



Pipeline Safety Division Investigation Report

Investigation regarding: Elkhart County Highway Department

UPPAC Database Record ID: 3990

Report Date: 3/19/2013

Investigator: Howard Friend

Damage Date: 10/3/2012 8:55:54 AM

Damage Address: 20760 Rivers Edge Dr, Goshen, Elkhart

The Parties

Excavator: **Elkhart County Highway Department**

Address: 610 Steury Avenue, Goshen, In 46528

Facility Owner: **NIPSCO**

Pipeline Facility

Facility Type: Natural Gas

Facility Function:

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Road Work

Service/Drop

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: No

Indiana 811 Ticket Number:

Original Start Date:

Locate Instructions: Locate the entire street way of rivers edge dr in front of the above address

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 3/7/2013. The excavator failed to provide notice of excavation and reported they did not need to call for underground locates for several reasons such as they were not removing soil and that IC 8-1-26-1 allows them to excavate less than twelve (12) deep without providing notice of excavation. They reported 49 CFR 192.361 regulates the depth a gas service line must be installed. They also reported Elkhart County Ordinance 08-316 as amended regulates the right of way within the jurisdiction of Elkhart County Government. In Section VIII.1)b.2, the ordinance states that Elkhart County will be held harmless for any damage to utilities caused by improper installation.

Conclusion: There was a failure to provide notice of excavation.

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



150 West Market Street, Suite 600
Indianapolis, IN 46204

January 30, 2013

Via Electronic Transmission – PipelineDamageCase@urc.in.gov

Pipeline Safety Division – Case No. 3990
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 3990

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: 10/3/2012

Event Location: 20760 Rivers Edge Dr

Facility Owner: Northern Indiana Public Service Company

Excavator: Elkhart County Highway Department

Other Party: N/A

Pipeline Division Case No. 3990

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

IURC INFORMATION REQUEST	
Pipeline Safety Division Case No. 3990	
Date of Event	10/3/2012
Event Location	20760 Rivers Edge Dr
Event City	Goshen
Facility Owner	Northern Indiana Public Service Company
Excavator	Elkhart County Highway Department
Date of IURC Information Request	12/5/2012
THE PARTIES	
EXCAVATOR:	
BUSINESS NAME	Elkhart County Highway
RESPONSIBLE PARTY PERSONAL NAME	Dan Yoder
TITLE (IF ANY)	
ADDRESS	610 Steury Ave
CITY/ STATE/ZIP	Goshen, IN 46528
PREFERRED TELEPHONE	574-533-0538
CELL PHONE TELEPHONE	574-320-8745
EMAIL ADDRESS	
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	20760 Rivers Edge Dr
CITY/STATE/ZIP	Goshen, IN 46528
NEAREST INTERSECTION	
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"
PRESSURE (PSIG/INCHES)	
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	X
Sewer (Sanitary/Storm)	
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)	N
LOCATE INFORMATION:	
EXCAVATOR REQUEST LOCATE (YES/NO)	N

INDIANA 811 LOCATE TICKET NUMBER	N/A
LOCATE MARKS VISIBLE (YES/NO)	N
LOCATE MARKS CORRECT (YES/NO)	N
EXCAVATOR "WHITE LINED" (YES/NO)	N
MAPS USED TO MARK FACILITIES (YES/NO)	N
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)	Y
POLICE DEPARTMENT RESPONSE (YES/NO)	N
AMBULANCE RESPONSE (YES/NO)	N
ADDITIONAL INFORMATION/COMMENTS	
No notification made to the one-call center.	

Fact Based Investigation Report

NOTIFICATION ID: 01820121003004

DISTRICT: Northern IN

DAMAGE DATE: 10/3/2012 8:56:02 AM

NOTIFICATION DATE: 10/3/2012 9:00:12 AM

NOTIFIED BY: JEAN LLOYD

DAMAGE ADDRESS: 20760 RIVERS EDGE DR

CITY: ELKHART

ST: IN ZIP:

DAMAGED CUSTOMER: NIPSCO

INVESTIGATION DATE: 10/03/2012

FROM: 09:15:00

TO: 09:40:00

EXCAVATOR INVOLVED: ELKHART COUNTY HWY

TYPE OF EXCAVATION: road

ORIG. LOCATE REQ.:

START DATE/TIME:

TYPE OF TICKET:

LOCATE REQ. INFO N/A: Yes

DIG UP/DAMAGE REQ.: 1210030666

START DATE/TIME: 10/3/2012 9:35:00 AM

PICTURES TAKEN BY: tom pasko

DATE/TIME: 10/3/2012 9:35:00 AM

PHOTOGRAPHY TYPE: Digital

FRAME #:

INVESTIGATOR EMP#: 121650

INVESTIGATOR NAME: tom pasko

BASED ON YOUR INVESTIGATION, IS FURTHER INVESTIGATION NEEDED? No

Fact Based Investigation Customer Information

NOTIFICATION ID: 01820121003004

SELECT A CUSTOMER: NIPSCO

CUSTOMER #: (optional)

FACILITY DESCRIPTION: LOWPROF FACILITY ID: Gas Service

LOCATOR NAME & EMP #:

LOCATOR NOT KNOWN: Yes

CHECK ALL THAT APPLY TO INVESTIGATION:

No Locate Req. By Contractor

Other:

CHECK ALL THAT APPLY TO METHOD OF INVESTIGATION (at least one must be checked):

Visual, Facility Exposed At Time Of Investigation,
Investigation Results Verified By Utility Representative

INVESTIGATOR STATEMENT/CAUSAL FACTORS:

no locate call in

NAMES OF UTILITY REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:
no ticket

NAMES OF EXCAVATOR'S REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:
no ticket,

LIST ANY OTHER INDIVIDUALS ON SITE:
na

WERE ANY MARKINGS VISIBLE ON THE DAMAGE SITE UPON ARRIVAL? No

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

WAS THE EXCAVATION WITHIN THE TOLERANCE ZONE OF MARKS? No

EXTENT OF FACILITY DAMAGE cut pl service

REPLACEMENT FOOTAGE ?

WAS CONTRACTOR ASSISTANCE REQUIRED? IF YES, WHO? No

WHAT CONTRACTOR EQUIPMENT WAS USED?

IS THE FACILITY SHOWN ON THE UTILITY RECORDS? No

IF YES, PLEASE LIST RECORD #(S)

NIPSCO 00181 IUPPSa 10/03/2012 08:58:14 1210030677-00A NORM NEW STRT

NORMAL NOTICE

Ticket : 1210030677 Date: 10/03/2012 Time: 08:56 Oper: DSEGO Chan:087

State: IN Cnty: ELKHART Twp: ELKHART
Cityname: GOSHEN Inside: Y Near: N
Subdivision: RIVERBEND

Case: 3990

Address : 20760
Street : RIVERS EDGE DR
Cross 1 : RIVER BLVD Within 1/4 mile: Y
Location: LOCATE THE ENTIRE STREET WAY OF RIVERS EDGE DR IN FRONT OF THE ABOVE
ADDRESS

:
Grids : 4136C8551B 4136C8551A
Boundary: n 41.607830 s 41.605686 w -85.865280 e -85.860970

Work type : REMOVING CONCRETE
Done for : ELKHART COUNTY HIGHWAY DEPARTMEN
Start date: 10/05/2012 Time: 09:15 Hours notice: 48/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : UNKNOWN Depth: 1 FOOT

Company : ELKHART COUNTY HIGHWAY DEPARTMENT Type: OTHR
Co addr : 610 STEURY AVENUE
City : GOSHEN State: IN Zip: 46528
Caller : JEAN LLOYD Phone: (574)533-0538
Contact : DAN YODER---CELL Phone:
BestTime:
Mobile : (574)320-8745
Fax : (574)533-7103

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

Submitted date: 10/03/2012 Time: 08:56
Members: COMCN ID8000 NIPSCO SM

NORTHERN INDIANA PUBLIC SERVICE COMPANY
FACILITY DAMAGE REPORT

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

REPORTING OPERATING AREA Goshen MAXIMO WO # M573882
OPERATING AREA CONTACT J. Cole JOB ORDER # 547392
TRACKING NUMBER 01920121003004 LOCATE REF # NO locates
Locate Performed By: USIL

DATE AND TIME OF ACCIDENT 10-3 2012 8:30AM DATE OF REPORT _____

PLACE OF DAMAGE (INCLUDE CITY) 20760 Rivers Edge Dr Elkhart

DAMAGE WAS TO:

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

OTHER (DESCRIBE) _____

GAS: SERVICE MAIN () SIZE 5/8 MATERIAL: PLASTIC STEEL () METER () REG STATION () STUB ()
OTHER (DESCRIBE) _____

DEPTH OF FACILITY (inches) 6 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 08:30 TIME SHUT OFF 09:15 TIME RESTORED 11:15

DIAMETER/MEASUREMENT OF HOLE IN GAS FACILITY: 5/8

LOCATE MARKS ON SITE: YES () DISTANCE BETWEEN FACILITY AND LOCATE MARKS _____ NO

HOW LOCATED: PAINT () FLAGS () BOTH () WHITE LINED ()

PARTY THAT CAUSED DAMAGES (NAME) Elkhart county Highway

ADDRESS OF PARTY (INCLUDE CITY) 610 Steury Ave, Goshen, IN 46528

WHO WAS IN CHARGE OF THE WORK SITE AT TIME OF DAMAGE Don Yoder

WITNESS NAME AND ADDRESS N/A

WITNESS REMARKS N/A

AGENCIES NOTIFIED / ONSITE: POLICE () AGENCY N/A REPORT # N/A

FIRE AGENCY Waterford? REPORT # _____

OTHER () N/A Any injuries? () YES # _____ NO

PHOTOS TAKEN: YES () NO TAKEN BY: _____ (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 checked="" type="checkbox"/> ROAD WORK | <input 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 checked="" type="checkbox"/> NO NOTIFICATION | <input type="checkbox"/> MARKS DISTURBED | <input type="checkbox"/> STUB |
| | | <input type="checkbox"/> OTHER _____ |

