



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: Albright Properties And Construction Services

UPPAC Database Record ID: 4640

Report Date: 7/24/2013

Investigator: Mike Orr

Damage Date: 4/17/2013 5:09:41 PM

Damage Address: 1217 N Notre Dame Ave, Portage, St Joseph

The Parties

Excavator: **Albright Properties And Construction Services**

Address: 805 East Center Street, North Liberty, In 46554

Facility Owner: **NIPSCO**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Construction

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: 1304121973

Original Start Date:

Locate Instructions: LOCATE--20 FEET RADIUS AROUND THE HOUSE--

Follow-Up Locate Instructions (if applicable):

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

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 5/13/2013. The excavator damaging the gas service line did not know he could not work under the general contractor's locate ticket. The ticket referenced above belonged to the general contractor and the marks were no longer visible due to construction in the area.

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

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



150 West Market Street, Suite 600
Indianapolis, IN 46204

May 31, 2013

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

Pipeline Safety Division – Case No. 4640
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 4640

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: 4/17/2013

Event Location: 1217 N Notre Dame Ave

City: Portage

Facility Owner: Nipsco

Excavator: Albright Properties And Construction Services

Other Party: N/A

Pipeline Division Case No. 4640

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. 4640	
Date of Event	4/17/2013
Event Location	1217 N Notre Dame Ave
Event City	Portage
Facility Owner	Nipsco
Excavator	Albright Properties And Construction Services
Date of IURC Information Request	May 1, 2013
THE PARTIES	
EXCAVATOR:	
BUSINESS NAME	Albright Properties and Construction
RESPONSIBLE PARTY PERSONAL NAME	
TITLE (IF ANY)	
ADDRESS	805 East Center Street
CITY/ STATE/ZIP	North Liberty / IN / 46554
PREFERRED TELEPHONE	(574)220-4799
CELL PHONE TELEPHONE	(574)532-5419
EMAIL ADDRESS	tonydalbright@yahoo.com
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	1217 N Notre Dame Avenue
CITY/STATE/ZIP	South Bend / IN / 46617
NEAREST INTERSECTION	E Angela Blvd
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)	35
INTERRUPTION IN SERVICE (YES/NO)	Y
NUMBER OF CUSTOMERS AFFECTED	1
EVACUATION (YES/NO)	N
IF YES, HOW MANY EVACUATED	
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	

Trencher	
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)	Y
IGNITION AND/OR FIRE (YES/NO)	N
EXCAVATOR NOTIFY 811 (YES/NO)	Y – 1304173564
LOCATE INFORMATION:	
EXCAVATOR REQUEST LOCATE (YES/NO)	N

INDIANA 811 LOCATE TICKET NUMBER	N
LOCATE MARKS VISIBLE (YES/NO)	N
LOCATE MARKS CORRECT (YES/NO)	N/A
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)	N/A
POLICE DEPARTMENT RESPONSE (YES/NO)	N/A
AMBULANCE RESPONSE (YES/NO)	N/A
ADDITIONAL INFORMATION/COMMENTS	
No notification made to the one-call center.	

Fact Based Investigation Report

Notification ID 01820130417012
Damage Date 04/17/2013 14:50
Notified By MARK DILOSA (Facility Owner)
Damage Address 1217 N NOTRE DAME AVE PEASH WAY (ST JOSEPH CTY)
SOUTH BEND , IN
District Northern Indiana
Notification Date 04/17/2013 16:19

Damaged Customer NIPSCO

Investigation Date From 04/17/2013 17:15:00 **To** 04/17/2013 18:50:00

Excavator Involved ALBRIGHT

Type of Excavation DIGGING FOOTINGS

Orig. Locate Request 1304121973 **Start Date** 04/16/2013 00:00
Type of Ticket Routine **Locate Req. Info** N/A

