

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: Wigent Excavating

UPPAC Database Record ID: 4182

Report Date: 3/19/2013

Investigator: Howard Friend

Damage Date: 10/29/2012

Damage Address: 3005 W Ferguson Rd Bldg 782, Fort Wayne, Allen

The Parties

Excavator: **Wigent Excavating**

Address: 1675 South Sr 9, Columbia City, In 46725

Facility Owner: **NIPSCO**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Distribution

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Construction

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 3

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$801

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 main was damaged during excavation for building construction.

Findings: Reported by Carrie Ludwig; excavator's response to initial notice was received on 3/18/2013. This damage site is a secured Air Force base. The excavator was told not to call in for locates because the government will complete the locate markings. The excavator reports that after the facilities had been located they had a job site briefing explaining the utility markings. The Operators line had not been located.

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

March 6, 2013

Via Electronic Transmission – PipelineDamageCase@urc.in.gov

Pipeline Safety Division – Case No. 4182
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 4182

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: 10/29/2012

Event Location: 3005 W Ferguson Rd Bldg 782

City: Fort Wayne

Facility Owner: Northern Indiana Public Service Company

Excavator: Wigert Excavating

Other Party: N/A

Pipeline Division Case No. 4182

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. 4182	
Date of Event	10/29/2012
Event Location	3005 W Ferguson Rd Bldg 782
Event City	Fort Wayne
Facility Owner	Northern Indiana Public Service Company
Excavator	Wigert Excavating
Date of IURC Information Request	2/13/2013
THE PARTIES	
EXCAVATOR:	
BUSINESS NAME	Wigent Excavating
RESPONSIBLE PARTY PERSONAL NAME	Jeff Wigent
TITLE (IF ANY)	
ADDRESS	1675 South State Road 9
CITY/ STATE/ZIP	Columbia City, IN 46725
PREFERRED TELEPHONE	260-244-3014
CELL PHONE TELEPHONE	
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	3005 Ferguson Rd
CITY/STATE/ZIP	Fort Wayne, IN 46809
NEAREST INTERSECTION	
PRODUCT TYPE (Select One)	
NATURAL GAS	X
LIQUID PIPELINE	
UNKNOWN/OTHER	
FACILITY TYPE (Select One)	
DISTRIBUTION	X
GATHERING	
SERVICE/DROP	
TRANSMISSION	
UNKNOWN/OTHER	
SIZE (DIAMETER/ETC.)	2"
PRESSURE (PSIG/INCHES)	45
INTERRUPTION IN SERVICE (YES/NO)	YES
NUMBER OF CUSTOMERS AFFECTED	3
EVACUATION (YES/NO)	NO
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	X
Bldg. Demolition	
Drainage	
Driveway	
Electric	
Engineering/Surveying	
Fencing	
Grading	
Irrigation	
Landscaping	
Liquid Pipeline	
Milling	
Natural Gas	
Pole	
Public Transit Authority	
Railroad Maintenance	
Road Work	
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)	YES
IGNITION AND/OR FIRE (YES/NO)	NO
EXCAVATOR NOTIFY 811 (YES/NO)	NO
LOCATE INFORMATION:	
EXCAVATOR REQUEST LOCATE (YES/NO)	NO

INDIANA 811 LOCATE TICKET NUMBER	N/A
LOCATE MARKS VISIBLE (YES/NO)	NO
LOCATE MARKS CORRECT (YES/NO)	NO
EXCAVATOR "WHITE LINED" (YES/NO)	NO
MAPS USED TO MARK FACILITIES (YES/NO)	NO
OPERATOR EMPLOYEES ON-SITE DURING EXCAVATION (YES/NO)	NO
INCIDENT IMPACT INFORMATION	
NUMBER OF OUTPATIENT TREATED	0
NUMBER OF INPATIENT TREATED	0
NUMBER OF FATALITIES	0
FIRE DEPARTMENT RESPONSE (YES/NO)	NO
POLICE DEPARTMENT RESPONSE (YES/NO)	NO
AMBULANCE RESPONSE (YES/NO)	NO
ADDITIONAL INFORMATION/COMMENTS	
No notification made to the one-call center	

Fact Based Investigation Report

Notification ID 01820121029005
Damage Date 10/29/2012 10:40
Notified By Tennille Ford (Facility Owner)
Damage Address 3005 W. Ferguson Buld #782 XBluffton Rd (Allen County)
Ft. Wayne, IN
District Northern Indiana
Notification Date 10/29/2012 10:39

Damaged Customer NIPSCO

Investigation Date From 10/29/2012 00:00:00 To 10/29/2012 00:05:00

Excavator Involved WEIGAND CONST.

