



Pipeline Safety Division Investigation Report

Investigation regarding: **Dave O'mara Contractor, Inc.**

UPPAC Database Record ID: 516

Investigator: Dan Novak

Telephone: 317-232-2781

Report Date: 03/03/2012

Damage Date: 06/29/2011

Damage Address: W High St

City: Lawrenceburg

County: Dearborn

The Parties

Excavator: **Dave O'mara Contractor, Inc.**

Contact: Dave O'mara, President

Address: 1100 East O And M Avenue, North Vernon, In 47265

Telephone: (812) 346-4135

NOTE: All correspondence regarding Dave O'Mara Contractor, Inc, should go to:

Jessica A. Hill

Graydon Head & Ritchey, LLP

7759 University Drive, Suite A,

West Chester, OH 45069

Facility Owner: Sycamore Gas Company

Contact: John Stenger, PE

Address: 1155 E Eads Parkway, Greendale, IN 47025

Investigation regarding: Dave O'mara Contractor, Inc.

UPPAC Database Record ID: 516

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Damage Impact

Product release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$335

Excavator Activities/Cause of damage information:

Excavator request locates: Yes Indiana 811 ticket Number: 1106280961

Type of Equipment: Backhoe/Trackhoe

Type of work performed: Sewer (Sanitary/Storm)

Synopsis: Damage to a natural gas service occurred during work performed on a curb/sidewalk.

Findings: Reported by Indiana 811; excavator responded to initial notice on 10/24/2011. Damage occurred within one day of locate request, however, excavator submitted that the facility had been marked correctly and that marks were visible.

Conclusion: Operator failed to maintain proper clearance from facility while excavating with mechanized equipment.

Violation: IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment.

Dave O'mara Contractor, Inc. currently has 33 reports of damages in the record, between 07/17/2009 and 12/13/2011.

NO

LOCATE

TICKET

PROVIDED

Information Request

Pipeline Safety Division Indiana Utility Regulatory Commission

Case No. 516

The Pipeline Safety Division of the Indiana Utility Regulatory Commission requests any and all information you can provide regarding the following criteria:

The Parties:

Excavator Information:

Business Name: DAVE OMARA

Responsible Party Personal Name: LARRY JONES

Title (if any):

Address: 1100 EAST O'YM AVE

City, State Zip: NORTH VERNON IN 47265

Preferred Telephone: 812 346 4135

Cell Phone Number:

Email Address:

Facility Information:

Business Name: SYCAMORE GAS CO

Responsible Party Personal Name: DENNIS GLENN

Title (if any): CONSULTANT

Address: 1155 E EADS PKWY

City, State, Zip: BREENDALE IN 47025

Preferred Telephone: 812 537 1921

Cell Phone Number:

Email Address: DGLENN@SYCAMOREGAS.COM

Locator Service Information:

Business Name: SYCAMORE GAS

Responsible Party Personal Name:

Title (if any):

Address:

City, State Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

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

Personal Contact:

Business/Organization Name:

Title (if any)

Address:

City, State, Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

Utility Line Impact:

Location of Damage:

Address: 70 E HIGH ST

City, State Zip: LAURENCEBURG IN 47025

Nearest Intersection: SHORT ST

Product Type (circle one):

Natural Gas

Liquid Pipeline

Unknown/Other

Facility Type (circle one):

Distribution

Gathering

Service/Drop

Transmission

Unknown/Other

Size (Diameter/etc.): 1

Pressure (PSIG/Inches): 17 PSI

Interruption in Service: Yes / No

Number of Customers Affected: 1

Evacuation: Yes No

If yes, How Many Evacuated? _____

Repair Cost (if known): \$ _____

Cause of Damage Information:

Type of Equipment (circle one):

Auger
Backhoe/Trackhoe
Boring /Drilling
Directional Drilling
Explosives
Farm Equipment
Grader/Scraper
Hand Tools
Milling Equipment
Probing Device
Trencher
Vacuum Equipment
Unknown/Other

Type of Work Performed (circle one):

Agriculture
Cable TV
Curb/Sidewalk
Bldg. Construction
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
Ignition and/or Fire: Yes / No
Excavator Notify 811: Yes / No ?