Damage Request # M85199664 **Start Date** 04/17/2013 00:00

Pictures Taken By B ARENS **Date** 04/17/2013 17:30

Photography Type Digital **Frame #**

Investigator Emp. # 113463 **Investigator Name** BRIAN ARENS

Based on your investigation, is further investigation needed? No

Fact Based Investigation Customer Information

Facility Description Low Profile **Facility ID** Gas Service

Locator Name & EMP # Arens Brian - 113463 **Locator Not Known**

Investigation Findings

Facility Marked Accurately
No Locate Req. By Contractor
Relocate Needed

Other Notes

Investigation Methods

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

Investigator Statement/Causal Factors

THE ONLY PAINT REMAINING ONSITE WAS NEAR THE GAS RISER. THE ORIG LOCATE # NOTED WAS FOR HALPERT CONSTR CO. THIS CONTR DONE HIS GRADING DESTROYING ALMOST ALL MARKS AND HIRED ALBRIGHT CONSTR TO DIG A FPUNDATION AND REMOVE THE DRIVEWAYS. ALBRIGHT WHO DID NOT HAVE A LOCATE REQUEST WAS WORKING WITH NO REMAINING MARKS AND WITHOUT A LOCATE REQUEST MOVING SOIL ABOUT 35' FROM THE HOME WHERE HE STRUCK AND DAMAGED THE 5/8" PL GAS SERVICE. HE THEN PROCEEDED TO GO TO THE SAME SERVICE WHERE HE HAD EXPOSED IT NEAR THE METER BASE AND CUT THE SAME DAMAGED GAS SERVICE TO GET IT OUT OF THE WAY. (THE ORIG LOCATE REQUEST WAS FOR 20' AROUND THE HOME) THEREFORE CONTR HAD NO LOCATE REQUEST AND ALL CONTRS WERE DIGGING OUTSIDE OF THE LOCATE

REQUEST FOR THE PROPERTY+THE MARKS THAT WERE THERE HAD BEEN DESTROYED BY SOIL REMOVAL REQUIRING A REMARK. NO REPAIR TO BE MADE UNTIL AFTER NEW CONSTR IS COMPLETED. SERVICE CAPPED AT DAMAGE SITE NEAR THE SIDEWALK.

Names of Utility Representatives Contacted or on Site and Statement

ROBERT HAYWOOD-NIPSCO, GAVE ME MOST OF THIS INFORMATION. ROBERT ALSO STATED THE CONTR CALLED IN ON 4-16-13 AFTER SEEING THE LOCATE COMPLETED ASKING NIPSCO TO REROUTE THE SERVICE AS IT WAS IN THE WAY OF THE HOME ADDITION. CONTR BELIEVED THE DAY AFTER MAKING THIS PHONE CALL TO NIPSCO THE LINE HAD BEEN MOVED, SO DID NOT WORRY ABOUT DIGGING BLIND.

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

MR ALBRIGHT AND MR HALPERT, THOUGHT THE LINE HAD BEEN MOVED ALREADY AND AFTER DAMAGING THE LINE THOUGHT IT WAS BURIED TO SHALLOW.

Other individuals on site

NA

Were any markings visible on the damage site upon arrival?	Yes
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 IN 1/2 IN 2 PLACES
Replacement Footage	TOTAL REROUTE
Was contractor assistance required? If yes, who?	No NA
What contractor equipment was used?	NA
Is the facility shown on the utility records?	No
If yes, list record numbers	NA

NORTHERN INDIANA PUBLIC SERVICE COMPANY
FACILITY DAMAGE REPORT

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

REPORTING OPERATING AREA South Bend MAXIMO WO #
OPERATING AREA CONTACT Gary King JOB ORDER # 589574
TRACKING NUMBER 018-2013 0417012 LOCATE REF # 1304121973 (someone else's ticket) No locate.

DATE AND TIME OF ACCIDENT April 17 2013, 03:54 PM DATE OF REPORT 4-17-13
PLACE OF DAMAGE (INCLUDE CITY) 1217 N Notre Dame Ave, South Bend IN

DAMAGE WAS TO:
ELECTRIC - POLE / TRANSFORMER: # SIZE YEAR INSTALLED BROKEN YES () NO ()

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

DEPTH OF FACILITY (inches) 12" PRESSURE (PSI) 35 Lbs.
RELEASE OF GAS: YES X NO () IGNITION OF GAS: YES () NO X EVACUATION REQUIRED: YES () # NO X
INTERRUPTION OF SERVICE: YES X NO () NUMBER OF CUSTOMERS LOST: 1
DURATION OF INTERRUPTION: TIME REPORTED 15:54 TIME SHUT OFF 15:54 TIME RESTORED N/A
DIAMETER/MEASUREMENT OF HOLE IN GAS FACILITY: 5/8 1/2"

LOCATE MARKS ON SITE: YES X DISTANCE BETWEEN FACILITY AND LOCATE MARKS NO X
HOW LOCATED: PAINT () FLAGS () BOTH () WHITE LINED ()

PARTY THAT CAUSED DAMAGES (NAME) Tony Albright ; Albright Construction 574-220-4799
ADDRESS OF PARTY (INCLUDE CITY) 805 E Center ST, North Liberty IN 46554

WHO WAS IN CHARGE OF THE WORK SITE AT TIME OF DAMAGE Tony Albright
WITNESS NAME AND ADDRESS

WITNESS REMARKS
AGENCIES NOTIFIED / ONSITE: POLICE () AGENCY REPORT #
FIRE () AGENCY REPORT #
OTHER () Any injuries? () YES # NO X

PHOTOS TAKEN: YES () NO X TAKEN BY: (ATTACH PHOTOS TO REPORT)
MEDIA ON SITE YES () NO X

- WORK IN PROGRESS WHEN FACILITY DAMAGED - CHECK APPROPRIATE CHOICE BELOW
() AGRICULTURE/FARMING () CABLE TV () CURB/SIDEWALK () TELECOMMUNICATIONS
() BLDG CONSTRUCTION () DEMOLITION () DRAINAGE () WATER
() DRIVEWAY () ELECTRIC () SURVEYING () DRAINS/CULVERTS
() FENCING () GRADING () IRRIGATION () MOWING
() LANDSCAPING () PIPELINE () MILLING () OTHER
() POLE/SIGN POST () ROAD WORK () SEWER

- TYPE OF EQUIPMENT USED - CHECK APPROPRIATE CHOICE BELOW
() AUGER () HAND TOOLS () BACKHOE/TRACKHOE
() MILLING EQUIPMENT () PROBING DEVICE () BORING / DRILLING
() EXPLOSIVES () TRENCHER () FARM EQUIPMENT
() VACCUUM EQUIPMENT () GRADER () OTHER

- REASON DAMAGE OCCURRED - CHECK APPROPRIATE CHOICE BELOW
() AUTOMOTIVE ACCIDENT () EXCAVATING BEFORE LOCATES DUE () CARELESS MACHINE OPERATOR
() NO NOTIFICATION () MARKS DISTURBED () STUB () OTHER

COMMENTS: All locates gone, all ground disturbed.

