



## Pipeline Safety Division Investigation Report

### Investigation regarding: Environmental Construction Incorporated

UPPAC Database Record ID: 3684

Report Date: 7/8/2013

Investigator: Mike Orr

Damage Date: 8/28/2012 10:56:35 AM

Damage Address: 810 Lincoln Hwy E, New Haven, Allen

### The Parties

Excavator: **Environmental Construction Incorporated**

Address: 13150 West County Road 300 North, Yorktown, In 47396

Facility Owner: **NIPSCO**

### 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: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$647

### Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1208140778

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

**Synopsis:** Excavator struck and damaged an underground natural gas main while performing sewer work.

**Findings:** Reported by Indiana 811; excavator's response to initial notice was received on 10/19/2012. This case was remanded back to Pipeline Safety for further investigation. Documentation from the gas operator showing identifiable measurement reflects the excavator failed to maintain required clearance from the gas main with the trackhoe.

**Conclusion:** There was a failure to maintain clearance with mechanized equipment.

**Violation: IC 8-1-26-20(a)(2) Failure to maintain two (2) feet clearance with mechanized equipment.**



101 West Ohio Street, Suite 1707  
Indianapolis, IN 46204

October 22, 2012

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

Pipeline Safety Division – Case No. 3684  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 East  
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 3684

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: 8/28/2012

Event Location: 810 Lincoln Hwy E, New Haven

Facility Owner: Northern Indiana Public Service Company

Excavator: Environmental Construction Incorporated

Other Party: N/A

Pipeline Division Case No. 3684

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,

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

<b>IURC INFORMATION REQUEST</b>	
<b>Pipeline Safety Division Case No. 3684</b>	
Date of Event	8/28/2012
Event Location	810 Lincoln Hwy E, New Haven
Facility Owner	Northern Indiana Public Service Company
Excavator	Environmental Construction Incorporated
Date of IURC Information Request	9/18/2012
<b>THE PARTIES</b>	
<b>EXCAVATOR:</b>	
BUSINESS NAME	Environmental Construction
RESPONSIBLE PARTY PERSONAL NAME	Mark Johnson
TITLE (IF ANY)	
ADDRESS	13150 W. 300 N.
CITY/ STATE/ZIP	Yorktown, IN 47396
PREFERRED TELEPHONE	765 748-7066
CELL PHONE TELEPHONE	765-744-0625
EMAIL ADDRESS	JODIR@ECICONSTRUCTION.BIZ
<b>FACILITY INFORMATION - OWNER/OPERATOR OF UTILITY LINE:</b>	
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
<b>LOCATOR SERVICE INFORMATION</b>	
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
<b>OTHER (WITNESS, POLICE, FIRE, OTHER) INFORMATION</b>	
PERSONAL CONTACT	
BUSINESS/ORGANIZATION NAME	

TITLE (IF ANY)	
ADDRESS	
CITY/ STATE/ZIP	
PREFERRED TELEPHONE	
CELL PHONE TELEPHONE	
EMAIL ADDRESS	
<b>UTILITY LINE IMPACT</b>	
<b>LOCATION OF DAMAGE</b>	
ADDRESS	810 Lincoln Hwy
CITY/STATE/ZIP	New Haven, IN 46774
NEAREST INTERSECTION	Homestead Dr
<b>PRODUCT TYPE (Select One)</b>	
NATURAL GAS	X
LIQUID PIPELINE	
UNKNOWN/OTHER	
<b>FACILITY TYPE (Select One)</b>	
DISTRIBUTION	
GATHERING	
SERVICE/DROP	X
TRANSMISSION	
UNKNOWN/OTHER	
SIZE (DIAMETER/ETC.)	5/8 plastic
PRESSURE (PSIG/INCHES)	50
INTERRUPTION IN SERVICE (YES/NO)	Yes
NUMBER OF CUSTOMERS AFFECTED	1
EVACUATION (YES/NO)	No
IF YES, HOW MANY EVACUATED	
REPAIR COST (IF KNOWN) (\$)	646.62
<b>CAUSE OF DAMAGE INFORMATION:</b>	
<b>TYPE OF EQUIPMENT (Select One)</b>	
Auger	
Backhoe/Trackhoe	X
Boring/Drilling	
Directional Drilling	
Explosives	
Farm Equipment	
Grader/Scraper	
Hand Tools	
Milling Equipment	

