



## Pipeline Safety Division Investigation Report

### Investigation regarding: Temple Contractors

UPPAC Database Record ID: 4768

Report Date: 9/9/2013

Investigator: Mike Orr

Damage Date: 2/1/2013

Damage Address: 53223 Beverly Hills, Middlebury, Elkhart

### The Parties

Excavator: **Temple Contractors**

Address: 54686 Co Rt 19, Bristol, In 46507

Facility Owner: **NIPSCO**

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Landscaping

### 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: 1301221594

Original Start Date:

Locate Instructions:

Follow-Up Locate Instructions (if applicable):

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

**Findings:** Reported by Carrie Ludwig (NIPSCO); excavator did not respond to initial notice mailed 7/10/2013. Excavator failed to request a locate ticket for an excavation area outside the scope of the ticket originally requested locate ticket.

**Conclusion:** There was a failure to provide notice of excavation for the area outside the scope of the original locate ticket..

**Violation: IC 8-1-26-16(g)(out) Failure to provide notice of excavation - damage occurred outside requested locate area.**



150 West Market Street, Suite 600  
Indianapolis, IN 46204

August 12, 2013

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

Pipeline Safety Division – Case No. 4768  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 East  
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 4768

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: 2/1/2013

Event Location: 53223 Beverly Hills

City: Indianapolis

Facility Owner: Nipsco

Excavator: Temple Contractors

Other Party: N/A

Pipeline Division Case No. 4768

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](mailto:cearle@nisource.com)

<b>IURC INFORMATION REQUEST</b>	
<b>Pipeline Safety Division Case No. 4768</b>	
Date of Event	2/1/2013
Event Location	53223 Beverly Hills
Event City	Middlebury
Facility Owner	Nipsco
Excavator	Temple Contractors
Date of IURC Information Request	July 12, 2013
<b>THE PARTIES</b>	
<b>EXCAVATOR:</b>	
BUSINESS NAME	Temple Contractors
RESPONSIBLE PARTY PERSONAL NAME	
TITLE (IF ANY)	
ADDRESS	54686 CO RT 19
CITY/ STATE/ZIP	Bristol / IN / 46507
PREFERRED TELEPHONE	574-848-5552
CELL PHONE TELEPHONE	
EMAIL ADDRESS	vfranco@suncommunities.com
<b>FACILITY INFORMATION - OWNER/OPERATOR OF UTILITY LINE:</b>	
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
<b>LOCATOR SERVICE INFORMATION</b>	
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
<b>OTHER (WITNESS, POLICE, FIRE, OTHER) INFORMATION</b>	
PERSONAL CONTACT	
BUSINESS/ORGANIZATION NAME	
TITLE (IF ANY)	

ADDRESS	
CITY/ STATE/ZIP	
PREFERRED TELEPHONE	
CELL PHONE TELEPHONE	
EMAIL ADDRESS	
<b>UTILITY LINE IMPACT</b>	
<b>LOCATION OF DAMAGE</b>	
ADDRESS	53223 (53197) Beverly Hills Dr Lot 46
CITY/STATE/ZIP	Middlebury / IN /
NEAREST INTERSECTION	
<b>PRODUCT TYPE (Select One)</b>	
NATURAL GAS	X
LIQUID PIPELINE	
UNKNOWN/OTHER	
<b>FACILITY TYPE (Select One)</b>	
DISTRIBUTION	
GATHERING	
SERVICE/DROP	X
TRANSMISSION	
UNKNOWN/OTHER	
SIZE (DIAMETER/ETC.)	5/8"
PRESSURE (PSIG/INCHES)	<a href="#">Click here to enter text.</a>
INTERRUPTION IN SERVICE (YES/NO)	Yes
NUMBER OF CUSTOMERS AFFECTED	1
EVACUATION (YES/NO)	No
IF YES, HOW MANY EVACUATED	
REPAIR COST (IF KNOWN) (\$)	
<b>CAUSE OF DAMAGE INFORMATION:</b>	
<b>TYPE OF EQUIPMENT (Select One)</b>	
Auger	
Backhoe/Trackhoe	X
Boring/Drilling	
Directional Drilling	
Explosives	
Farm Equipment	
Grader/Scraper	
Hand Tools	
Milling Equipment	
Probing Device	

Trencher	
Vacuum Equipment	
Unknown/Other	
<b>TYPE OF WORK PERFORMED (Select One)</b>	
Agriculture	
Cable TV	
Curb/Sidewalk	
Bldg. Construction	
Bldg. Demolition	
Drainage	
Driveway	
Electric	
Engineering/Surveying	
Fencing	
Grading	
Irrigation	
Landscaping	X
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
<b>LOCATE INFORMATION:</b>	
EXCAVATOR REQUEST LOCATE (YES/NO)	Yes

INDIANA 811 LOCATE TICKET NUMBER	1301221594
LOCATE MARKS VISIBLE (YES/NO)	Yes
LOCATE MARKS CORRECT (YES/NO)	
EXCAVATOR "WHITE LINED" (YES/NO)	No
MAPS USED TO MARK FACILITIES (YES/NO)	Yes
OPERATOR EMPLOYEES ON-SITE DURING EXCAVATION (YES/NO)	No
<b>INCIDENT IMPACT INFORMATION</b>	
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
<b>ADDITIONAL INFORMATION/COMMENTS</b>	
Notification to one-call center made but not sufficient. Excavator dug outside scope of ticket on adjacent property and failed to call for remarks.	

■ Fact Based Investigation Report

**Notification ID** 01820130201001  
**Damage Date** 02/01/2013 16:30  
**Notified By** TENNILLE (Facility Owner)  
**Damage Address** 53223 BEVERLY HILLS DR LOT 46 XPINE CONE ELKHART/YORK  
MIDDLEBURY, IN  
**District** Northern Indiana  
**Notification Date** 02/01/2013 16:39

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**Damaged Customer** NIPSCO

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**Investigation Date From** 02/04/2013 12:00:00 **To** 02/04/2013 12:15:00

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**Excavator Involved** TEMPLE CONSTRUCTION  
**Type of Excavation** Removing Stump

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**Orig. Locate Request** 1301221594 **Start Date** 01/24/2013 16:00  
**Type of Ticket** Routine **Locate Req. Info** N/A

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**Damage Request #** M77632977 **Start Date** 02/01/2013 17:45

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**Pictures Taken By** Michael Stevens **Date** 02/01/2013 17:30  
**Photography Type** Digital **Frame #** see M77632977

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**Investigator Emp. #** 130534 **Investigator Name** Josh Scheibelhut  
**Based on your investigation, is further investigation needed?** No

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■ Fact Based Investigation Customer Information

**Facility Description** Low Profile **Facility ID** Gas Service  
**Locator Name & EMP #** Klapp Jason - 131802 **Locator Not Known**

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**Investigation Findings**

Contractor Dug Outside Marking Instructions  
Relocate Needed  
**Other Notes**

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**Investigation Methods**

Visual, Facility Exposed At Time Of Investigation

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**Investigator Statement/Causal Factors**

Ticket was called in for 53197 Beverly Hills Dr. Area that was staked for this location was covered in snow and needed to be remarked but flags were still visible. Contractor was digging in front of patio at 53223 Beverly Hills Dr. (the adjacent property) and hit the gas service. Contractor was digging outside the scope of their ticket in an area that was not marked. USIC not at fault.

**Names of Utility Representatives Contacted or on Site and Statement**

n/a

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

Temple Construction - Contractor on site would not give his name. Contractor claimed that nothing was marked.

**Other individuals on site**

n/a

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<b>Were any markings visible on the damage site upon arrival?</b>	Yes
<b>Were any other indicators of facility present in the area?</b>	No
<b>Was the excavation within the tolerance zone of marks?</b>	No
<b>Extent of facility damage</b>	cut
<b>Replacement Footage</b>	splice
<b>Was contractor assistance required? If yes, who?</b>	No n/a
<b>What contractor equipment was used?</b>	n/a
<b>Is the facility shown on the utility records?</b>	No
<b>If yes, list record numbers</b>	n/a

Facility: Transmission Lines; Folder: N/A; Assigned To: N/A

NIPSCO 00410 IUPPSa 01/22/2013 15:46:44 1301221594-00A NORM NEW STRT

NORMAL NOTICE

Ticket : 1301221594 Date: 01/22/2013 Time: 15:44 Oper: LSTEVENSON Chan:018

State: IN Cnty: ELKHART Twp: YORK  
Cityname: MIDDLEBURY Inside: Y Near: N  
Subdivision: PINE HILLS Lot: 44

Address : 53197  
Street : BEVERLY HILLS DR  
Cross 1 : BONNIE LN Within 1/4 mile: Y  
Location: LOCATE THE ENTIRE PROPERTY  
:  
Grids : 4143B8542B 4143C8542B  
Boundary: n 41.725181 s 41.721097 w -85.710149 e -85.708589

