



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: Kingdom Hall Of Jehovah's Witnesses

UPPAC Database Record ID: 4176

Report Date: 04/04/2013

Investigator: Howard Friend

Damage Date: 11/17/2012

Damage Address: 206 Sr 43, Spencer, Owen County

The Parties

Excavator: Kingdom Hall Of Jehovah's Witnesses (Occupant)

Address: 9233 West State Road 46, Gosport, In 47433

Facility Owner: Community Natural Gas, Inc.

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Hand Tools

Type of Work Performed: Fencing

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$150

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: No

Indiana 811 Ticket Number:

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

Synopsis: A natural gas service was damaged during excavation to install a fence post.

Findings: Reported by Bill Herrington; excavator's response to initial notice was received on 2/22/2013. There was a failure to provide notice of excavation.

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

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

Woods, Janea

From: Community Natural Gas [commgas@frontier.com]
Sent: Friday, February 15, 2013 2:05 PM
To: IURC PipelineDamageCase
Subject: Case# 4176 Initial Documents-Operator

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 4176
Your Full Name: Donald E Kieffer
Full Name of Business / Entity (if applicable): Community Natural Gas Co., Inc.
Your Business Title (if applicable): President
Address (number and street): 118 N. Division St.
City: Mt. Carmel State: IL ZIP Code: 62863
Your E-mail Address: commgas@frontier.com
Today's Date (month, day, year): 2/15/13

No additional information is available for this case.



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)

INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: Nov 26, 2012

Who is submitting this information?

Name of person providing this information: Bill Herrington

Business address (*number and street*): 261 W Clay St.

City, State, and ZIP code: Spencer, IN 47460

Telephone number (*area code*): (812) 829-3505

Fax number (*area code*): (812) 829-4033

E-mail address: commgas@sbcglobal.net

Excavator Information, if known

Full name: Congregation of Jehovah Witness c/o Don Key

Business address (*number and street*): 206 SR 43

City, State, and ZIP code: Spencer, IN 47460

Telephone number (*area code*): (812) 829-2167

Fax number (*area code*): _____

E-mail address: _____

Excavation or Demolition Information

Excavator type: Occupant

Excavation or demolition equipment: Hand Tools

Type of work performed: Fencing

Date and Location of Damage

Date of damage (*month, day, year*): Nov 17, 2012

County: Owen

City: Spencer

Street address (*number and street, city, state, and ZIP code*):
206 SR 43

Nearest intersection: SR 46

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? Yes

If yes, how many evacuated? _____

Was there a customer service interruption? Yes

If yes, how many affected? 1

Time to restore service (*in hours*): 0.75

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 150

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? 11

Notification, Locating, Marking

Did excavator request locates prior to commencing work? No

Enter Indiana 811 ticket number, if known: _____

Was the locate request completed within two working days?

If locates were performed, were they done so by a contractor or pipeline employee? Unknown/Other

If a contractor locator, enter the company name, if known: _____

Were facility marks visible in the area of excavation? No

Were facilities marked correctly? No

Type of markings used:

If other, please specify: _____

Was site marked by "White Lining"?

Were special instructions part of the locate request?

Were maps used to complete the locate request?

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? Yes

Description of Cause

Select from the list the most accurate cause for the damage: --No notification made to the one-call center

Additional Comments

Hit with post hole digger.



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

February 14, 2013

Congregation Of Jehovah Witness C/o Don Key
206 Sr 43
Spencer, In 47460

**Re: Notice of Preliminary Determination of Violation
Pipeline Safety Division Case No. 4176**

Date of Event: 11/17/2012
Event Location: 206 Sr 43, Spencer, Owen County
Excavator: Congregation Of Jehovah Witness C/o Don Key
Facility Owner: Community Natural Gas, Inc.

To Whom It May Concern,

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 **11/17/2012**, you or your business damaged a pipeline facility owned by **Community Natural Gas, Inc.** and located at **206 Sr 43, Spencer, Owen 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 Community Natural Gas, Inc. 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. Please note that the Division's investigation will be completed after this time period, even if you do not respond



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 4176

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: Congregation Of Jehovah's Witness

Responsible Party Personal Name: Richard O Davis

Title (if any): N/A

Address (number and street): 9233 West State Road 46

City, State and ZIP Code: Gosport, Indiana 47433-9548

Preferred Telephone Number (area code): 812-876-6603

Cellular Telephone Number (area code): 812-340-2000

Email Address: dickodavis@yahoo.com

Facility Information:

Business Name: Kingdom Hall of Jehovah's Witnesses

Responsible Party Personal Name: Richard O Davis

Title (if any): N/A

Address (number and street): 206 State Road 43

City, State and ZIP Code: Spencer, Indiana 47460

Preferred Telephone Number (area code): 812-876-6603

Cellular Telephone Number (area code): 812-340-2000

Email Address: dickodavis@yahoo.com

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: _____

Cause of Damage Information

Type of Equipment (select one): Hand Tools

Type of Work Performed (select one): Landscaping

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

Personal Contact: Owen County Fire Department & Community Natural Gas were called

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*): 206 State Road 43

City, State and ZIP Code: Spencer, Indiana 47460

Nearest Intersection: Highway 43 and Highway 46

Product Type (*select one*): Natural Gas

Facility Type (*select one*): Gathering

Size (Diameter/etc.): _____

Pressure (PSIG/Inches): _____

Interruption in Service: Yes No Number of Customers Affected: 1

Evacuation: Yes No If yes, How Many Evacuated? 0

Repair Cost (if known): \$ 0

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: N/A

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

We were doing some work around the Kingdom Hall , making repairs in some areas for safety and to make the inside and outside more attractive .

At the time of the incident we were putting a cedar fence around the outside air conditioning and was digging a hole for a fence post when the young man using a hand held post hole digger hit the small gas line going into the building. And inadvertently hit the gas line. We never thought of calling for a locator and it was or error.

I hope this form is filled out accurately, I have never done one of these before.

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 4176

Your Full Name: Richard O Davis

Full Name of Business / Entity (if applicable): Kingdom Hall of Jehovah's Witnesses

Your Business Title (if applicable): N/A

Address (number and street): 206 State Road 43

City: Spencer, State: IN ZIP Code: 47460

Your E-mail Address: dickodavis@yahoo.com

Today's Date (month, day, year): 02-22-13

Your Signature: _____ Title (if any) N/A

Please return your Narrative Statement to:

Pipeline Safety Division – Case Number 4176
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov