



Pipeline Safety Division Investigation Report

Investigation regarding: Merryman Excavation

UPPAC Database Record ID: 3788

Report Date: 9/11/2013

Investigator: Mike Orr

Damage Date: 6/23/2012

Damage Address: 5875 Sylvan Dr, Indianapolis, Marion

The Parties

Excavator: **Merryman Excavation**

Address: 1501 Lamb Rd, Woodstock, Il 60098

Facility Owner: **Citizens Gas**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Milling Equipment

Type of Work Performed: Road Work

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$0

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1206152831

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

Synopsis: Excavator struck and damaged an underground natural gas service while performing road work.

Findings: Reported by Tony Chan (Citizens Gas); excavator's response to initial notice was received on 12/7/2012. Excavator had a valid locate ticket; however, the gas operator self reported a failure to provide facility locate markings.

Conclusion: There was a failure to provide facility locate markings.

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



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

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

Submitted to IURC-Pipeline Safety on: Oct 22, 2012

Who is submitting this information?

Name of person providing this information: Tony Chan (Citizens Gas)

Business address (*number and street*): 2150 Dr. M.L. King Jr. St.

City, State, and ZIP code: Indianapolis, IN 46202

Telephone number (*area code*): (317) 927-4619

Fax number (*area code*): (317) 927-4619

E-mail address: AChan@CitizensEnergyGroup.com

Excavator Information, if known

Full name: MERRYMAN EXCAVATORS

Business address (*number and street*): 1501 LAMB RD

City, State, and ZIP code: WOODSTOCK, IL 60098

Telephone number (*area code*): 815-337-1700

Fax number (*area code*): _____

E-mail address: _____

Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Boring

Type of work performed: Sewer (Sanitary/Storm)

Date and Location of Damage

Date of damage (*month, day, year*): Jun 23, 2012

County: Marion

City: Indianapolis

Street address (*number and street, city, state, and ZIP code*):
5875 SYLVAN DR

Nearest intersection: W 58TH ST

Right of way where damage occurred: Public - City Street

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? Yes

If yes, how many affected? 1

Time to restore service (*in hours*): 2

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 0

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? 7

Notification, Locating, Marking

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1206152831

Was the locate request completed within two working days? No

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

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? No

Type of markings used: Paint and Flags

If other, please specify: _____

Was site marked by "White Lining"? No

Were special instructions part of the locate request? No

Were maps used to complete the locate request? Yes

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? No

Did the excavator notify 911 in the event of a release of product? No

Description of Cause

Select from the list the most accurate cause for the damage: --Facility marking or location not sufficient

Additional Comments

Excavator had a valid locate ticket; however, the Gas Operator failed to locate or provided incorrect locate markings resulting in an OPERATOR VIOLATION. MAO 10/22/2012.



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 3788

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: Meryman Excavation, Inc.

Responsible Party Personal Name: Rick Zirk

Title (if any): Project Manager

Address (number and street): 7940 Zionsville Road

City, State and ZIP Code: Indianapolis, IN 46268

Preferred Telephone Number (area code): 847.417.9256

Cellular Telephone Number (area code): 847.417.9256

Email Address: rickzirk@aol.com

Facility Information:

Business Name: Citizens Energy Group

Responsible Party Personal Name: Tony Chan

Title (if any): _____

Address (number and street): 2150 Dr. Martin Luther King Jr. Street,

City, State and ZIP Code: Indianapolis, IN 46202

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*): Milling Equipment

Type of Work Performed (*select one*): Road Work

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

Personal Contact: Rick Zirk

Business/Organization Name: Merryman Excavation

Title (*if any*): Project Manager

Address (*number and street*): 7940 Zionsville Road

City, State and ZIP Code: Indianapolis, IN 46268

Preferred Telephone Number (area code): 847.417.9256

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

See attached narrative

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 3788

Your Full Name: Rick Zirk

Full Name of Business / Entity (if applicable): Merryman Excavation, Inc.

Your Business Title (if applicable): Project Manager

Address (number and street): 7940 Zionsville Road

City: Indianapolis State: IN ZIP Code: 46268

Your E-mail Address: rickzirk@aol.com

Today's Date (month, day, year): 12/07/12

Your Signature:  Title (if any) Project Manager

Please return your Narrative Statement to:

Pipeline Safety Division – Case Number 3788
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov

Indiana Utility Regulatory Commission
Pipeline Safety Division
Case Number 3788 Narrative

This notice of preliminary determination appears to be a duplicate of a complaint we received in October indentified as case Number 3217. For the purpose of this response, I will summarize the data previously submitted in reponse to Case 3217:

A one call locate request had been made, and was valid at the time of damage, specifically Indiana 811 ticket Number 1206152831.

I have attached a copy of the incident report prepared by Ryan Lee, Merryman's onsite foreman.

- Our records indicate the incident actually took place on June 22, 2012 and not June 23, 2012 as reflected in the complaint.
- The equipment that struck the line was a road pavement grinder, not a backhoe as indicated.
- The damage occurred while preparing the street for restoration, not while excavating the sewer line.
- The service line was not marked.

Mr. Lee advises that the line was struck at a very shallow depth, in the range of 9 inches, below pavement elevation, while a pavement grinder was removing portions of the roadway for restorative work. It appeared to Mr. Lee that the ½ inch plastic line was far too near the surface, most likely as the result of an errant bore under the roadway at time of service line installation. Mr. Bob Kilpatrick from Citizens Energy was on site. Mr. Kilpatrick inspected and evaluated the damage. Mr. Kilpatrick witnessed the line depth and lack of markings. Mr. Kilpatrick verified the hit was not the fault of Merryman Excavation. Mr. Kilpatrick can be reached at 317.691.3123. As a Citizens representative was on scene, Merryman turned over control of the area to them for repairs. Mr. Lee deferred any determination of Fire Department or other agency response to Citizens.