Work type : SETTING NEW MOBILE HOMES  
Done for : PINE HILLS  
Start date: 01/24/2013 Time: 16:00 Hours notice: 48/048 Priority: NORM  
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N  
Duration : UNKNOWN Depth: UNKNOWN

Company : TEMPLE CONTRACTORS Type: HOME  
Co addr : 54686 CO RT 19  
City : BRISTOL State: IN Zip: 46507  
Caller : VANESSA FRANCO Phone: (574)848-5552  
Contact : TY MILLER - CELL Phone:  
BestTime:  
Mobile : (574)575-2575  
Email : VFRANCO@SUNCOMMUNITIES.COM

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

Submitted date: 01/22/2013 Time: 15:44  
Members: COMCN ID3052 ID8000 NIPSCO SM

# NORTHERN INDIANA PUBLIC SERVICE COMPANY FACILITY DAMAGE REPORT

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

REPORTING OPERATING AREA Cashew MAXIMO WO # M664916  
 OPERATING AREA CONTACT Joe Cole JOB ORDER # 549385  
 TRACKING NUMBER 01820130201001 LOCATE REF # \_\_\_\_\_  
 Locate Performed By: \_\_\_\_\_

DATE AND TIME OF ACCIDENT 02-01-2013 4:27 PM DATE OF REPORT 02-01-13  
 PLACE OF DAMAGE (INCLUDE CITY) 53223 Beverly hills Dr. Lot 46 MIDDLEBURY 46540

**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) 16" PRESSURE (PSI) 45 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 1627 TIME RESTORED 1900

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

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

PARTY THAT CAUSED DAMAGES (NAME) Temple Contractors 574-289-8942

ADDRESS OF PARTY (INCLUDE CITY) 55900 ORCHARD RD South Bend Ind 46619

WHO WAS IN CHARGE OF THE WORK SITE AT TIME OF DAMAGE TED TEMPLE

WITNESS NAME AND ADDRESS N/A

WITNESS REMARKS N/A

AGENCIES NOTIFIED / ONSITE: POLICE  AGENCY N/A REPORT # \_\_\_\_\_

FIRE ( ) AGENCY N/A 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 checked="" type="checkbox"/> OTHER <u>Tree stump removal</u> |
| <input type="checkbox"/> POLE/SIGN POST      | <input 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 checked="" type="checkbox"/> CARELESS MACHINE OPERATOR |
| <input type="checkbox"/> NO NOTIFICATION     | <input type="checkbox"/> MARKS DISTURBED               | <input type="checkbox"/> STUB                                 |
|  |  | <input type="checkbox"/> OTHER <u>No locates this area</u>    |

COMMENTS: Hit line runs across back lot of 44 (on property line)  
Locate called in for Lot 44, Lot 46 service  
was hit. Contractor had punched off

