



## Pipeline Safety Division Investigation Report

### Investigation regarding: Miller Pipeline

UPPAC Database Record ID: 2963

Investigator: Mike Orr

Report Date: 11/1/2012

Damage Date: 5/15/2012 2:09:46 PM

Damage Address: Birch St

City: Dana

County: Vermillion

### The Parties

Excavator: **Miller Pipeline**

Contact: Sarah Heminger

Address: 8850 Crawfordsville Rd, Indianapolis, In 46234

Telephone: 317-293-0278

Facility Owner: Vectren

Contact: Darlene Kulhanek

Address: 1 N Main Street, Evansville, IN 47702

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Distribution

## **Investigation regarding: Miller Pipeline**

UPPAC Database Record ID: 2963

### **Damage Impact**

Product release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$107

### **Excavator Activities/Cause of damage information:**

Excavator request locates: Yes    Indiana 811 ticket Number: 1205091447

Type of Equipment: Backhoe/Trackhoe

Type of work performed: Natural Gas

**Synopsis:** A natural gas PE distribution main was damaged as the excavator was performing work on the gas system due to incorrect maps.

**Findings:** Reported by Indiana 811; excavator's response to initial notice was received on 7/19/2012. The excavator, being the contractor for the gas operator, had a valid locate; however, the gas operator self-reported the facility was not accurately noted on the facility maps and records resulting in an OPERATOR VIOLATION.

**Conclusion:** The gas operator failed to locate or provided incorrect markings.

**Violation: IC 8-1-26-18(f): Operator failed to locate or provided incorrect locate markings.**

# STATE OF INDIANA



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

June 21, 2012

Sarah Heminger  
Miller Pipe Line  
8850 Crawfordsville Rd  
Indianapolis, In 46234

Subject: Notice of Preliminary Determination of Violation, Pipeline Safety Division Case No. 2963  
Date of Event: 5/15/2012  
Event Location: Birch St, Dana, Vermillion County  
Excavator: Miller Pipe Line  
Facility Owner: Vectren

To Whom It May Concern:

On behalf of the Indiana Utility Regulatory Commission ("IURC"), I am writing to inform you that information has been filed with our 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.

The purpose of this Act is to promote excavation and pipeline safety and to reduce imminent danger to life, health, property, or loss of service associated with unsafe digging practices. Based upon the information received, the Pipeline Safety Division is commencing an investigation into the event concerning you or your business. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

Although the law was enacted in 1991, enforcement measures did not go into effect until July 2009. The IURC was tasked with completing a formal rulemaking on how to determine whether a violation occurred, as well as how the subsequent penalties should be determined. Due to the amount of time required for the rule to take effect and for the Underground Plant Protection Advisory Committee ("Advisory Committee") to be appointed and convened, you are now receiving this notification. Your case will be handled according to the recently approved administrative rule, 170 IAC 5-5, which can be found here: [http://www.in.gov/legislative/iac/iac\\_title?iact=170](http://www.in.gov/legislative/iac/iac_title?iact=170).

The Pipeline Safety Division has preliminarily identified that one or more of the following statutory violation(s) may have occurred:

- 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.

You have an opportunity to file documentation explaining what occurred. *In order for this information to be considered, you must provide a written response to each allegation and written evidence (e.g., maps, photographs, narrative statements, or other evidence) within thirty (30) days of the date of this letter.* The



investigation will be completed after this time period, even if you do not respond or fail to provide additional evidence for the Pipeline Safety Division to consider. Findings will then be forwarded to the Advisory Committee for a recommendation to the IURC on the appropriate penalty.

If you are a business entity, please provide your full personal name and business title, as well as your legal authority to represent the business in this matter. If you lack such authority or are mistakenly named as the Respondent, you must notify the Pipeline Safety Division as soon as possible, providing the name of the proper representative, if known.

Pursuant to the Act, civil penalties may include:

1. A warning letter for homeowners and tenants who are first time offenders regarding a violation in which no one was personally injured;
2. A civil penalty up to a maximum of ten thousand dollars (\$10,000.00);
3. Required participation of employees in a mandatory education and training program sponsored by the IURC; and/or
4. Required development of a plan to avoid future violations, which must be approved by the IURC.

Depending upon the individual circumstances of each case, any combination of the civil penalties may be reduced to a Consent Agreement between the IURC and the Respondent.

If you believe there are other parties or witnesses with relevant information for the Pipeline Safety Division to consider in its investigation, we request that you *immediately* provide their name, address, telephone number and email address *in writing* to the Pipeline Safety Division. Because the investigation should be completed within sixty (60) days, any delay in providing additional persons to be contacted may result in the investigation being concluded without this additional source of information.

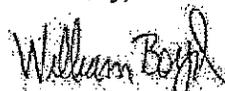
You are encouraged to fill out the required information form electronically by going to <http://www.in.gov/iurc/2335.htm> and clicking on Information Request. However, you may call Bobi Culver at (317) 233-6140 to request a hard copy to return by mail. In addition to the information form, you can forward additional information such as maps and drawings by mailing them to the address below or by scanning and emailing them. Please include your assigned Pipeline Safety Division Case Number on all communications and add your Case Number and denote "INITIAL DOCUMENTS - EXCAVATOR" at the top of your materials or in the subject heading of your email.

Mail: Pipeline Safety Division – Case No. 2963  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 E  
Indianapolis, IN 46204

Email: PipelineDamageCase@urc.in.gov

Included with this letter is a *Summary of Procedures and Respondent's Rights* to assist in answering your questions. Should you have procedural or legal questions regarding the Advisory Committee or the IURC, please contact DeAnna L. Poon, Advisor to the Advisory Committee and Assistant General Counsel at the IURC, at (317) 232-6735. For questions regarding the pipeline damage identified above, or our investigation, please contact me at (317) 232-2718. Thank you for your assistance.

Sincerely,



William Boyd, Director Pipeline Safety Division

Enclosures: Summary of Procedures and Respondent's Rights





SUMMARY OF PROCEDURES  
AND  
RESPONDENT'S RIGHTS

INDIANA DAMAGE TO UNDERGROUND FACILITIES ACT  
I.C. 8-1-26

*Note: The following is offered for informational purposes and does not constitute legal advice. Anyone involved in this process is entitled to individual legal representation and should retain their own counsel in order preserve their rights.*

- Any person or entity may report a violation of the Indiana Damage to Underground Facilities Act ("Act") to the Indiana Utility Regulatory Commission Pipeline Safety Division ("Pipeline Division"), but most reports of violations are communicated regularly to the Pipeline Division from the Indiana Plant Underground Protection Service, commonly referred to as the 811 Association Office; 170 IAC 5-5-2 (a);
- Violations are to be reported to the Pipeline Division within thirty 30 days of their occurrence; 170 IAC 5-5-2 (b);
- The Pipeline Division shall commence an investigation of each report by contacting all known persons or entities involved by sending a written request for information within 60 days; 170 IAC 5-5-3 (a);  
*You have been contacted and have this current opportunity to present written evidence (documents, photographs, maps, drawings, narrative statements or whatever written materials you want to submit) for the Pipeline Division's investigation of the incident in which you were allegedly involved. If you know of additional interested persons, entities or witnesses that you think should be contacted, you must immediately provide their name, address, telephone number and email address in writing to: Pipeline Safety Division, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Be sure to include your Investigation Number on your correspondence. You may also provide your information electronically to: [PipelineDamageCase@urc.in.gov](mailto:PipelineDamageCase@urc.in.gov)*



- The Pipeline Division shall forward its findings of violations to the Underground Plant Protection Advisory Committee (“Advisory Committee”), whose role is to make a recommendation to the Indiana Utility Regulatory Commission (“Commission”) for a civil penalty; 170 IAC 5-5-3 (b);
- The Advisory Committee was created by the Act and includes seven (7) members, representing a cross section of participants, appointed by the Governor from the following entities: two (2) representing commercial excavators; one (1) representing the 811 Association; one (1) representing investor owned gas utilities; one (1) representing operators of pipeline facilities or pipelines; one (1) representing municipal gas utilities; one (1) representing providers of facility locate marking service companies; I.C. 8-1-26-23 (b);
- The Advisory Committee will provide the person or entity accused of violating the Act, referred to as the “Respondent,” with a copy of the Pipeline Division’s findings in its Investigation Report; 170 IAC 5-5-3 (c);  
*You are entitled to receive a copy of the Pipeline Division’s Investigation Report that is provided to the Advisory Committee for a possible civil penalty recommendation.*
- The Advisory Committee will provide the Respondent with notice and an opportunity to appear before the Advisory Committee prior to the Advisory Committee making a recommendation to the Commission for a civil penalty for violations; 170 IAC 5-5-3 (d) and I.C. 8-1-26-23 (h).  
*You are entitled to receive notice of the date, time, and location of when the Advisory Committee will consider your case. The Advisory Committee’s deliberations will be conducted in public. You are entitled to attend, but at this stage of the proceedings there is not yet an opportunity for a hearing. There will be no opportunities to present witnesses, to cross examine others’ witnesses or to present additional evidence.*
- In lieu of appearing before the Advisory Committee, Respondents may send correspondence to the Advisory Committee regarding the Pipeline Division’s findings so long as it is received seven (7) days in advance; 170 IAC 5-5-3 (e).  
*If you would like to present responsive evidence in advance of the Advisory Committee’s consideration of your case in response to the Pipeline Division’s Investigation Report, you are entitled to send correspondence, including additional evidence (as generally described above) to the Advisory Committee so long as it is received seven (7) days in advance of your scheduled Advisory Committee deliberation. Your written correspondence must be mailed or filed with the Advisory Committee no later than seven (7) days in advance of your scheduled date. This deadline is necessary in order to allow the Advisory Committee administrative staff adequate time to photocopy the additional documents, organize and distribute to the Advisory Committee members the various case files in advance of the scheduled day when your case will be considered. If you fail to provide additional information in accordance with this deadline, it will not be included in your file to the Advisory Committee and will not be considered. The additional correspondence should be timely mailed in order to be received by the Advisory Committee seven (7) days in advance, or delivered, to:*