Probing Device	
Trencher	
Vacuum Equipment	
Unknown/Other	
<b>TYPE OF WORK PERFORMED (Select One)</b>	
Agriculture	
Cable TV	
Curb/Sidewalk	
Bldg. Construction	
Bldg. Demolition	
Drainage	
Driveway	
Electric	
Engineering/Surveying	
Fencing	
Grading	
Irrigation	
Landscaping	
Liquid Pipeline	
Milling	
Natural Gas	
Pole	
Public Transit Authority	
Railroad Maintenance	
Road Work	
Sewer (Sanitary/Storm)	
Site Development	
Steam	
Storm Drain/Culvert	
Street Light	
Telecommunications	
Traffic Signal	
Traffic Sign	
Water	X
Waterway Improvement	
Unknown/Other	
RELEASE OF PRODUCT (YES/NO)	Yes
IGNITION AND/OR FIRE (YES/NO)	No
EXCAVATOR NOTIFY 811 (YES/NO)	Yes- 1208281402
<b>LOCATE INFORMATION:</b>	

EXCAVATOR REQUEST LOCATE (YES/NO)	Yes
INDIANA 811 LOCATE TICKET NUMBER	1208140778
LOCATE MARKS VISIBLE (YES/NO)	Yes
LOCATE MARKS CORRECT (YES/NO)	Yes
EXCAVATOR "WHITE LINED" (YES/NO)	No
MAPS USED TO MARK FACILITIES (YES/NO)	Yes
OPERATOR EMPLOYEES ON-SITE DURING EXCAVATION (YES/NO)	No
<b>INCIDENT IMPACT INFORMATION</b>	
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)	
<b>ADDITIONAL INFORMATION/COMMENTS</b>	
<p>Failure to use hand tools where required  Nipsco emergency repair ticket #: 1208281592</p>	

NIPSCO 00362 IUPPSa 08/28/2012 10:56:36 1208281402-00A EMER DAMG STRT

DAMAGE SEE REMARKS

Ticket : 1208281402 Date: 08/28/2012 Time: 10:55 Oper: SPOPE Chan:044

State: IN Cnty: ALLEN Twp: ADAMS  
Cityname: NEW HAVEN Inside: Y Near: N  
Subdivision:

#3684

Address : 810  
Street : LINCOLN HWY E  
Cross 1 : HOMESTEAD DR Within 1/4 mile: Y  
Location: PLEASE LOCATE FRONT OF PROPERTY IN THE STREET AND ON BOTH SIDES OF THE  
STREET

:  
Grids : 4104D8500A 4104D8501D  
Boundary: n 41.070789 s 41.069637 w -85.019508 e -85.015976

Work type : INSTALL WATER MAIN  
Done for : ECI CONSTRUCTION  
Start date: 08/28/2012 Time: 10:55 Hours notice: 0/0 Priority: EMER  
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y  
Duration : 1 DAY Depth: 8 FEET

Company : ENVIRONMENTAL CONSTRUCTION Type: CONT  
Co addr : 13150 WEST COUNTY ROAD 300 NORTH  
City : YORKTOWN State: IN Zip: 47396  
Caller : JODI HICKEY Phone: (765)759-0099  
Contact : MARK JOHNSON--CELL Phone:  
BestTime:  
Mobile : (765)315-7776  
Fax : (765)759-0088  
Email : JODIR@ECICONSTRUCTION.BIZ

Remarks : All tickets are taken and processed on Eastern Daylight Time  
NIPSCO GAS LINE HAS BEEN CUT--LINE IS NOT BLOWING--HAS BEEN CRIMPED OFF--LINE  
WAS CUT IN FRONT OF PROPERTY ALONG ROAD--1/2 INCH GRAY LINE--CREW ON SITE--PREV  
TICKET 1208140778--THANK YOU

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

:

Submitted date: 08/28/2012 Time: 10:55

Members: AEPIN CC FW ID4866 ID7050 ID8000 NIPSCO SM

NIPSCO 00190 IUPPSa 08/14/2012 09:04:36 1208140778-00A NORM NEW STRT

NORMAL NOTICE REMARK

Ticket : 1208140778 Date: 08/14/2012 Time: 09:03 Oper: JODI.HICKEY Chan:000  
Old Tkt: 1208013034 Date: 08/01/2012 Time: 16:40 Oper: JODI.HICKEY Rev: 00A

State: IN Cnty: ALLEN Twp: ADAMS  
Cityname: NEW HAVEN Inside: Y Near: N  
Subdivision:

# 3684

Address : 810  
Street : LINCOLN HWY E  
Cross 1 : HOMESTEAD DR Within 1/4 mile: Y  
Location: PLEASE LOCATE FRONT OF PROPERTY IN THE STREET AND ON BOTH SIDES OF THE  
STREET

:  
Grids : 4104D8500A 4104D8501D  
Boundary: n 41.070789 s 41.069637 w -85.019508 e -85.015976

Work type : INSTALL WATER MAIN  
Done for : ECI CONSTRUCTION  
Start date: 08/16/2012 Time: 09:15 Hours notice: 48/48 Priority: NORM  
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N  
Duration : 1 DAY Depth: 8 FEET

Company : ENVIRONMENTAL CONSTRUCTION Type: CONT  
Co addr : 13150 WEST COUNTY ROAD 300 NORTH  
City : YORKTOWN State: IN Zip: 47396  
Caller : JODI HICKEY Phone: (765)759-0099  
Contact : JAY MORGAN - CELL Phone:  
BestTime:  
Mobile : (765)744-0625  
Fax : (765)759-0088  
Email : JODIR@ECICONSTRUCTION.BIZ

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: 09:03  
Members: AEPIN CC FW ID4866 ID7050 ID8000 NIPSCO SM

**Fact Based Investigation Report**

**NOTIFICATION ID:** 01820120828002                      **DISTRICT:** Northern IN  
**DAMAGE DATE:** 8/28/2012 10:56:36 AM      **NOTIFICATION DATE:** 8/28/2012 11:00:14 AM  
**NOTIFIED BY:** JODI HICKEY  
**DAMAGE ADDRESS:** 810 LINCOLN HWY E  
**CITY:** NEW HAVEN                      **ST:** IN      **ZIP:**

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**DAMAGED CUSTOMER:** NIPSCO

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**INVESTIGATION DATE:** 08/28/2012  
**FROM:** 00:00:00                                      **TO:** 00:05:00

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**EXCAVATOR INVOLVED:** ENVIRONMENTAL CONST  
**TYPE OF EXCAVATION:** water install

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**ORIG. LOCATE REQ.:** 1208140778                      **START DATE/TIME:**  
**TYPE OF TICKET:**                                      **LOCATE REQ. INFO N/A:**

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**DIG UP/DAMAGE REQ.:** 1208281402                      **START DATE/TIME:**

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**PICTURES TAKEN BY:** Greg Hadden      **DATE/TIME:** 8/28/2012 12:00:00 AM  
**PHOTOGRAPHY TYPE:** Digital                      **FRAME #:**

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**INVESTIGATOR EMP#:** 125397                      **INVESTIGATOR NAME:** Greg Hadden  
**BASED ON YOUR INVESTIGATION, IS FURTHER INVESTIGATION NEEDED?** No

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**Fact Based Investigation Customer Information**

**NOTIFICATION ID:** 01820120828002  
**SELECT A CUSTOMER:** NIPSCO  
**CUSTOMER #:** (optional)

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**FACILITY DESCRIPTION:** LOWPROF                      **FACILITY ID:** Gas Service  
**LOCATOR NAME & EMP #:** Hadden Gregory - 134866  
**LOCATOR NOT KNOWN:**

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**CHECK ALL THAT APPLY TO INVESTIGATION:**  
Facility Marked Accurately

**Other:**

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

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**INVESTIGATOR STATEMENT/CAUSAL FACTORS:**

paint and flags line up with damage site

**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

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**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** cut in 2

**REPLACEMENT FOOTAGE** 1'

**WAS CONTRACTOR ASSISTANCE REQUIRED? IF YES, WHO?** No na

**WHAT CONTRACTOR EQUIPMENT WAS USED?** backhoe

**IS THE FACILITY SHOWN ON THE UTILITY RECORDS?** No

**IF YES, PLEASE LIST RECORD #(S)** na

Ticket

1208281402



Attached to	Name	Upload Date	Uploaded by	Created	Position
Ticket 1208281402	20120828112030_10 04050.jpg	Aug 28, 2012 10:29 AM CDT	Hadden, Gregory	8/28/12 11:20	



Property of United States Infrastructure Corporation  
Photo taken on 8/28/2012 11:20:30 AM

