



Pipeline Safety Division Investigation Report

Investigation regarding: Indiana American Water Company

UPPAC Database Record ID: 4132

Report Date: 9/12/2013

Investigator: Mike Orr

Damage Date: 9/7/2012

Damage Address: 1324 Buchanan St Apt 1fl, Gary, Lake

The Parties

Excavator: **Indiana American Water Company**

Address: 650 Madison St, Gary, In 46401

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): \$

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1209060380

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

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

Findings: Reported by Carrie Ludwig (NIPSCO); excavator's response to initial notice was received on 12/21/2012. Excavator had a valid locate ticket; however, the gas operator self reported a failure to provide emergency locate markings.

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

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



150 West Market Street, Suite 600
Indianapolis, IN 46204

September 3, 2013

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

Pipeline Safety Division – Case No. 4132
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Notification of Possible Violations; Pipeline Division Case No. 4132
Date of Event: 9/7/2012
Event Location: 1324 Buchanan St Apt 1fl
Excavator: Indiana American Water Company
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. 4132 (as detailed above) identifying potential violations of Indiana law dated August 5, 2013.

NIPSCO denies that it is in violation of Ind. Code § 8-1-26-18(f). As detailed in NIPSCO's February 3 response, USIC could not gain access to the remainder of the service line because of a locked gate in spite of efforts to approach the landowner. This was an Emergency Ticket called in by Indiana American to repair a water service line. USIC contacted the Indiana American crew and notified them of the issue and asked to be called back out when the work was performed. Presumably the Indiana American crew (who was repairing the same customer's service line) managed to gain access to the fenced area and could have facilitated completion of the locate. It is difficult to image what else could have been done to rectify this situation. NIPSCO cannot be responsible for forcing access to customer property without a reasonable period of time to contact the customer to gain access.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher Earle". The signature is fluid and cursive, with the first name "Christopher" and last name "Earle" clearly distinguishable.

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



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)

INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: Nov 8, 2012

Who is submitting this information?

Name of person providing this information: Carrie Ludwig (NIPSCo)

Business address (*number and street*): 3511 East 15th Ave

City, State, and ZIP code: Gary, IN 46403

Telephone number (*area code*): 219 962 0422

Fax number (*area code*): 219 962 0404

E-mail address: cludwig@nisource.com

Excavator Information, if known

Full name: Indiana American Water Company

Business address (*number and street*): 650 Madison St

City, State, and ZIP code: Gary, IN 46401

Telephone number (*area code*): 219 881 2220

Fax number (*area code*): _____

E-mail address: _____

Excavation or Demolition Information

Excavator type: Municipality

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Water

Date and Location of Damage

Date of damage (*month, day, year*): Sep 7, 2012

County: Lake

City: Gary

Street address (*number and street, city, state, and ZIP code*):
1324 Buchanan St Apt 1FL

Nearest intersection: W 13th Ave

Right of way where damage occurred: Private - Land Owner

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 \$

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? 16

Notification, Locating, Marking

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1209060380

Was the locate request completed within two working days? Yes

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

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

If other, please specify: _____

Was site marked by "White Lining"? No

Were special instructions part of the locate request? Unknown/Other

Were maps used to complete the locate request? Unknown/Other

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? Unknown/Other

Description of Cause

Select from the list the most accurate cause for the damage: --Facility was not located or marked

Additional Comments

Locator had arranged for Water company to call prior to digging and they did not.

Gas operator has self reported the facility was not marked or located; therefore, the resulting determination is an OPERATOR VIOLATION. MAO 11/16/2012.