*Underground Plant Protection Advisory Committee, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204 or: PipelineDamageCase@urc.in.gov Be sure to include the Pipeline Division Case Number on your materials.*

- The Commission will provide the Respondent with a copy of the Advisory Committee's recommendation, if any, for a civil penalty; 170 IAC 5-5-3 (f); civil penalties are defined in the Act; they are: "(1) Civil penalties consistent with this chapter. (2) Participation in education or training programs developed and implemented by the commission. (3) Warning letters. (4) Development of a plan to avoid future violations of this chapter."; I.C. 8-1-26-23 (h)  
*You are entitled to receive a copy of the Advisory Committee's advisory recommendation of a civil penalty to the Commission. Potential civil penalties are limited to: a warning letter, civil penalty up to \$10,000.00, a requirement of participation in an education and training program, a development plan to avoid future violations of the Act.*
- The Respondent has 30 days to request in writing for a public hearing before the Commission to appeal the Advisory Committee's civil penalty recommendation; 170 IAC 5-5-3 (f) and (g);  
*If you disagree with the Advisory Committee's recommended civil penalty to the Commission, you have the right to a full-fledged hearing before the Commission. In order to preserve your right to a hearing, you must file a written request for such a hearing with the Commission Secretary, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Be sure to include your Case Number with your request. Such a request for a hearing must be filed within 30 days of the date of the Advisory Committee's recommendation. Appeal requests to the Commission will be dated upon their receipt by the Commission.*
- If the Respondent requests a public hearing before the Commission to contest the Advisory Committee's recommendation for a civil penalty, the parties are required to comply with the formal rules of practice and procedure of the Commission; 170 IAC 5-5-3 (i);  
*There are formal procedures required by law to be followed regarding all proceedings pending before the Commission. For instance, corporations and some business entities are required to be represented by an attorney admitted to practice law in Indiana.*
- The Commission's formal rules of practice and procedure are specified in "Rule 1.1 Practice and Procedure Before the Commission"; 170 IAC 1-1.1-1.  
*The formal procedures required to be followed in Commission proceedings are specified in the Indiana Administrative Code and may be found at 170 IAC 1-1.1-1. It may be advisable to seek the advice or representation by an attorney.*
- If a monetary civil penalty is imposed by the Commission, Respondents must make payment within 90 days of being assessed to the Commission; 170 IAC 5-5-3 (j);



*Monetary civil penalties must be paid to the Commission within 90 days or they will be referred to the Indiana Attorney General's Office for collection. Schedules for compliance with non-monetary civil penalties, such as education and training classes or the approval of a development plan to avoid additional violations, will be addressed in the Commission's final order. All monetary civil penalties are used by the Commission, pursuant to I.C. 8-1-26-24, only upon programming to prevent further pipeline accidents.*



Cayce, Brittany

32123

**From:** Miller Pipeline Corp [no-reply@wufoo.com]  
**Sent:** Tuesday, May 15, 2012 8:40 PM  
**To:** Cayce, Brittany; Clark, Casey; Arora, Neha  
**Subject:** Utility Damage Report IN/KY/KS [#46]

1510 gas construction

Employee Name: \* Troy Wallace 4131

Is this report for record only? (For record only indicates the damage has been resolved and no further action is needed.) \* Yes

Job Title: \* Foreman

Date of incident: \* Tuesday, May 15, 2012

Street address of incident: Intersection of Birch St. and Dogwood Ave

City \* Dana

State: \* Indiana

Did an MPC employee cause the incident to occur? Yes

Has the owner been notified of the damage? Yes

What caused the damage: \* Backhoe

What type of utility was damaged? \* Gas

State of the utility: Live

Were locates requested? Yes

Were locates performed? Yes

Were locates Yes

71 Josh Balay Vectors IN/West



legible?

Did locates  
expire? No

Were all  
utilities  
marked? Yes

Were marks  
accurate? Yes

Types of  
markers: Paint

Were utilities  
hand exposed? Yes

Did digging  
begin prior to  
locating? No

Name of  
locating  
company: \* I think USIC, but I was not present when locates were being made.

Date located: \* Thursday, May 10, 2012

Locate  
reference  
number: 1205091447

**Describe the event in detail (be specific: include all persons involved, sequence of events, measurements, etc.): \***

We were digging along a 6" plastic main, which had recently been installed as part of the BSCI work in Dana, to squeeze it off and remove about 40' of the main so a bore pit could be dug in order to auger bore the railroad just to the North. According to all records, prints, and maps available there was no other gas lines coming off of this 6" line in the area we were working. About half way into digging out the 6" line we hit a 2" line which was going to the West, coming off the 6" line with a Hi-volume tapping tee. I Hit the 2" plastic just to the West of the HVTT. The 2" pipe itself was not damaged much at all, but the MTD HVTT was broken right under the outlet of the tee. The inspector on the job said he had forgotten that this 2" was there. We knew the 6" line dead ended just to the North of us as we had it exposed, and inspector said 2" dead ended to the West with just 3 met ers of which only 1 was active. We backed up to the South from the cut and dug out the 6" main and squeezed it off. We cut the 6" main off, removed it from excavation, and capped it off to make room for the bore pit. The 2" line was capped off also. We will make permanent repairs tomorrow (5/16). Plated hole and put up fence around hole. Also put out cones.

Division: Gas Construction

Customer: \* Vectren

**Indicate any opinions or conclusions regarding who was at fault afer reviewing the facts of this incident: \***

The map number given on the prints was 117-163, which is a new map book page. I do not have a new map book so inspector looked in his map book. It did not have this page. I also went to my computer to try and find a map but was not successful. The map book I have and maps on computer are the older ones and probably would not have shown this line since it was just recently installed. Lines were just installed in the last few months. This may have no bearing on fault, but I feel that after seeing where I had hit the 2" pipe and that there was little damage, if the HVTT had been one the the older style tees instead of the MT Deason there might not have been a problem.

Please select  
your  
superintendent  
so we can send  
them and your  
area safety &  
compliance  
specialist a  
copy of this  
form \*



**Miller, Ralph**

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**From:** Heminger-Frazier, Sarah  
**Sent:** Thursday, June 28, 2012 11:51 AM  
**To:** Miller, Ralph  
**Subject:** Emailing: Ticket Text and Map display for Ticket # 1205152749.htm

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DAMAGE SEE REMARKS

Ticket : 1205152749 Date: 05/15/2012 Time: 14:08 Oper: KSWANK Chan:063

State: IN Cnty: VERMILLION Twp: HELT  
Cityname: DANA Inside: Y Near: N  
Subdivision:

Address :  
Street : BIRCH ST  
Cross 1 : E BRIARWOOD AVE Within 1/4 mile: Y  
Location: PAINT AND FLAG ENTIRE EASEMENT AND RIGHT OF WAY ON THE EAST SIDE OF  
BIRCH ST FROM THE NORTH RIGHT OF WAY OF THE FIRST ALLEY NORTH OF BRIARWOOD AVE  
HEADING SOUTH TO DOGWOOD AVE APROX 550FT  
\*\*\*Boring Where = E BRAIRWOOD AVE AND RAILROAD TRACKS  
:  
Grids : 3948D8729B 3948C8729B

Work type : REPLACE GAS MAIN  
Done for : VECTREN  
Start date: 05/15/2012 Time: 14:08 Hours notice: 0/000 Priority: EMER  
Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: Y  
Duration : 3 WEEK Depth: 8FT

Company : MILLER PIPE LINE Type: CONT  
Co addr : 8850 CRAWFORDSVILLE RD  
City : INDIANAPOLIS State: IN Zip: 46234  
Caller : SARAH HEMINGER Phone: (317)295-6417  
Contact : JOSH Phone:  
BestTime:  
Mobile : (317)407-3657  
Fax : (317)295-6418  
Email : [SARAH.HEMINGER@MILLERPIPELINE.COM](mailto:SARAH.HEMINGER@MILLERPIPELINE.COM)

Remarks : All tickets are taken and processed on Eastern Daylight Time  
A VECTREN GAS LINE WAS HIT IN THE EAST SIDE EASEMENT JUST SOUTH OF THE RAILROAD  
TRACKS ON BIRCH STREET - GAS WAS BLOWING BUT IS NOT NOW - CREW ON SITE - THIS IS  
A 2 INCH YELLOW GAS MAIN - CALLER HAS CALLED VECTREN AND 911 TO REPORT THE  
DAMAGED LINE - PREVIOUS TICKET NUMBER 1205091447 - THANKS!  
Will you be white-lining the dig site area? NO  
:

Submitted date: 05/15/2012 Time: 14:08  
Members: ID0002 ID3617 ID5959 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
DANA WATER COMPANY	
DUKE ENERGY / FORMERLY CINERGY ELECTRIC	



**Miller, Ralph**

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**Subject:** FW: Emailing: Ticket Text and Map display for Ticket # 1205241378

NORMAL NOTICE JOB EXTENSION 6/13

Ticket : 1205241378 Date: 05/24/2012 Time: 10:31 Oper: SARAH.HEMINGER Chan:000  
Old Tkt: 1205091447 Date: 05/09/2012 Time: 10:48 Oper: SARAH.HEMINGER Rev: 00A

State: IN Cnty: VERMILLION Twp: HELT  
Cityname: DANA Inside: Y Near: N  
Subdivision:

Address :  
Street : BIRCH ST  
Cross 1 : E BRIARWOOD AVE Within 1/4 mile: Y  
Location: PAINT AND FLAG ENTIRE EASEMENT AND RIGHT OF WAY ON THE EAST SIDE OF  
BIRCH ST FROM THE NORTH RIGHT OF WAY OF THE FIRST ALLEY NORTH OF BRIARWOOD AVE  
HEADING SOUTH TO DOGWOOD AVE APROX 550FT  
\*\*\*Boring Where = E BRAIRWOOD AVE AND RAILROAD TRACKS

Grids : 3948D8729B 3948C8729B

Work type : REPLACE GAS MAIN  
Done for : VECTREN  
Start date: 05/29/2012 Time: 10:45 Hours notice: 120/48 Priority: NORM  
Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N  
Duration : 3 WEEK Depth: 8FT

Company : MILLER PIPE LINE Type: CONT  
Co addr : 8850 CRAWFORDSVILLE RD  
City : INDIANAPOLIS State: IN Zip: 46234  
Caller : SARAH HEMINGER Phone: (317)295-6417  
Contact : JOSH Phone:  
BestTime:  
Mobile : (317)407-3657  
Fax : (317)295-6418  
Email : [SARAH.HEMINGER@MILLERPIPELINE.COM](mailto:SARAH.HEMINGER@MILLERPIPELINE.COM)

Remarks : All tickets are taken and processed on Eastern Daylight Time  
NEED ALL UTILITIES TO RETURN AND REMARK PREVIOUS TICKET 1205091447  
Will you be white-lining the dig site area? NO

Submitted date: 05/24/2012 Time: 10:31  
Members: ID0002 ID3617 ID5959 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
DANA WATER COMPANY	
DUKE ENERGY / FORMERLY CINERGY	ELECTRIC
VECTREN-ROCKVILLE	GAS





**INFORMATION REQUEST**

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 2963

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*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.*

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**The Parties**

**Excavator Information:**

Business Name: Miller Pipeline

Responsible Party Personal Name: Troy Wallace

Title (if any): Foreman

Address (number and street): 8850 Crawfordsville Rd.

City, State and ZIP Code: Indianapolis, IN 46234

Preferred Telephone Number (area code): 317 293 0278

Cellular Telephone Number (area code): \_\_\_\_\_

Email Address: info@millerpipeline.com

**Facility Information:**

Business Name: Vectren

Responsible Party Personal Name: Ed Curley

Title (if any): Inspector

Address (number and street): \_\_\_\_\_



City, State and ZIP Code: \_\_\_\_\_

Preferred Telephone Number (area code): \_\_\_\_\_

Cellular Telephone Number (area code): \_\_\_\_\_

Email Address: \_\_\_\_\_

**Locator Service Information:**

Business Name: USIC \_\_\_\_\_

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: \_\_\_\_\_

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**Cause of Damage Information**

