Party" only to the extent that Ziese is obligated to conduct itself in compliance with the statute; Ziese is not responsible for any violation of statute. Ziese & Sons Excavating respectfully suggests that the party that violated the statute which resulted in the damage to the underground line is the locate contractor for NIPSCO, believed to be USIC (USIC Locating Services, Inc., 13085 Hamilton Crossing Blvd, Suite 200, Carmel, IN 46032-1450)

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

The jobsite in question, N West Street, Crown Point Lake County, was called in for locates with Indiana 811 Underground Locating on August 14, 2012. The Indiana 811 ticket #s were 1208140972, and 1208140951. The jobsite was to be located according to Indiana 811 rules in two full working days which would have been August 16, 2012. Ziese anticipates that the Division will obtain the Locate Ticket(s) from IUPPS which maintains those records. The ticket did not expire until 09/03/12. The damage that occurred by our company was on 08/22/12. Because there had been locate requests made to IUPPS, and there were no marks of any location of this underground gas utility that was uncovered, the crew reasonably believed there were no utilities in this area of the jobsite. The underground gas line that was uncovered was never located at any time per the locate requests called in by Ziese & Sons Excavating, Inc. Indiana 811 and the service locators were provided with proper notification from Ziese & Sons Excavating, Inc.

Violations identified: IC 8-1-26-16 (h): Failure to perform required white lining.

The area were Ziese & Sons Excavating, Inc. would be working on this jobsite was painted out in orange paint as per the locate request tickets called in to IUPPS. Stating that the areas to be excavated were marked out in orange paint.

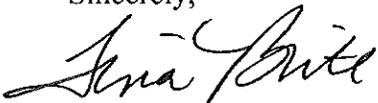
Violations identified: IC 8-1-26-20 (b): Failure to maintain two (2 feet clearance with mechanized equipment.

The Nipsco gas line that was hit by Ziese & Sons Excavating was not properly located by the locating services notified through Indiana 811 Underground Locating. Because there were no locate marks, there were no markings from which the crew could maintain a 2' clearance. It is possible, even likely, that USIC would have or should have a photographic record of the site immediately after it placed any locate marks, if it had marked, as well as photographs after the damage when USIC likely would have been called to the scene to investigate. In the investigation, after line damage, typically USIC places new markings so if any marks show in any investigation, those should not be automatically be understood to show marks that existed immediately before the line was struck. After the crew uncovered the unmarked underground gas line, Ziese called 811 for a damage ticket (# 120822116) and NIPSCO was called to the jobsite. When the NIPSCO crew arrived onsite, they also witnessed that no markings were made by the locating company in the area of our excavation.

Ziese & Sons Excavating, Inc. provided all proper notification in proper timing for this excavation. The locating service company should take responsibility for this damage due to lack of markings in the described areas as per locate requests.

Attached is the Information Request listing the additional witnesses on the jobsite. Also, attached is a photograph taken by our operator on the jobsite showing the damaged gas line. There are no markings, paint or flags as you will see in the photograph.

Sincerely,



Tina Brite
Office Manager
Ziese & Sons Excavating, Inc.
(219) 663-2625
tina@ziese.net



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: #3607 _____

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: Ziese & Sons Excavating, Inc.

Responsible Party Personal Name: Kenneth R. Ziese or Zachary S. Ziese, Corporate Officers and Employees

Title (if any): Secretary and Vice President

Address (number and street): 6929 W. 109th Avenue

City, State and ZIP Code: Crown Point, IN 46307

Preferred Telephone Number (area code): (219) 663-2625

Cellular Telephone Number (area code): _____

Email Address: ziese@ziese.net

Facility Information:

Business Name: _____

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: _____

Locator Service Information:

Business Name: Indiana Underground Plant Protection Service

Responsible Party Personal Name: Ziese understands that IUPPS is the clearinghouse for receiving those notifications, but is not the location marking service.

Title (if any): Ziese does not know who IUPPS notifies and is responsible for the location marking for NIPSCO facilities, but is believed to be USIC. IUPPS' records, presumably, would show to whom the location request/notification was given.

Address (number and street): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): 811 or (800) 382-5544

Cellular Telephone Number (area code): _____

Email Address: _____

Cause of Damage Information

Type of Equipment (select one): Backhoe/Trackhoe

Type of Work Performed (select one): Sewer (Sanitary/Storm)

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

Personal Contact: Zachary Ziese - Operator, Andrew Becker - Laborer , Charles Marlett - Laborer

Business/Organization Name: Ziese & Sons Excavating, Inc.

Title (if any): Vice President, Laborer, Laborer

Address (number and street): 6929 W. 109th Avenue

City, State and ZIP Code: Crown Point, IN 46307

Preferred Telephone Number (area code): (219) 663-2625

Cellular Telephone Number (area code): (219) 712-1734 _____

Email Address: ziese@ziese.net _____

Utility Line Impact

Location of Damage:

Address (number and street): N. West Street _____

City, State and ZIP Code: Crown Point, IN, Lake County _____

Nearest Intersection: Joliet Street. _____

Product Type (select one): Natural Gas

Facility Type (select one): Service/Drop

Size (Diameter/etc.): 3/4" _____

Pressure (PSIG/Inches): _____

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 Damage #1208221116

Locate Information

Excavator Request Locate: Yes No

Indiana 811 Locate Ticket Number: #1208140972 and #1208140951
Expires on 09/03/12

- 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

Zachary Ziese - Operator

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

The jobsite in question was called in on 08/14/12 for locates with Indiana 811. The locate ticket did not expire until 09/03/12. Locate numbers with IUPPS #1208140972 & #1208140951. Ziese and Sons Excavating, Inc. called this property in properly for locate requests. Because there had been locate requests made to IUPPS, and there were no marks of any location of this underground utility in the area of damage, the crew reasonably believed there were no utilities in this area of the jobsite. When the crew uncovered the gas line a damage ticket was called in #1208221116. Nipsco was also called out to inspect the line. The Nipsco crew that was onsite even witnessed that no markings were made by the locating company. The Nipsco crew agreed that it was the locators fault for lack of markings. NIPSCO could identify, we cannot identify the names of the Nipsco crew. Ziese & Sons Excavating provided proper notification to the locators. Ziese & Sons Excavating painted the area of excavation out in orange paint for the locators as specified on the locate requests called into IUPPS. Ziese & Sons Excavating maintained the proper clearance under statue because its excavation was more than 2 feet from any location markings.

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: #3607

Your Full Name: Tina Brite

Full Name of Business / Entity (if applicable): Ziese & Sons Excavating, Inc.

Your Business Title (if applicable): Office Manager

Address (number and street): 6929 W. 109th Avenue

City: Crown Point State: IN ZIP Code: 46307

Your E-mail Address: tina@ziese.net

Today's Date (month, day, year): 10/10/12

Your Signature: Tina G. Brite Title (if any) Office Manager

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number #3607
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204**

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov