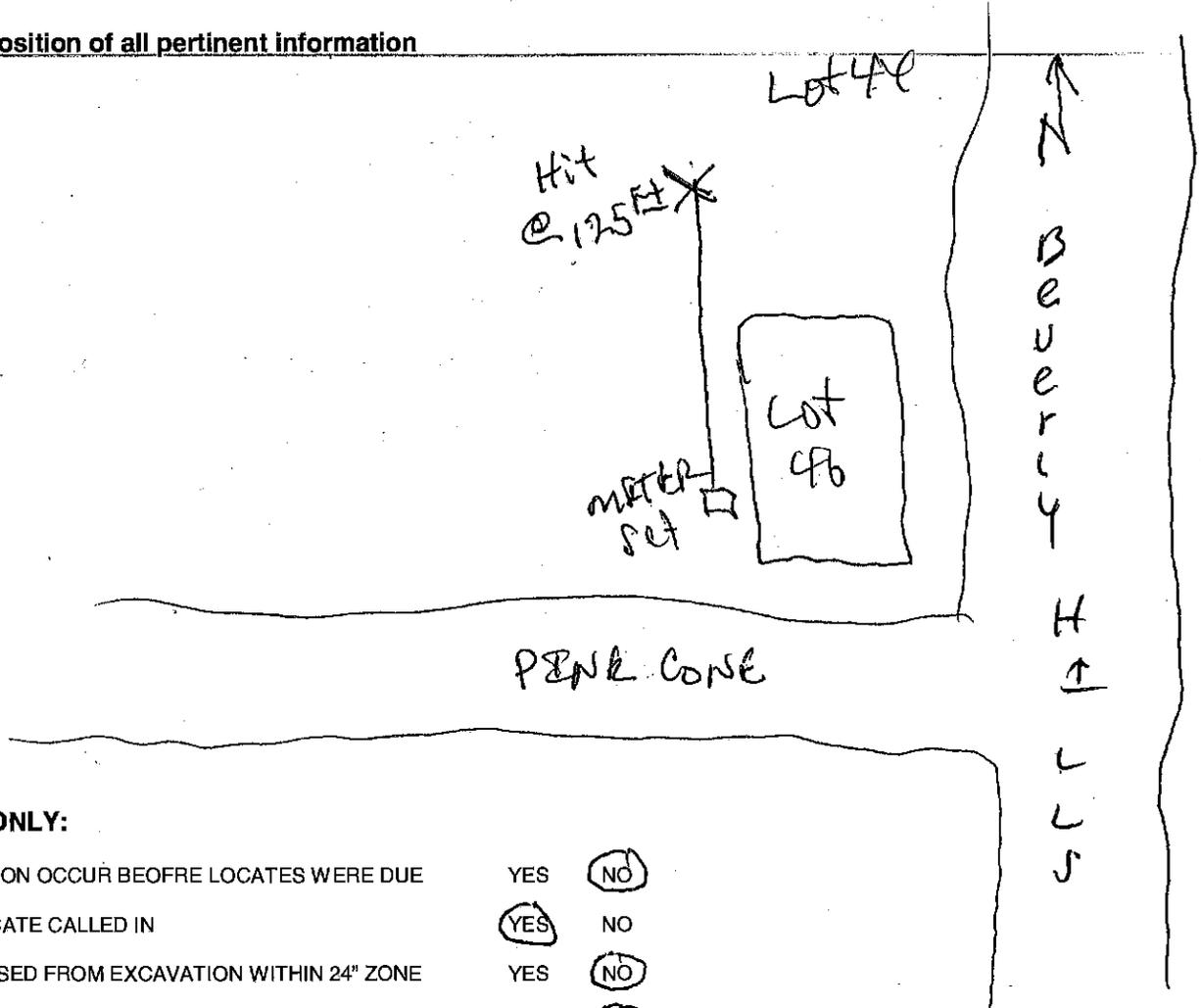
PERSON PREPARING REPORT George W Freeman

FIELD SUPERVISOR Jimmy King

FIELD MANAGER Rick 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



FOR OFFICE USE ONLY:

- |   |                                      |                          |
|---|--------------------------------------|--------------------------|
| • DID EXCAVATION OCCUR BEFORE LOCATES WERE DUE  | YES                                  | <input type="radio"/> NO |
| • NO IN 811 LOCATE CALLED IN                    | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| • DAMAGE CAUSED FROM EXCAVATION WITHIN 24" ZONE | YES                                  | <input type="radio"/> NO |
| • EXPIRED LOCATE                                | YES                                  | <input type="radio"/> NO |
| • WAS WHITE LINING INDICATED ON LOCATE REQUEST  | YES                                  | <input type="radio"/> NO |