Type of Equipment (*select one*): Backhoe/Trackhoe

Type of Work Performed (*select one*): Natural Gas

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

Personal Contact: Larry Nidey \_\_\_\_\_

Business/Organization Name: Miller Pipeline \_\_\_\_\_

Title (*if any*): Laborer \_\_\_\_\_

Address (*number and street*): 8850 Crawfordsville Rd. \_\_\_\_\_

City, State and ZIP Code: Indianapolis, IN 46234 \_\_\_\_\_

Preferred Telephone Number (area code): 317 293 0278 \_\_\_\_\_



Cellular Telephone Number (area code): \_\_\_\_\_

Email Address: info@millerpipeline.com

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**Utility Line Impact**

**Location of Damage:**

Address (*number and street*): Intersection of Birch Str. and Dogwood Ave

City, State and ZIP Code: Dana

Nearest Intersection: Intersection of Birch Str. and Dogwood Ave

**Product Type (*select one*):** Natural Gas

**Facility Type (*select one*):** Distribution

**Size (Diameter/etc.):** 2"

**Pressure (PSIG/Inches):** 50 psig

**Interruption in Service:**       Yes       No      **Number of Customers Affected:** \_\_\_\_\_

**Evacuation:**       Yes       No      **If yes, How Many Evacuated?** \_\_\_\_\_

**Repair Cost (if known):** \$ 200

**Release of Product:**       Yes       No

**Ignition and/or Fire:**       Yes       No

**Excavator Notify 811:**       Yes       No

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**Locate Information**

**Excavator Request Locate:**       Yes       No

**Indiana 811 Locate Ticket Number:** 1205152749



- 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**

Miller was digging along a 6" plastic main to squeeze it off and remove about 40 feet of pipe. This would allow us to dig a bore pit in order to auger bore the railroad just to the North. According to all records, prints, and maps available at the time there were no other gas lines coming off the 6" line in the area we were working. The utility inspector on site did not have any knowledge of such, either. About halfway through the dig with a backhoe, we hit a 2" line going West off of the 6" line with a high volume tapping tee (HVTT). The HVTT was damaged under the outlet and that created a gas leak. All repairs were quickly made. Upon further investigation it was discovered that Miller had run the 2" line that was damaged approximately 1 month prior and that this job was still open. Because the job was still open the work packet and As-builts would not have been turned over to the utility, meaning the location of the 2" line would not have shown up on their maps. A different crew was assigned to dig the bore pit and auger bore the railroad than the crew that laid the 2" pipe of the 6" main. It has been determined under these circumstances it is incumbent upon the contractor, in this case Miller Pipeline, to ensure the current status of the open job be conveyed to the new crew. Had this been done properly, this damage to the 2" line would have been prevented.



**NARRATIVE STATEMENT**

Your Pipeline Safety Division Case Number: 2963

Your Full Name: Ralph Miller

Full Name of Business / Entity (if applicable): Miller Pipeline

Your Business Title (if applicable): VP

Address (number and street): 8850 Crawfordsville Rd.

City: Indianapolis State: IN ZIP Code: 46234

Your E-mail Address: info@millerpipeline.com

Today's Date (month, day, year): June 29, 2012

Your Signature:  Title (if any) VP

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number 2963**  
**Indiana Utility Regulatory Commission**  
**101 West Washington Street, 1500E**  
**Indianapolis, IN 46204**

Or scan the statement and Email to:

[PipelineDamageCase@urc.in.gov](mailto:PipelineDamageCase@urc.in.gov)





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

July 5, 2012

Ms. Darlene Kulhanek  
Vectren  
1 N Main Street  
Evansville, IN 47702

Subject: Investigation Request for Information

Date of Event: 5/15/2012

Event Location: Birch St, Dana

Facility Owner: Vectren

Excavator: Miller Pipeline

Other Party: N/A

Pipeline Division Case No. 2963

Dear Ms. Kulhanek:

Pursuant to Indiana Code 8-1-26, the *Indiana Damage to Underground Facilities Act*, the Pipeline Safety Division of the Indiana Utility Regulatory Commission (“Pipeline Division”) is required to investigate reported incidents of alleged statutory violations involving underground pipeline safety. The purpose of this statute is to promote excavation and pipeline safety and to reduce the imminent danger to life, health, property, or loss of service associated with unsafe digging practices. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

The Pipeline Division received information regarding potential statutory violations regarding the date and location referenced above. You were identified as a person or entity that might have information that would assist the Pipeline Division in its investigation. Therefore, we have contacted you in order to receive the full account of information in order to make a fair determination related to the circumstances of this incident.

We have asked all involved parties, entities and witnesses to provide *written* information within *30 days* in order to meet legal deadlines to conclude our investigation. **Please consider this letter as a formal request to receive any and all information and evidence (including a narrative, documentation, maps, photographs or any other written information) you can access regarding anything you may know about the incident referenced above.**



## DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

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

Submitted to IURC-Pipeline Safety on: 7-13-2012

### Who is submitting this information?

Name of person providing this information: Darlene Kulhanek

Business address (*number and street*): 1 Main Street

City, State, and ZIP code: Evansville, IN 47711

Telephone number (*area code*): 812-491-4227

Fax number (*area code*): 812-491-4504

E-mail address: dkulhanek@vectren.com

### Excavator Information, if known

Full name: Miller Pipeline

Business address (*number and street*): 8850 Crawfordsville Rd.

City, State, and ZIP code: Indianapolis, IN 46234

Telephone number (*area code*): 317-295-6417

Fax number (*area code*): 317-295-6418

E-mail address: Unknown

### Excavation or Demolition Information

Excavator type: Contractor

Excavation or demolition equipment: Backhoe/Trackhoe

Type of work performed: Natural Gas

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**Date and Location of Damage**

Date of damage (*month, day, year*): 5-15-2012

County: Parke

City: Dana

Street address (*number and street, city, state, and ZIP code*):  
Corner Birch & Briarwood, Dana, IN

Nearest intersection: Same

Right of way where damage occurred: Dedicated Public Utility Easement

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? 1

Time to restore service (*in hours*): 1

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 107.22

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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? \_\_\_\_\_

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**Notification, Locating, Marking**

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1205091447

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? No

Were facilities marked correctly? No

Type of markings used: Other

If other, please specify: None

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? Yes

Did the excavator notify 911 in the event of a release of product? Yes

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### **Description of Cause**

Select from the list the most accurate cause for the damage: --Incorrect facility records/maps

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### **Additional Comments**

2" plastic main damaged by hoe. records.

Miller Pipeline

Vectren Corporation  
Form 3112 (Rev.0711) (CIS 10/11)

Vectren Claim Number: \_\_\_\_\_

FDS 0016222

Task No: 103,0509 Capital / O & M (circle one)

Police Report / MO #: \_\_\_\_\_

Date of Damage 05/15/12

Vectren Claims Camera:

Cost Center # 5950

### FACILITIES DAMAGE

Time Occurred 12:30 am

### REPORT

Time Found 12:30 am

### GAS

Latitude 39.80388 Longitude 87.493529

VE00121  
Form 3112

#### DAMAGE SITE:

Address CORNER Birch & Brimwood Lot # \_\_\_\_\_

#### FACILITY TYPE:

- Distribution  Propane
- Service  Storage
- Transmission: (include supplemental report)

County PARKE City AANA State Ind Township Leemillion

#### FACILITIES DAMAGED:

#### ORIFICE SIZE(S):

	(1)	(2)	(3)
<input type="checkbox"/> Farm Tap	0.50 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Heater	5/8 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Main	0.75 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Residential)	1.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Industrial / Commercial)	1.25 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Odorizer	2.00 inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Regulator Station	3.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Relief Valve	4.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Riser	5.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Service Line	6.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Valve	10.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
	12.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
	16.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
	20.00 inch	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other _____	Other	<input type="checkbox"/>	<input type="checkbox"/>

#### VISUAL OBSERVATION AT DAMAGE SITE:

- Visual Observation:  Above Ground  Below Ground
- Locate Applicable:  Yes  No  N/S
- Facilities Properly Marked:  Yes  No  N/S
- Marking Methods:  Conventional  Flags  None  Whiskers
- Offset  Paint  Stakes
- Locate Marking Faded:  Yes  No  N/S
- Wrong Address Requested:  Yes  No  N/S

#### TYPE OF MATERIAL:

#### DAMAGE TYPE:

#### PRESSURE:

- Cast Iron
  - Plastic (HDPE)
  - Plastic (MDPE)
  - Steel
  - Other \_\_\_\_\_
- Severed
  - Not Cut
  - Sawn Cracked
  - Size 1/2 x 1/2
- 25 PSIG
  - 40 PSIG
  - 50 PSIG 15.683
  - 55 PSIG
  - 60 PSIG
  - 6 WC (.2163)
  - 7 WC (.252)
  - Other \_\_\_\_\_

#### Facilities Improperly Located:

- Qualified Locator Could Not Have Accurately Located
- Inaccurate Maps / Cards
- Broken or No Tracer Wire (Plastic)
- Insulation Preventing Accurate Locate

#### Locator Error:

- Failure to Follow Policy
- Inappropriate Site Markings
- Incomplete Locate
- No Locates Performed
- Qualified Locator Could Have Accurately Located
- Wrong Address Located
- Marking Off By: \_\_\_\_\_ (Feet / Inches)