• SEE REVERSE SIDE FOR COMMENTS AND DIAGRAM

COMMENTS: Did not call for locates

PERSON PREPARING REPORT A. Jackson

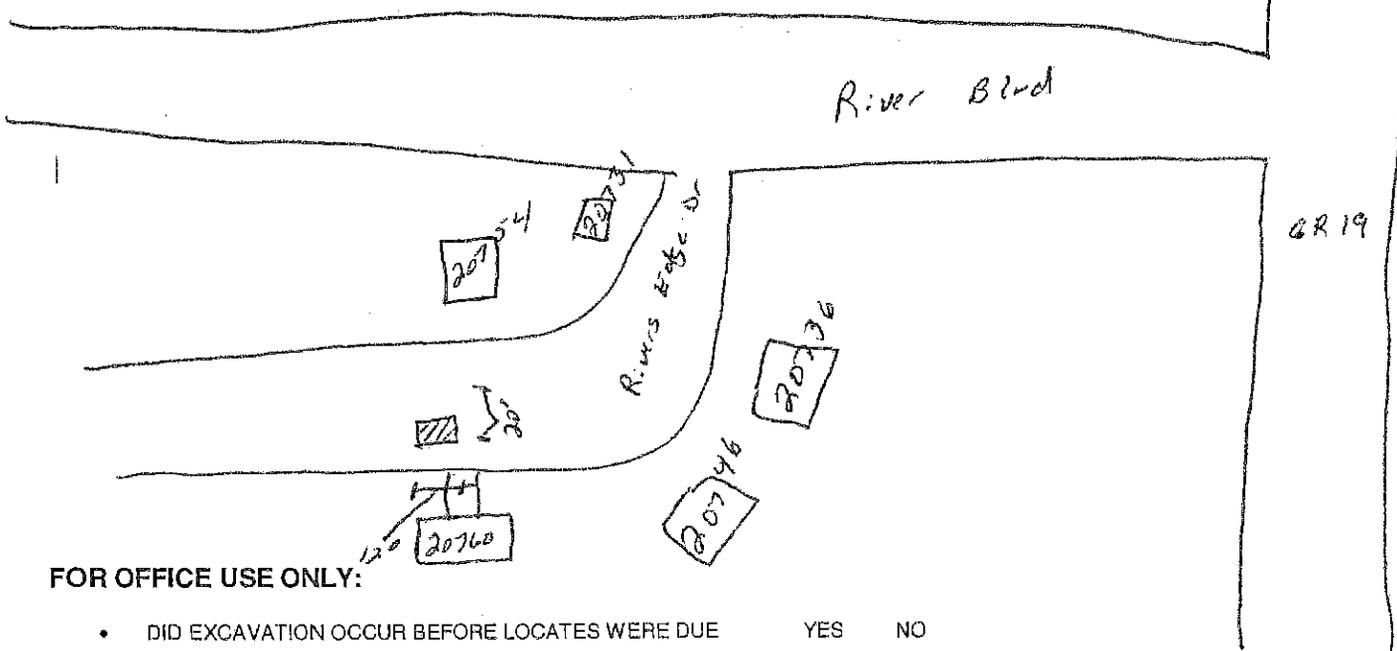
FIELD SUPERVISOR J. Cole

FIELD MANAGER R. Gray

- 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

N
wfe
5



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: _____



HIGHWAY DIVISION

ADMINISTRATION
RECEIVED

December 17, 2012

MAR 07 2013

Pipeline Safety Division – Case No. 3990
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

INDIANA UTILITY
REGULATORY COMMISSION

**RE: Notice of Preliminary Determination of Violation
Pipeline Safety Division Case No. 3990**

Dear Pipeline Safety Division,

I am in receipt of your letter dated November 30, 2012, indicating an investigation has commenced from an alleged violation of Indiana Code 8-1-26, stemming from an incident that occurred on October 3, 2012 at 20760 River Edge Drive in rural Goshen, Indiana when a gas line was punctured while work was performed by employees of the Elkhart County Highway Department.

This letter will serve as the Elkhart County Highway Department's response to the allegations contained within your letter and summarizes our investigation of the matter based upon our research of Local, State, and Federal Laws and Regulations.

Findings of Facts

1. On October 3, 2012, employees of the Elkhart County Highway Department were removing deteriorated sections of concrete from the traveled portion of the roadway at or near 20760 Rivers Edge Drive, north of rural Goshen, Indiana.
2. The crew was solely removing deteriorated sections of concrete slab approximately six to eight inches thick. No soil excavation took place.
3. While removing a slab of concrete, a gas service line located directly under the slab was damaged. The result was a puncture to and gas leaking from the line.
4. Statements from employees present at the scene, along with photos taken, indicate the gas line was not buried in soil, but laid directly under the concrete. When the concrete was lifted, the gas line was damaged when coming up with the concrete. Photos confirm the gas line was less than 8 inches from the top of the concrete. (Photo attached)
5. Indiana Code 8-1-26-1, Section 1(a)(1)(C) states: (a) Except as provided by this section, this chapter does not apply to the following:
 - (1) Excavation that is performed:
 - (C) to a depth not greater than twelve (12) inches.



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Statements taken by workers, and confirmed by photos, indicate work did not exceed 12 inches in depth.

6. In the Code of Federal Regulations, 49 CFR 192.361 regulates the depth a gas service line must be installed. This section states, in part, "Each buried service line must be installed with *at least* 12 inches (305 millimeters) of cover in private property and *at least* 18 inches (457 millimeters) of cover in streets and roads."
7. Elkhart County Ordinance number 08-316 (as amended) regulates the right of ways within the jurisdiction of Elkhart County Government. In Section VIII.1)b.2., the ordinance states that Elkhart County will be held harmless for any damage to utilities caused by improper installation.

Conclusions:

1. Since no work took place in excess of 12 inches in depth, Indiana Code 8-1-26-1 does not apply to the incident that occurred in the roadway at or near 20760 River Edge Drive on October 3, 2012, that resulted in gas service line damage.
2. NIPSCo failed to properly install the gas line in conformity to Federal Regulations, which define the proper burial depth of gas service lines under a roadway at 18 inches.
3. NIPSCo, in failing to properly bury their respective gas service line in conformity to Federal Regulations, also violated Elkhart County Ordinance number 08-816.

This concludes our investigation into the matter. It is my hope that the Pipeline Safety Division and the Advisory Committee concur with our findings to bring closure to this matter. If you have any questions, please contact me at the address listed on the bottom of this document.

Sincerely,

T. Jeffery Taylor
Manager of Transportation
Elkhart County Highway



10/02/2012 20:24