Ticket

1208281402



Attached to	Name	Upload Date	Uploaded by	Created	Position
Ticket 1208281402	20120828112040_10 04051.jpg	Aug 28, 2012 10:29 AM CDT	Hadden, Gregory	8/28/12 11:20	



Property of United States Infrastructure Corporation  
Photo taken on 8/28/2012 11:20:40 AM



Property of United States Infrastructure Corporation  
Photo taken on 8/14/2012 4:35:50 PM

08/14/2012

NORTHERN INDIANA PUBLIC SERVICE COMPANY

FACILITY DAMAGE REPORT

544 220 003

COMPLETE FORM FOR ALL DAMAGES

REPORTING OPERATING AREA 25075 E

MAX

12-1951

OPERATING AREA CONTACT JERRY OTIS

JOB ORDER #

661977

TRACKING NUMBER 01200120279004

LOCATE REF #

Locals Performed By

NAME AND PHONE OF ADDRESS

2-28 1112 1112 1112

PLACE OF DAMAGE (RUE) OF CITY

310 LINCOLN HWY. NEW HAVEN, CT 06474

DAMAGE WAS TO:

ELECTRIC: POLE TRANSFORMER  WIRE  VERTICAL AISLE  HORIZONTAL AISLE

OTHER:

GAS: SERVICE  MISC.  24" MATERIAL HANDLE  STEEL  WATER TREATMENT  SUMP

DEPTH OF FACILITY (FEET) 24" 50

RELEASE OF GAS (YES/NO)  /  VENTILATION REQUIRED (YES/NO)  /

REPAIRS TO BE MADE (YES/NO)  /  NUMBER OF CUSTOMERS AFFECTED 1

DURATION OF INTERRUPTION (HOURS) 1.5 / 1:30 PM / 1:10 AM

DIAMETER (INCHES) OF POLE OR FACILITY 5" / WELL CUT INTO, WAS DAMAGED

LOCATE MARKS ON SITE: YES  / NO  DISTANCE FROM FACILITY TO LOCATE MARK 5'

AGENCY THAT CAUSED DAMAGE (NAME) ENVIRONMENTAL ORGANIZATION INC. / 1112 1112

ADDRESS OF PARTY (RUE) OF CITY JANESVILLE, WI 53190 / 765 THE 7000 (JANESVILLE)

WHO WAS IN CHARGE OF THE WORK SET AT TIME OF DAMAGE MICHAEL DONOHAY

WITNESS NAME AND ADDRESS

WITNESS REMARKS LOCATED MARK OFF

AGENCY CONTACTED BY SET AGENCY  (PHONE)  (FAX)  (TELETYPE)

TYPE OF AGENCY  (FIRE)  (POLICE)  (OTHER)

PHOTO TAKEN: YES  / NO  TAKEN BY  /

WITNESS ON SITE: YES  / NO

WORK IN PROGRESS WHEN FACILITY DAMAGED - CHECK APPROPRIATE BOXES

<input type="checkbox"/> AIRPURT REPAIRS	<input type="checkbox"/> TARIFF	<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> TELEPHONE SERVICE
<input type="checkbox"/> HIGH CONSTRUCTION	<input type="checkbox"/> OBSTRUCTION	<input type="checkbox"/> DRAINAGE	<input checked="" type="checkbox"/> WATER
<input type="checkbox"/> HIGHWAY	<input type="checkbox"/> ERECTION	<input type="checkbox"/> SEWERAGE	<input type="checkbox"/> DISSEMINATION
<input type="checkbox"/> BRIDGE	<input type="checkbox"/> SHADING	<input type="checkbox"/> REMEDIATION	<input type="checkbox"/> SIGNAGE
<input type="checkbox"/> OVERCROSSING	<input type="checkbox"/> EXCAVATION	<input type="checkbox"/> MILLING	<input type="checkbox"/> OTHER
<input type="checkbox"/> POWER LINE WORK	<input type="checkbox"/> ROAD WORK	<input type="checkbox"/> OTHER	

TYPE OF EQUIPMENT USED - CHECK APPROPRIATE BOXES

<input type="checkbox"/> WIRE	<input type="checkbox"/> HAND TOOLS	<input checked="" type="checkbox"/> SAW	<input type="checkbox"/> TRACKING
<input type="checkbox"/> MILLING EQUIPMENT	<input type="checkbox"/> POWER TOOLS	<input type="checkbox"/> BUSHING	<input type="checkbox"/> TRENCHING
<input type="checkbox"/> EXPLOSIVES	<input type="checkbox"/> TRENCHER	<input type="checkbox"/> EXCAVATION	<input type="checkbox"/> OTHER
<input type="checkbox"/> VALVE/VALVE EQUIPMENT	<input type="checkbox"/> GRADER		

REASON DAMAGE OCCURRED - CHECK APPROPRIATE BOXES

<input type="checkbox"/> ALIEN WIRE BURST	<input type="checkbox"/> EXCAVATIONS BEFORE LOCATED	<input type="checkbox"/> CARELESS MACHINE OPERATION
<input type="checkbox"/> NO IDENTIFICATION	<input type="checkbox"/> MARKS DISTURBED	<input type="checkbox"/> STILE

SEE REVERSE SIDE FOR COMMENTS AND DIAGRAM

EN 611 (Rev. 8-12)

COMMENTS:

MARKS WAS OFF. LOCATE WAS ON OLD STEEL  
SERVICE NOT PLASTIC

PERSON PREPARING REPORT

PERSON #1 JON HONSLAND / PERSON #2 O. Culver

FIELD SUPERVISOR

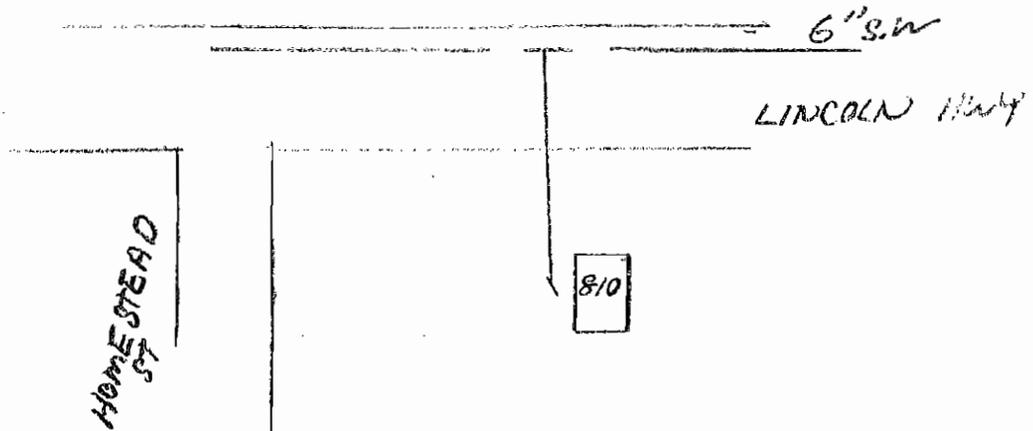
J. OTIS

FIELD MANAGER

Radell Dunn

- 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                              | <input type="radio"/> | NO |
| • NO IN 811 LOCATE CALLED IN                    | <input checked="" type="radio"/> | YES                   | NO |
| • DAMAGE CAUSED FROM EXCAVATION WITHIN 24" ZONE | YES                              | <input type="radio"/> | NO |
| • EXPIRED LOCATE                                | YES                              | <input type="radio"/> | NO |
| • WAS WHITE LINING INDICATED ON LOCATE REQUEST  | YES                              | <input type="radio"/> | NO |

JASON, TELL CREW  
✓ HE DOES NOT COMPLETE  
THIS AREA

THANKS  
RANDY

COMPLETED BY:

O. Culver

DATE:

8/28/12



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. 3684  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 East  
Indianapolis, Indiana 46204

RE: Notification of Possible Violations; Pipeline Division Case No. 3684  
Date of Event: 8/28/12  
Event Location: 810 LINCOLN HWY E, NEW HAVEN  
Excavator: ENVIRONMENTAL CONSTRUCTION INCORPORATED  
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. 3684 (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 22, 2012 response.

NIPSCO maintains that the locates provided by USIC were accurate as demonstrated by the photographs presented with its initial response and accordingly denies that it is in violation. The photos included with the excavator response are inconclusive.