COMPLETED BY: George W Freeman DATE: 02-01-13

**Search**

Search

ex: pizza near NYC

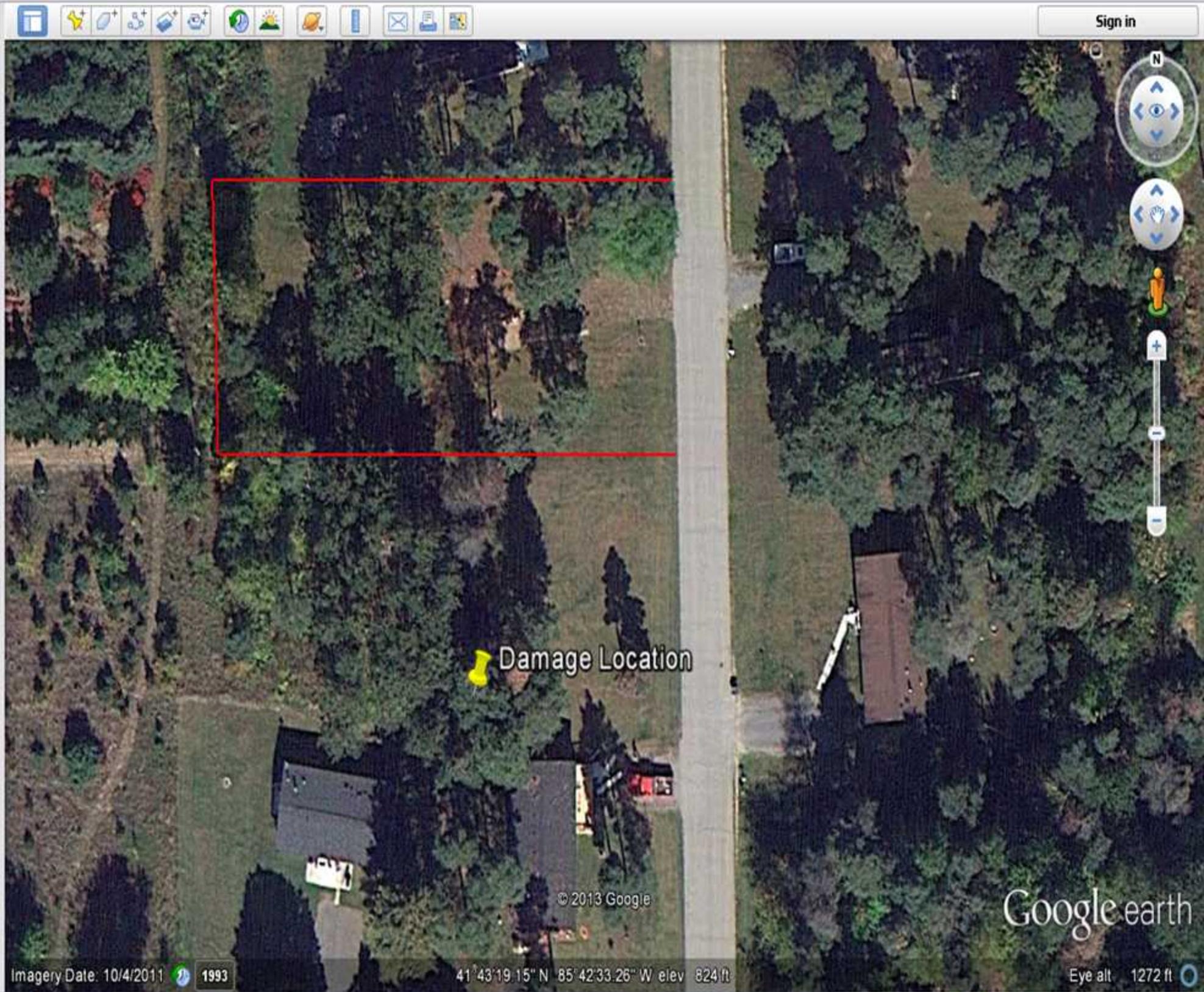
[Get Directions](#) [History](#)

**Places**

- Line Measure
- Home
- Temporary Places
- Line Measure
- Line Measure
- Line Measure
- Damage Location

**Layers** [Earth Gallery >>](#)

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- Borders and Labels
- Places
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Property of United States Infrastructure Corporation  
Photo taken on 2/1/2013 5:29:48 PM



## DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)

INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: Mar 5, 2013

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### Who is submitting this information?

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

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

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

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### Excavator Information, if known

Full name: Temple Contractors

Business address (*number and street*): 54686 CO RT 19

City, State, and ZIP code: Bristol, IN 46507

Telephone number (*area code*): (574) 848-5552

Fax number (*area code*): \_\_\_\_\_

E-mail address: vfranco@suncommunities.com

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### Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Landscaping

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**Date and Location of Damage**

Date of damage (*month, day, year*): Feb 1, 2013 \_\_\_\_\_

County: Elkhart \_\_\_\_\_

City: Middlebury \_\_\_\_\_

Street address (*number and street, city, state, and ZIP code*):  
53223 Beverly Hills \_\_\_\_\_

Nearest intersection: Bonnie Lan \_\_\_\_\_

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? \_\_\_\_\_

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: \_\_\_\_\_

Enter number of fatalities, if applicable and known: \_\_\_\_\_

Property damage, Estimate \$ \_\_\_\_\_

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**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 \_\_\_\_\_

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**Notification, Locating, Marking**

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1301221594 \_\_\_\_\_

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? Yes

Type of markings used: Other

If other, please specify: \_\_\_\_\_

Was site marked by "White Lining"? No

Were special instructions part of the locate request?

Were maps used to complete the locate request? Yes

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

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### **Description of Cause**

Select from the list the most accurate cause for the damage: --Failure to maintain the marks

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### **Additional Comments**

Excavator dug outside scope of ticket and failed to call for remarks.