FORM 412C GENERAL LIABILITY INVESTIGATION

| | | | |
|--|-----------------|--|--|
| Today's Date: 09-25-2012 | | | |
| TRAVELERS: (800) 238-6225 or (800) 832-7839 | | | |
| American Water Contact: Or (District): | | Phone #: | cell #: |
| | | Phone #: | cell #: |
| Operational Risk Management: Sam Alvey 317-885-2407 or Craig Murphy (NW) 219-208-9399 | | Claim Number EVB1930 | |
| GENERAL LIABILITY INVESTIGATION & RISK MANAGEMENT REPORT | | | |
| Describe Liability: | Personal Injury | Property Damage | X |
| Company property or process involved: | | (check below boxes that pertain) | |
| Meter Box | Curb/Valve Box | Other/Complaint: NIPSCO claims damages to underground utilities at 1324 Buchanan St. in Gary, IN on 09-07-2012. Please investigate and complete this 412C.. | |
| Excavation | Barricades | | |
| Vehicle | Water Meter | | |
| Fire Hydrant | Backhoe | | |
| Water Quality | Water Pressure | | |
| Water Main | Service Line | | |
| Name and Address of Claimant: | | NIPSCO Facility Damage Recovery Phone # 219-647-4033 | |
| Email address: | | | |
| Name and Address of Customer: | | NIPSCO Facility Damage Recovery | |
| Location of Incident: | | 1324 Buchanan St. Gary, IN | |
| Date of Incident: | | 09-07-2012 | Time: |
| Person Receiving Call: | | | Time Received: |
| Date Letter Received: | | 09-25-2012 (date on letter 09-14-2012) | |
| Date Notified of Incident: | | 09-25-2012 | |
| If employee error was involved, was safety code violated | | Yes | No <input checked="" type="checkbox"/> |
| If so, what section(s)? | | | |
|  | | 9/26/12 | |
| Supervisor: Roberto Peña | | Date: 9/26/12 | |
| Operations Manager/Superintendent: | | Date: | |
| District Risk Management Manager: | | Date: | |

**GENERAL LIABILITY INVESTIGATION REPORT
(CONTINUED)**

Investigation Report:

Gas service was not located by USIC.

Photos can be found on the following drive:

F:\SC_Common\Photos\2012\Con Laing\Hit Locates\1325 Buchanan

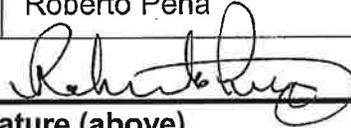
Conclusion:

IAW not at fault.

Recommendation Action for Prevention of a Reoccurrence:

Date of Investigation: 9/26/12

By: Roberto Peña



Signature (above)



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 4132

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: Indiana American Water

Responsible Party Personal Name: Mark Laing

Title (if any): Crew Leader

Address (number and street): 1650 Michigan St.

City, State and ZIP Code: Gary, IN 46402

Preferred Telephone Number (area code): 219-886-3770

Cellular Telephone Number (area code): 219-712-0194

Email Address: mark.laing@amwater.com

Facility Information:

Business Name: NIPSCO

Responsible Party Personal Name: Mary Lechowicz

Title (if any): Leader, Facility Damages

Address (number and street): 801 E. 86th Ave.

City, State and ZIP Code: Merrillville, IN 46410

Preferred Telephone Number (area code): 800-884-2684

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*): 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: _____

Utility Line Impact

Location of Damage:

Address (number and street): 1324 Buchanan St. _____

City, State and ZIP Code: Gary, IN _____

Nearest Intersection: Buchanan St. and 13th Ave. Gary, IN _____

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): \$ _____

Release of Product: Yes No

Ignition and/or Fire: Yes No

Excavator Notify 811: Yes No

Locate Information

Excavator Request Locate: Yes No

Indiana 811 Locate Ticket Number: 1209060380 _____

- 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: N/A

Number of Inpatient Treated: N/A

Number of Fatalities: N/A

Fire Department Response: Yes No

Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

Indiana American Water was excavating in the alley behind 1324 Buchanan St. in order to repair a leaking water service line at this location. Excavation was along fence line in alley as shown by photos sent by Indiana American Water. Photos taken before and after excavation clearly show no locate marks in the planned area of the excavation. Instead locate marks are shown across the alley from where the excavation took place. This non-marking or mis-marking of gas utilities indicated to the construction crew there was no other utilities in the area of the excavation.

Excavation was done by carefully by hand and backhoe around the area of the water shut-off box. An unmarked gas line was struck by the backhoe approximately 8-12 inches below the surface of the ground according to Indiana American Water crew leader, Mark Laing.

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 4132

Your Full Name: Craig Murphy

Full Name of Business / Entity (if applicable): Indiana American Water Co.

Your Business Title (if applicable): Senior Specialist Operation Risk Management

Address (number and street): 650 Madison St.

City: Gary State: IN ZIP Code: 46402

Your E-mail Address: craig.murphy@amwater.com

Today's Date (month, day, year): 12/17/2012

Your Signature:  Title (if any) Sr. Spec. Operational Risk

Please return your Narrative Statement to:

Pipeline Safety Division – Case Number 4132
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov

UTILITY DAMAGE REPORT

Incident / Accident Report

| | | |
|--|--|---|
| Email to the Loss Control Department Karen Fueglein or Regina Usselton | Phone: Karen Fueglein 1-314-996-2440 Gina Ussleton 1-314-996-2300 Fax: Karen Fueglein 1-314-991-9562 Gina Usselton 1-314-991-2715 | Report No: or Claim No. |
|--|--|---|

Provide the following information and include copies of any relevant photos, drawings, damage reports, etc.
 (Fax a copy of the local confirmation of locate called in to the proper authorities)

| | | | | | |
|--|---|--------|-------|-------|--|
| INCIDENT DATE & TIME | REPORT DATE: | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border-bottom: 1px solid black;">Date</td> <td style="width: 35%; border-bottom: 1px solid black;">9-7-12</td> <td style="width: 15%; border-bottom: 1px solid black;">Time</td> <td style="width: 35%; border-bottom: 1px solid black;">11:30</td> </tr> </table> | Date | 9-7-12 | Time | 11:30 | |
| Date | 9-7-12 | Time | 11:30 | | |

| | |
|--|--|
| CLAIMANT: | Claimant Phone No. |
| Company: <u>Nipsco</u> | Claimant Cell No. |
| Address: | |
| City: <u>Gary</u> | |
| State: <u>IN</u> Zip Code: | |

| IMPACT ON UTILITY | |
|---|--|
| <input checked="" type="checkbox"/> Gas | <input type="checkbox"/> Telephone |
| <input type="checkbox"/> Electric | <input type="checkbox"/> Waste Water/Sewer |
| <input type="checkbox"/> Power | <input type="checkbox"/> Other |

| | |
|---------------------------------------|---|
| EXCAVATOR: | UTILITY FUNCTION |
| Company: <u>IAWC</u> | <input checked="" type="checkbox"/> Service <input type="checkbox"/> Feeder |
| District: <u>Northwest</u> | <input type="checkbox"/> Main/Primary <input type="checkbox"/> Trunk |
| Foreman/Crew Chief: <u>MARK LAINY</u> | <input type="checkbox"/> Secondary <input type="checkbox"/> Fiber |
| Supervisor: | <input type="checkbox"/> Transmission <input type="checkbox"/> Other |

| | |
|------------------------------|---------------------------------|
| UTILITY OPERATOR: <u>Bob</u> | LOCATE COMPANY: <u>SM&P</u> |
|------------------------------|---------------------------------|

| | |
|-------------------------------|--|
| INCIDENT LOCATION: | Please check one: Please check one: |
| Address: <u>1324 Buchanan</u> | Public Property: <input checked="" type="checkbox"/> State ROW: <input type="checkbox"/> |
| City/town: <u>Gary</u> | Private Property: <input type="checkbox"/> City ROW: <input type="checkbox"/> |
| County if known: <u>Lake</u> | County ROW: <input type="checkbox"/> |
| | *Right-of-Way <input type="checkbox"/> |

| UTILITY LINE IMPACT | | | |
|----------------------------------|---|--------------------------|--|
| Material type: <u>PVC</u> | Size (Diameter/Voltage/Pairs/Etc.): <u>1/2"</u> | Pressure (PSIG /Inches): | |
| No. Customers Affected: <u>1</u> | | | |
| Estimate of Repair Cost: | | | |

| INCIDENT IMPACT: | | | |
|----------------------------------|---------------------------------|--------------------|--|
| Injury - No. of Outpatient Care: | Injury - No. Of Inpatient Care: | No. of Fatalities: | |
| Fire Department Response: | Police Department Response: | | |
| Other Property Impacted: | | | |
| Other Property Repair Cost: | | | |

| EXCAVATION / DEMOLITION ACTIVITIES: | |
|---|--------------------------------------|
| Julie/Utility Dig # <u>1209060380</u> | |
| Mechanical Equipment Hand Tool Involved: <u>Backhoe</u> | |
| Nature of Excavation or Demolition (Trenching, Plowing, Drilling, Boring, Etc.) <u>Repair water sewer line.</u> | |
| INCIDENT CAUSE: | Please provide details on next page. |

PROVIDE DETAILED EXPLANATION OF THE CIRCUMSTANCES AND CAUSE OF THE INCIDENT:

There were no locates on East side of Alley for the gas service. We were digging down slowly by hand & with the backhoe around the water box. I took it about 6 inch down and caught the gas service that was not mark

Gas Service was maybe 8-12 inches down from top of ground I took pictures before, during and after the job

PROVIDE A DETAILED SKETCH OF THE INCIDENT AREA AND THE DAMAGED FACILITY:

To accurately describe the damage to the facility, please include the following: (a) the direction of North, (b) the underground utilities, roads, fixed landmarks, etc., (c) the point of damage using distances to the landmarks, (d) the actual position of each paint mark or flag placed by the operator for the facility, and (e) the actual distances between the facility and the paint or flags. Attach photo if available.

| | | |
|---|----------------------|----------|
| Name of person you spoke with from other utility at job site | NipSCO: Jim Cloutier | Smy: Bob |
| Was damaged facility within required 2 foot locate requirement? | No | |
| Was locate Verbal or Field Marks | Field marks | |
| Was location of damaged facility within 2 ft. of where located by others? | No | |
| Supervisor: | | Date: |

From: Craig.Murphy@amwater.com
To: PipelineDamageCase@
Subject: Pipeline Safety Division-Case # 4132
Date: Tuesday, December 18, 2012 12:15:40 PM

Dear Mr. Boyd,

Please find attached documents from Indiana American Water pertaining to Pipeline Safety Division Case #4132. This case concerns utility damage at 1324 Buchanan St. in Gary, IN occurring on or around 09/07/2012.

(See attached file: 4132 narrative response.pdf)(See attached file: 1324 Buchanan St. IURC 4132 Information Request.pdf)(See attached file: 1324 Buchanan 412C report IURC 4132.pdf)(See attached file: 1324 Buchanan Utility Damage Report IURC 4132.pdf)(See attached file: 4132 photos pdf.pdf)

If you have any questions or concerns, please let me know.

Sincerely,

Craig Murphy
Senior Specialist Operation Risk Management
Indiana American Water
650 Madison St. Gary, IN
219-880-2361 (office)
219-208-9399 (cell)
74712361 (interoffice)
craig.murphy@amwater.com



650 Madison St.
Gary, IN 46401

P 219-880-2361
F 219-880-2313

12-14-2012

Pipeline Safety Division-Case # 4132
Indiana Utility Regulatory Commission
101 W. Washington St. Ste. 1500 E
Indianapolis, IN 46204

INITIAL DOCUMENTS-EXCAVATOR

Dear Mr. Boyd:

I have received the Notice of Preliminary Determination of Violation for Pipeline Safety Division Case # 4132 relating to a utility damage incident occurring on 09/07/2012 at 1324 Buchanan St. in Gary, IN. This case alleges that we may have violated the statutes below and requires response from Indiana American Water.

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

Indiana American Water responds to the alleged violations as follows:

IC 8-1-26-16 (g) Failure to provide notice of excavation: Indiana American Water provided notice of the excavation to the IUPP as evidenced by locates number **1209060380**.

IC 8-1-26-16 (h) Failure to perform required white lining: Indiana American Water was not required to provide white lining because an accurate street address was provided as allowed by IC 8-1-26-16 (a)(2)(A).

IC 8-1-26-20 (b) Failure to maintain two (2) feet clearance with mechanized equipment: Indiana American Water operator did not maintain appropriate clearance as required in IC 8-1-26-20 (a)(2) resulting in mechanized equipment coming in contact with and causing damage to the utility facility owned by Northern Indiana Public Service Company. Indiana American Water employees involved in this excavation state that USIC did mark utilities in the area but that the locating marks for the gas utility

damaged in this incident were mismarked and did not accurately locate the gas utility that was damaged by the excavation.

The Notice of Preliminary Determination of Violation for Pipeline Safety Division Case #4132 also states it is investigating the violation of IC 8-1-26-18(f), failure to properly locate facilities by the operator, in this case NIPSCO. Indiana American Water's incident investigation has concluded that the gas utility damaged by Indiana American Water was improperly located and/or not located by NIPSCO's contracted utility locating service USIC.

The information request for this Notice of Preliminary Determination of Violation has been included with this narrative response, per your request. Also attached are photos of the damage scene, documentation of the locate request, and a utility damage report and investigation report completed by Indiana American Water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Murphy', with a stylized initial 'C' and 'M'.

Craig Murphy
Senior Specialist Operation Risk Management



This photo shows the general location of locates marks for excavation at 1324 Buchanan St.



Additional locates marks across alley from excavation



damage

This photo shows the area of the excavation relative to the locate marks.



This photo shows there was no locates marks in the area of the excavation.



This photo shows the relative depth of the utility damage as 8-12 inches as indicated by the crew leader/excavator.