Type of Excavation new building

Orig. Locate Request Start Date
Type of Ticket Locate Req. Info N/A Yes

Damage Request # Start Date

Pictures Taken By jesse thomas Date 10/29/2012 00:00

Photography Type Digital Frame #

Investigator Emp. # 129852 Investigator Name jesse thomas
Based on your investigation, is further investigation needed? No

Fact Based Investigation Customer Information

Facility Description Low Profile Facility ID Gas Main
Locator Name & EMP # - Locator Not Known Yes

Investigation Findings

No Locate Req. By Contractor

Other Notes

Investigation Methods

Investigator Verified Existing Marks By Hooking Up
Visual, Facility Exposed At Time Of Investigation

Investigator Statement/Causal Factors

contractor had no locate ticket. marked out main for nipsco photos on 1210261356

Names of Utility Representatives Contacted or on Site and Statement

n/a

Names of Excavator's Representatives Contacted or on Site and Statement

n/a

Other individuals on site

n/a

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 main

Replacement Footage

n/a

Was contractor assistance required? If yes, who?

No

What contractor equipment was used?

backhoe

Is the facility shown on the utility records?

Yes

If yes, list record numbers

nipsco



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

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

Submitted to IURC-Pipeline Safety on: Nov 20, 2012

Who is submitting this information?

Name of person providing this information: Carrie Ludwig

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: Wigert Excavating

Business address (*number and street*): 1675 South SR 9

City, State, and ZIP code: Columbia City, IN 46725

Telephone number (*area code*): 260 244 3014

Fax number (*area code*): _____

E-mail address: _____

Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Bldg. Construction

Date and Location of Damage

Date of damage (month, day, year): Oct 29, 2012

County: Allen

City: Fort Wayne

Street address (number and street, city, state, and ZIP code):
3005 W Ferguson Rd Bldg 782, Fort Wayne, IN

Nearest intersection: IN RT 1

Right of way where damage occurred: Private - Business

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? 3

Time to restore service (in hours): 3

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? Distribution

What was the depth of the facility, in inches? 30

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? Unknown/Other

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? Unknown/Other

Type of markings used: Other

If other, please specify: no locates

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: --No notification made to the one-call center

Additional Comments



INFORMATION REQUEST

State Form 54909 (R / 3-13)

INDIANA UTILITY REGULATORY COMMISSION - PIPELINE SAFETY DIVISION

RECEIVED

MAR 18 2013

INDIANA UTILITY
REGULATORY COMMISSION

Case Number: 4182 Initial Documents - Exc.

Date of Damage (month, day, year): 10-29-2012

Location of Damage:

Address (number and street): 3005 West Furgeson Road Bldg. 782

City, State and ZIP Code: Fort Wayne, IN 46725

Nearest Intersection: Bluffton Road

Excavator Information:

Business Name: Wigent Excavating Inc.

Responsible Party Personal Name: Todd Porter

Title (if any): Project Manager

Address (number and street): 1675 South State Road 9

City, State and ZIP Code: Columbia City, IN 46725

Preferred Telephone Number (area code): 260-740-1373

Email Address: todd@wigentexc.com

Utility Information:

