



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

## Pipeline Safety Division Investigation Report

### Investigation regarding: Merryman Excavating

UPPAC Database Record ID: 3883

Report Date: 7/31/2013

Investigator: William Boyd

Damage Date: 8/1/2012

Damage Address: 3308 Vincz Dr, Indianapolis, Marion

### The Parties

Excavator: **Merryman Excavating**

Address: 1501 Lamb Road, Woodstock, Illinois, 60098

Facility Owner: **Citizens Gas**

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Distribution

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Sewer

### Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 11

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$0

### Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1207183007

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 Tony Chan (Citizens Gas); excavator's response to initial notice was received on 1/2/2013. The excavator failed to maintain required clearance from the gas main with the backhoe. Even though the excavator reported the facility deviated back and forth across the alignment, both the gas operator and the EXCAVATOR reported the locate markings to be visible and CORRECT.

**Conclusion:** This case was remanded back to Pipeline Safety for further investigation from the September UPPAC Committee. With further investigation complete, there was a failure to use hand tools within the tolerance zone.

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



## DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)

INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: Aug 29, 2012

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### 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

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### Excavator Information, if known

Full name: MERRYMAN

Business address (*number and street*): 7940 ZIONSVILLE RD

City, State, and ZIP code: Indianapolis, IN 46268

Telephone number (*area code*): \_\_\_\_\_

Fax number (*area code*): \_\_\_\_\_

E-mail address: \_\_\_\_\_

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### Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Sewer (Sanitary/Storm)

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**Date and Location of Damage**

Date of damage (*month, day, year*): Aug 1, 2012

County: Marion

City: Indianapolis

Street address (*number and street, city, state, and ZIP code*):  
3308 VINCZ DR

Nearest intersection: COOPER RD

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? 11

Time to restore service (*in hours*): 0.5

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 0

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**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? 36

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**Notification, Locating, Marking**

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1207183007

Was the locate request completed within two working days? Yes

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? Yes

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? Yes

Did the excavator notify the operator in the event of this damage? No

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

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### **Description of Cause**

Select from the list the most accurate cause for the damage: --Failure to use hand tools where required

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### **Additional Comments**



## INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

**Case Number:** 3883

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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: Merryman 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: \_\_\_\_\_

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**Cause of Damage Information**

**Type of Equipment (select one):** Backhoe/Trackhoe

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

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

Personal Contact: Ryan Lee

Business/Organization Name: Merryman Excavation, Inc

Title (if any): Foreman

Address (number and street): 7940 Zionsville Road

City, State and ZIP Code: Indianapolis, IN, 46268

Preferred Telephone Number (area code): 815.404.4125

Cellular Telephone Number (area code): 815.404.4125

Email Address: \_\_\_\_\_

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**Utility Line Impact**

**Location of Damage:**

Address (*number and street*): 3308 Vincz

City, State and ZIP Code: Indianapolis, IN 46268

Nearest Intersection: Cooper

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

**Facility Type (*select one*):** Distribution

**Size (Diameter/etc.):** 2"

**Pressure (PSIG/Inches):** Unknown

**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

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**Locate Information**

**Excavator Request Locate:**     Yes     No

**Indiana 811 Locate Ticket Number:** 1206152781 and 1207032006

**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:** <sup>0</sup> \_\_\_\_\_

**Number of Inpatient Treated:** <sup>0</sup> \_\_\_\_\_

**Number of Fatalities:** <sup>0</sup> \_\_\_\_\_

**Fire Department Response:**  Yes  No

**Police Department Response:**  Yes  No

**Ambulance Response:**  Yes  No

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### Additional Information / Comments

The backhoe operator was excavating and encountered a 2" gas line in an unexpected location. The Locators lines on the ground surface were in a straight alignment, but the main itself deviated back and forth across that alignment. The operator encountered the line on an alignment previously thought to be cleared. The areas before and after the excavation were clear, but the line meandered back into our trench alignment between those points.

**NARRATIVE STATEMENT**

Your Pipeline Safety Division Case Number: 3883

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): January 2, 2013

Your Signature:  Title (if any) Project Manager

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number 3883**  
**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)