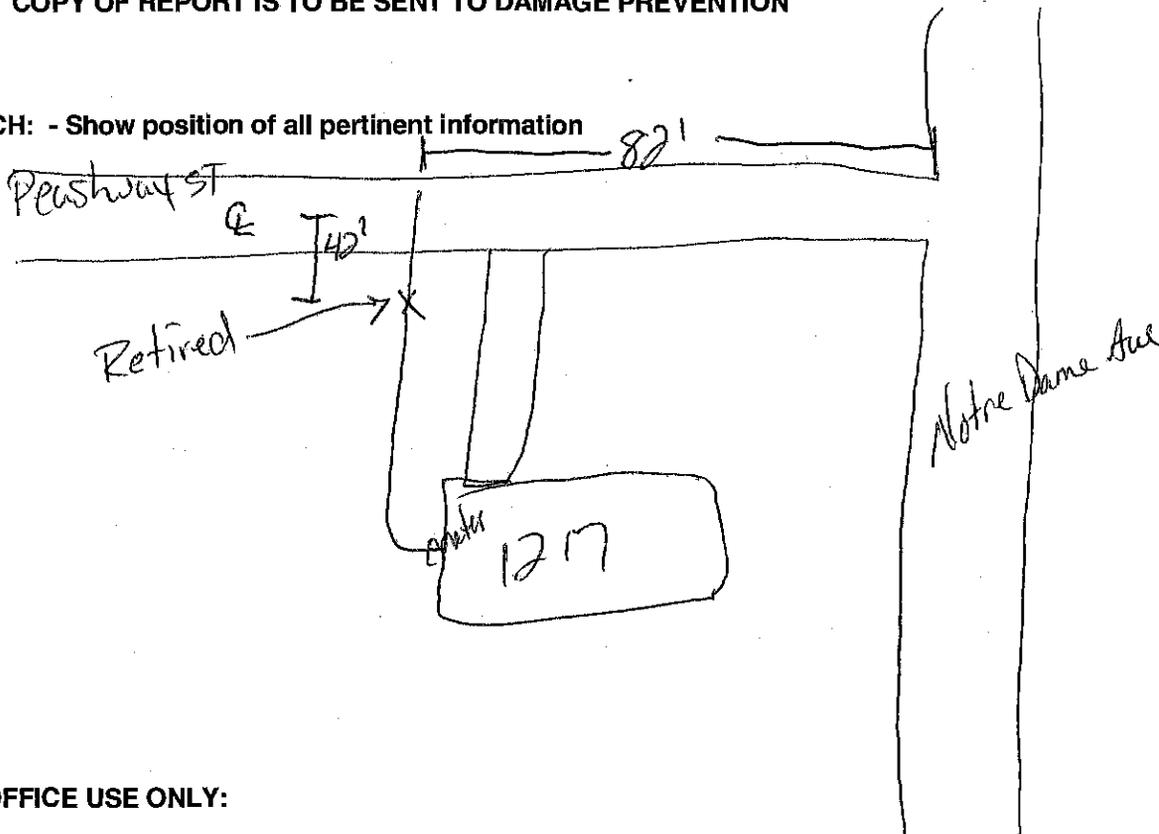
PERSON PREPARING REPORT Adam Nowak

FIELD SUPERVISOR John King

FIELD MANAGER Isaryo

- 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



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: _____

Facility: Distribution Lines; Folder: N/A; Assigned To: USIC

NIPSCO 01185 IUPPSa 04/17/2013 17:09:46 1304173564-00A EMER DAMG STRT

DAMAGE DAMAGE

Ticket : 1304173564 Date: 04/17/2013 Time: 17:05 Oper: DWILSON Chan:006

State: IN Cnty: ST JOSEPH Twp: PORTAGE
Cityname: SOUTH BEND Inside: Y Near: N
Subdivision:

Address : 1217
Street : N NOTRE DAME AVE
Cross 1 : E ANGELA BLVD Within 1/4 mile: Y
Location: LOCATE--20 FEET RADIUS AROUND THE HOUSE--
:
Grids : 4141B8614C 4141C8614C
Boundary: n 41.692543 s 41.690657 w -86.239070 e -86.237560

Work type : BUILDING PORCH AND GARAGE
Done for : HAUPERT CONSTRUCTION
Start date: 04/17/2013 Time: 17:06 Hours notice: 0/000 Priority: EMER
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y
Duration : 3 WEEKS Depth: 4 FEET

Company : ALBRIGHT PROPERTIES AND CONSTRUCTION SER Type: CONT
Co addr : 805 EAST CENTER STREET
City : NORTH LIBERTY State: IN Zip: 46554
Caller : TONY ALBRIGHT Phone: (574)220-4799
Contact : BRUCE HAUPERT--CELL Phone:
BestTime:
Mobile : (574)532-5419
Email : TONYDALBRIGHT@YAHOO.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
NIPSCO GAS LINE HAS BEEN DAMAGE--GAS WAS BLOWING--COULD HEAR AND SMELL
IT--NIPSCO IS ON SITE AND ALREADY CAPPED THE GAS--LINE WAS DAMAGED ON NORTHWEST
SIDE OF THE PROPERTY--ORANGE COLOR PLASTIC GAS LINE--DID ADVISE TO CALL
911--CREW ON SITE--ALREADY CALLED NIPSCO--NO PREVIOUS TICKET NUMBER--
Will you be white-lining the dig site area? NO
:

Submitted date: 04/17/2013 Time: 17:05
Members: AEPIN COMCN ID5610 ID6590 ID7150 ID9826 NIPSCO SBCIN SM



Property of United States Infrastructure Corporation
Photo taken on 4/17/2013 5:10:15 PM



Property of United States Infrastructure Corporation

Photo taken on 4/17/2013 5:09:59 PM



Property of United States Infrastructure Corporation
Photo taken on 4/17/2013 5:07:06 PM



INFORMATION REQUEST

State Form 54909 (R / 3-13)

INDIANA UTILITY REGULATORY COMMISSION - PIPELINE SAFETY DIVISION

RECEIVED

MAY 13 2013

INDIANA UTILITY
REGULATORY COMMISSION

Case Number: 4640

Date of Damage (month, day, year): 4/17/2013

Location of Damage:

Address (number and street): 1217 north notre dame ave.

City, State and ZIP Code: south bend IN.

Nearest Intersection: peashway st.

Excavator Information:

Business Name: albright propeties and construction services

Responsible Party Personal Name: tony albright

Title (if any): owner

Address (number and street): 805 east center st.

City, State and ZIP Code: north liberty IN. 46554

Preferred Telephone Number (area code): (574) 220-4799

Email Address: tonydalbright@yahoo.com

Utility information:

Utility Name: mpsc

Contact Person:

City (if any):

Cause of Damage Information

Type of Equipment (select one):

Backhoe/Trackhoe

Type of Work Performed (select one):

Bldg. Construction

Repair Cost: \$ N/A

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

Locate Information

Excavator Request Locate: Yes No

Indiana 811 Locate Ticket Number: _____

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

Utility Employees On-site during Excavation: Yes No

Incident Information:

Fire Department Response: Yes No

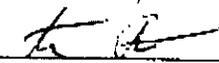
Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

This job was located by the general contractor Hauptert Construction & Co., Inc. the locate Number was 1304121973. He had this lot located for the excavation of a garage addition. I did not know that I could not work off of his locate number. I did hand dig down to find the gas line were I crossed it for the garage trench it was around 2 feet below grade. Where I hit the gas line I was scraping topsoil off for the new driveway. The line was only about 8 inches below grade.

Printed Name: Tony Albright

Signature: 

Date (month, day, year): 5-10-13

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

Please return completed form to:

Or mail to:

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

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