Utility Name: NIPSCO

Contact Person: Mary Lechowicz

Title (if any): Leader of Facility Damages

Cause of Damage Information

Type of Equipment (select one): Backhoe/Trackhoe

Type of Work Performed (select one): Bldg. Construction

Repair Cost: \$ 801.39

Did a leak result from damage: Yes No

Was there ignition: Yes No

Excavator Notify 911 due to leak: Yes No

Excavator Notify 811 upon damage: Yes No

Excavator Notify Utility upon Damage: Yes No

AS PER POLICY, WE NOTIFY
ENGINEERING AND THEY
MAKE ALL OTHER CONTACTS

Locate Information

Excavator Request Locate: Yes No

Indiana 811 Locate Ticket Number: Refer to Indiana Air National Guard

Locate Marks Visible: Yes No

Locate Marks Correct: Yes No

Excavator "White Lined": Yes No

Was Locate Provided within Two (2) Working Days: Yes No - SEE ATTACHED

Utility Employees On-site during Excavation: Yes No

Incident Information:

Fire Department Response: Yes No

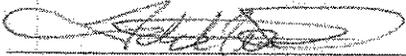
Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

Please see attached narrative for more details.

Printed Name: TODD W PORTER

Signature: 

Date (month, day, year): 3/15/2013

**If submitting this form electronically, typing your name in the signature box will act as an electronic signature.*

Please return completed form to:

PipelineDamageCase@urc.in.gov

Or mail to:

**Indiana Utility Regulatory Commission
Pipeline Safety Division - Case Number 4182
101 West Washington Street, 1500E
Indianapolis, IN 46204**

**Or fax to:
317-233-2410**

Wigent Excavating Inc.
1675 South State Road 9
Columbia City, IN 46725
March 15, 2013

Pipeline Safety Division
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

Refer.: Case No. 4182 "Initial Documents – Excavator":

I am writing this letter to explain, to the best of my abilities, the unique circumstances surrounding this case. I suppose the best way to address the specific violations, as they are listed in your preliminary notice, is to explain to you the protocol that is set forth by the Indiana Air National Guard (IANG).

The IANG controls all of the locating to be done on their facility. This policy is in place for a few reasons. Firstly, the base is a secure facility that requires the base security's permission to enter. This, in itself, takes some coordination on their part. Secondly, they have a multitude of underground facilities that are "private". By virtue of controlling the function of locating, this better insures that each of their own departments has an opportunity to identify and mark related facilities. Following their completion of locating all of the underground facilities, they require that the excavating contractor walk the dig site to review with them, the location of any underground facilities. After that, the excavator is provided mapping of the located utilities and is allowed to proceed.

I hope that this explains the first two listed violations. Our name does not appear on any locate ticket, because we are not allowed to call in locates for the base. Consequently, for the same reason, we would not have white lined the dig site. As I related this Mary Lechowicz, she shared with me that the IANG policy does not have an exemption, that would allow them to supersede state law. I hope that you can appreciate, that from our perspective, and given the number of projects at the base over the years, it never occurred to us to challenge a military base on their locate policy.

As for the last two violations, please consider the following. During the walk through, all of the utilities indicated on the drawings provided to us, were represented by coinciding painted markings. Included in these locates were two different gas markings. One that was located along to the roadway on the north side of the project, well outside of our work area, as well as a second one entering from the west side of the project, which turned out to be an abandoned service line. There was no marking indicated near the gas line that was struck. Given that there was no marking in the area of the strike, and the fact that there were other gas locates that had been marked, we had no reason to suspect that another line was in the area. Thereby we had no reason to believe that there was a utility requiring location. If you require further corroboration as to the accounting of these events, please feel free to contact the following:

[Recipient Name]

March 15, 2013

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Jim Grimm (Synergid Commercial) 260- 385- 9368, Chief Jeff Spickelmeier (LANG)
260- 478- 3210, David Ulrich (Engineering Services) 260- 478 3437.

In closing, I should inform you that I am writing this response as an unofficial representative of Wigent Excavating Inc.. As of January 1st, 2013, Wigent Excavating Inc. was sold to new ownership and is no longer doing business. The owner has continued with the namesake but has started a new company entirely, Wigent Excavating LLC. I don't know what if any bearing this might have, but I thought it was worth mentioning. Please let me know if I can be of any further assistance.

Sincerely,
Todd Porter

[Your Name]

[Title]

Enclosure