Locate Information:

Excavator Request Locate: Yes / No
Indiana 811 Locate Ticket Number: 1106280961
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: _____
Number of Inpatient Treated: _____
Number of Fatalities: _____
Fire Department Response: Yes / No
Police Department Response: Yes / No
Ambulance Response: Yes / No

Additional Information/Comments: _____



Dave O'Mara Contractor, Inc.
1100 East O & M Avenue, PO Box 1139
North Vernon, Indiana 47265

Phone: 812.346.4135

www.daveomara.com

Fax: 812.346.6305

VIA UPS AND E-MAIL

Pipeline Safety Division – Case No. 516
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, Indiana 46204
PipelineDamageCase@urc.in.gov

RE: Notice of Preliminary Determination of Violation
Pipeline Safety Division Case No. 516 – Information Request

To Whom It May Concern:

This letter and the documents submitted herewith are the response of Dave O'Mara Contractors, Inc. ("DOCI") to a letter, dated September 27, 2011, from William Boyd, Director of the Pipeline Safety Division of the Indiana Utility Regulatory Commission.

Please note that any further information or communication with respect to this matter should be directed to Jessica A. Hill, Graydon Head & Ritchey LLP, 7759 University Drive, Suite A, West Chester, Ohio 45069.

**DOCI'S RESPONSES TO THE PIPELINE SAFETY DIVISION OF THE
INDIANA UTILITY REGULATORY COMMISSION'S INFORMATION REQUESTS**

1. The Parties:

▪ **Excavator Information:**

Response: Dave O'Mara Contractor, Inc.
Darren Tingle, Operator
1100 East O & M Avenue
P.O. Box 1139
North Vernon, Indiana 47265
812-346-4135
rachelr@daveomara.com

- **Facility Information:**

Response: Sycamore Gas Company
1155 East Eads Parkway
Greendale, Indiana 47025
812-537-1921
info@sycamoregas.com

- **Locator Service Information:**

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request.

- **Other (Witness, Police, fire, Other) Information:**

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request and believes that there no other individuals or entities involved.

2. Utility Line Impact:

- **Location of Damage:**

Response: 70 East High Street
Lawrenceburg, Indiana 47025
The nearest intersection is Short Street and High Street.

- **Product Type:**

Response: The product type involved was natural gas.

- **Facility Type:**

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, the facility type is unknown.

- **Size (Diameter/etc.):**

Response: The diameter of the facility material was one (1) inch.

- Pressure (PSIG/Inches):

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI does not know the pressure that was within the facility.

- Interruption in Service:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI does not believe that there was an interruption in service.

- Number of Customers Affected:

Response: There were no customers affected.

- Evacuation:

Response: There was no need for an evacuation, and therefore, no evacuation occurred.

- Repair Cost (if known):

Response: The cost to repair was \$355.42.

3. Cause of Damage Information:

- Type of Equipment:

Response: The type of equipment used was a trackhoe.

- Type of Work Performed:

Response: DOCI was performing work on a curb/sidewalk.

- Release of Product:

Response: There was a minimal release of product at most.

- Ignition and/or Fire:

Response: There was not any ignition or fire involved.

- Excavator Notify 811:

Response: Yes, 811 was notified after the incident occurred.

4. Locate Information:

- Excavator Request Locate:

Response: Yes, the excavator did make a locate request. The Request Ticket Number from Indiana 811 is 1106280961. A copy of the Request Ticket Number 1106280961 is enclosed.

- Locate Marks Visible:

Response: Yes, the locate marks were visible.

- Locate Marks Correct:

Response: Yes, the locate marks were visible.

- Excavator "White Lined":

Response: No, the excavator did not "white line."

- Maps Used to Mark Facilities:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI has discovered no information responsive to this request.

- Was Locate Provided within Two (2) Working Days?

Response: Yes, locate was provided within two working days.

- Operator Employees On-site: Were operator's employees on site at the time of the incident?

Response: Yes, the entire crew for this project was on-site at the time of the incident.

5. Incident Impact Information:

- Number of Outpatient Treated:

Response: There were no injuries or fatalities related to this incident, and therefore, there were no patients treated through out-patient treatment.

- Number of Inpatient Treated:

Response: There were no injuries or fatalities related to this incident, and therefore, there were no patients treated through in-patient treatment.