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](mailto:cearle@nisource.com)



Property of United States Infrastructure Corporation  
Photo taken on 8/28/2012 11:20:30 AM



Property of United States Infrastructure Corporation  
Photo taken on 8/28/2012 11:20:40 AM



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

September 14, 2012

Jodi Hickey  
Environmental Construction  
13150 West County Road 300 North  
Yorktown, In 47396

**Re: Notice of Preliminary Determination of Violation  
Pipeline Safety Division Case No. 3684**

**Date of Event:** 8/28/2012  
**Event Location:** 810 Lincoln Hwy E, New Haven, Allen County  
**Excavator:** Environmental Construction  
**Facility Owner:** Northern Indiana Public Service Company

Dear Jodi Hickey,

On behalf of the Indiana Utility Regulatory Commission ("Commission"), I am writing to inform you that information has been filed with the Commission's 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.

To ensure safety, the Indiana Underground Plant Protection Service (Indiana 811) and gas operators routinely provide reports to the Pipeline Safety Division when an operator's facility is damaged. The Division has received a report from one of these entities that on 8/28/2012, you or your business damaged a pipeline facility owned by Northern Indiana Public Service Company and located at 810 Lincoln Hwy E, New Haven, Allen County.

Based upon the information received, the Pipeline Safety Division is commencing an investigation into the event concerning you or your business to determine whether any statutory violations were committed regarding public safety, specifically the following:

- 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.
- IC 8-1-26-18(f): Failure to properly locate facilities (operator violation)

The Division provides both you and Northern Indiana Public Service Company with an opportunity to send in documentation explaining what occurred. This may include maps, photographs, narrative statements, and any other evidence you wish to provide. You have thirty (30) days from the date this letter is received to send in information, but an extension may be given for good cause shown.



## INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 3684

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*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.*

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### The Parties

#### Excavator Information:

Business Name: ENVIRONMENTAL CONSTRUCTION INC

Responsible Party Personal Name: JODI HICKEY

Title (if any): SAFETY DIRECTOR

Address (number and street): 13150 W. CR 300 NORTH

City, State and ZIP Code: YORKTOWN, INDIANA 47396

Preferred Telephone Number (area code): 765-759-5488

Cellular Telephone Number (area code): 765-748-7066

Email Address: jodir@eciconstruction.biz

#### Facility Information:

Business Name: NIPSCO

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: \_\_\_\_\_

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: \_\_\_\_\_

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**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: \_\_\_\_\_

Business/Organization 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: \_\_\_\_\_

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**Utility Line Impact**

**Location of Damage:**

Address (*number and street*): 810 LINCOLN HWY

City, State and ZIP Code: NEW HAVEN, INDIANA

Nearest Intersection: HOMESTEAD DR

**Product Type (*select one*):** Natural Gas

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

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

**Pressure (PSIG/Inches):** \_\_\_\_\_

**Interruption in Service:**       Yes       No      **Number of Customers Affected:** \_\_\_\_\_

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

**Repair Cost (if known):** \$ 0

**Release of Product:**       Yes       No

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

**Excavator Notify 811:**       Yes       No

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**Locate Information**

**Excavator Request Locate:**       Yes       No

**Indiana 811 Locate Ticket Number:** 1208140778 *Damage # 1208281402*

**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

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**Incident Impact Information**

**Number of Outpatient Treated:** \_\_\_\_\_

**Number of Inpatient Treated:** \_\_\_\_\_

**Number of Fatalities:** \_\_\_\_\_

**Fire Department Response:**  Yes  No

**Police Department Response:**  Yes  No

**Ambulance Response:**  Yes  No

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**Additional Information / Comments**

LOCATES WERE MIS-MARKED PICTURES ATTACHED

**NARRATIVE STATEMENT**

Your Pipeline Safety Division Case Number: 3684

Your Full Name: JODI HICKEY

Full Name of Business / Entity (if applicable): ENVIRONMENTAL CONSTRUCTION INC

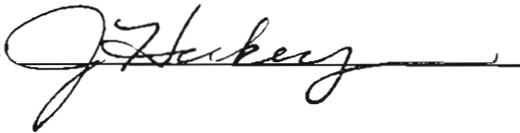
Your Business Title (if applicable): SAFETY DIRECTOR

Address (number and street): 13150 W. CR 300 NORTH

City: YORKTOWN State: IN ZIP Code: 473961

Your E-mail Address: jodir@eciconstruction.biz

Today's Date (month, day, year): 10/19/12

Your Signature:  Title (if any) safety director

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number 3684**  
**Indiana Utility Regulatory Commission**  
**101 West Washington Street, 1500E**  
**Indianapolis, IN 46204**

Or scan the statement and Email to:

**[PipelineDamageCase@urc.in.gov](mailto:PipelineDamageCase@urc.in.gov)**