- Number of Fatalities:

Response: There were no fatalities as a result of this incident.

- Fire Department Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local fire department was not called in regards to this incident.

- Police Department Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local police department was not called in regards to this incident.

- Ambulance Response:

Response: After performing a diligent search of company records and directing inquiries to company personnel most likely to have relevant information, DOCI believes that the local ambulance service was not called in regards to this incident.

6. Additional Information/Comments:

Response: There is no additional information or comments that DOCI would like to make at this time.

This concludes the response of DOCI to the foregoing request regarding Pipeline Safety Division Case No. 516.

Sincerely,



DAVE O'MARA CONTRACTORS, INC.
1100 East O & M Avenue, P.O. Box 1139
North Vernon, Indiana 47265
812-346-4135

By: Dave O'Mara
Title: President
Date: October 24, 2011

Enclosure
3369026.1

NORMAL NOTICE REMARK

Ticket : 1106100686 Date: 06/10/2011 Time: 09:39 Oper: RACHEL.RICE Chan:000
Old Tkt: 1105251830 Date: 05/25/2011 Time: 11:43 Oper: RACHEL.RICE Rev: 00A

State: IN Cnty: DEARBORN Twp: LAWRENCEBURG
Cityname: LAWRENCEBURG Inside: Y Near: N
Subdivision:

Address :
Street : W HIGH ST
Cross 1 : SHORT ST Within 1/4 mile: Y
Location: LOCATE HIGH STREET FROM SHORT STREET TO WALNUT STREET ON BOTH SIDES
:
Grids : 3905B8450A

Work type : STORM WORK
Done for : CITY OF LAWRENCEBURG
Start date: 06/14/2011 Time: 10:00 Hours notice: 96/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : UNKNOWN Depth: 4 FEET

Company : DAVE OMARA CONTRACTOR Type: CONT
Co addr : 1100 EAST O AND M AVENUE
City : NORTH VERNON State: IN Zip: 47265
Caller : RACHEL RICE Phone: (812)346-4135
Contact : TOM STUEHRENBERG Phone:
BestTime:
Mobile : (812)592-0512
Fax : (812)352-1235
Email : RACHELR@DAVEOMARA.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
REF JOB HIGH STREET FROM SHORT TO WALNUT
REMARK DUE TO CONSTRUCTION AND WEATHER
Will you be white-lining the dig site area? NO
:

Submitted date: 06/10/2011 Time: 09:39
Members: ID0370 ID2034 ID2420 ID3694 ID5857 SM

Member Name

Facility Types

CENTURYLINK	TELEPHONE
COMCAST	CABLE TV
LAWRENCEBURG MUNICIPAL UTILITIES	
SYCAMORE GAS COMPANY / FORMERLY LAWRENCEBURG GAS GAS	

[[View Map](#)] [[Close Map](#)]

NORMAL NOTICE REMARK

Ticket : 1106280961 Date: 06/28/2011 Time: 09:39 Oper: RACHEL.RICE Chan:000
Old Tkt: 1106100686 Date: 06/10/2011 Time: 09:39 Oper: RACHEL.RICE Rev: 00A

State: IN Cnty: DEARBORN Twp: LAWRENCEBURG
Cityname: LAWRENCEBURG Inside: Y Near: N
Subdivision:

Address :
Street : W HIGH ST
Cross 1 : SHORT ST Within 1/4 mile: Y
Location: LOCATE HIGH STREET FROM SHORT STREET TO WALNUT STREET ON BOTH SIDES
:
Grids : 3905B8450A

Work type : STORM WORK
Done for : CITY OF LAWRENCEBURG
Start date: 06/30/2011 Time: 10:00 Hours notice: 48/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : UNKNOWN Depth: 4 FEET

Company : DAVE OMARA CONTRACTOR Type: CONT
Co addr : 1100 EAST O AND M AVENUE
City : NORTH VERNON State: IN Zip: 47265
Caller : RACHEL RICE Phone: (812)346-4135
Contact : TOM STUEHRENBERG Phone:
BestTime:
Mobile : (812)592-0512
Fax : (812)352-1235
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COMCAST	CABLE TV
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SYCAMORE GAS COMPANY / FORMERLY LAWRENCEBURG GAS GAS	

[View Map] Close Map