#### PROTECTION IN PLACE:

- Building  Fence  None
- Post  Rail  Vault  N/A
- Other \_\_\_\_\_

#### DURATION OF ESCAPING GAS:

Minutes: 10

- Were Facility Marks Visible:  Yes  No  Destroyed
- Was Area White Lined:  Yes  No  Destroyed
- Positive Response:  Yes  No
- Tolerance Zone Violated:  Yes  No
- Part of Project:  Yes  No
- Company Representative On-Site:  Yes  No

#### LEAK REPORT NUMBER:

EFV Activated  Yes  No  N/S

Observation by (ID#): 2190

#### FEED TYPE:

- One-Way Feed
- Two-Way Feed

Number of Customers Affected: 1

Total Hours Service \_\_\_\_\_

Was Off: \_\_\_\_\_

Name of Locator: \_\_\_\_\_

#### LOCATING ORGANIZATION:

- Contract Locator
- Unknown / Other
- Utility Owner

SERVICE ORDER NUMBER: 5245579

#### DAMAGED BY:

- Company Crew
- Contractor
- County
- Developer
- Farmer
- Municipality
- Property Owner/ Tenant
- Railroad
- State
- Unknown
- Utility
- Vehicle Accident
- Other \_\_\_\_\_

#### TYPE OF CONSTRUCTION:

- Agriculture
- Building Construction
- Building Demolition
- Cable TV
- Curbs / Sidewalk
- Drainage
- Driveway
- Electric
- Engineering / Surveying
- Fencing
- Grading
- Irrigation
- Landscaping
- Liquid Pipeline
- Milling
- Pole
- Natural Gas
- Public Transit Authority
- Railroad Maintenance
- Other \_\_\_\_\_

#### NOTIFICATIONS AND OTHER DETAILS OF LOCATE:

Locate Ticket: 1205091447

Date: \_\_\_\_\_ Time: \_\_\_\_\_ am / pm

#### TYPE OF REQUEST:

- Regular Request  Emergency Request
- Locate Company Notified
- Contact Name: MILLER
- Time Called: \_\_\_\_\_ am / pm
- Time Locator Arrived at the Site: \_\_\_\_\_ am / pm

Company Notified of Locate Near Critical Facilities

Yes  No  N/S

Copy of Mark Out Request Provided Within 2 Working Days

Yes  No  N/S

#### ONE-CALL CENTER:

- TUPPS
- OUPS
- Unknown

BACK - INCLUDE ANY OBSERVATIONS / DIAGRAMS

Vectren Claim Number: \_\_\_\_\_

**TYPE OF EQUIPMENT:**

- Auger
- Backhoe / Track hoe
- Boring
- Drilling
- Explosives
- Farm Equipment
- Grader / Scraper
- Hand Tools
- Milling Equipment
- Plow
- Probing Device
- Trencher
- Vacuum Equipment
- Vehicle
- Other \_\_\_\_\_

**ROOT DAMAGING CAUSE:**

- Abandoned Facility
- Deteriorated Facility
- Facility Could Not be Found/ Located
- Facility Was Not Located / Marked
- Failure to Maintain Clearance
- Failure to Maintain Marks
- Failure to Support Exposed Facility
- Failure to Use Hand Tools Where Required
- Improper Backfilling
- Incorrect Records / Maps
- Marking or Location Not Sufficient
- No Notification Made to One-Call
- One-Call Notification Error
- Previous Damage
- Wrong Information Provided
- Other \_\_\_\_\_

**CONTRACTOR REPAIRS:**

- Contractor Working for Vectren Made Repairs at Own Expense  
 Yes  No  N/S
- Contractor Repaired Damage  
 Yes  No  N/S

Name of Contractor: Miller  
 # of Regular Hours; \_\_\_\_\_  
 # of Overtime Hours; \_\_\_\_\_  
 # of Regular Hours; \_\_\_\_\_  
 Crew Type: \_\_\_\_\_

**MATERIALS OR ROAD WORK:**

- Meter was replaced \_\_\_\_\_ (Stores Code)
- Regulator Was Replaced \_\_\_\_\_ (Stores Code)
- Temporary Asphalt Repair: \_\_\_\_\_ (sq. ft.)
- Permanent Asphalt Repair: \_\_\_\_\_ (sq. ft.)

Did Excavator Notify You

- Yes  No

Excavation Required

- Yes  No

Media at Site

- Yes  No

Was There Ignition of Gas?

- Yes  No

INVOICE:

- Yes  No  N/S

**RIGHT OF WAY:**

- Dedicated Utility Easement
- Federal Utility Easement
- Pipeline
- Power / Transmission Line
- Private - Business
- Private - Easement
- Private - Land Owner
- Public - County Road
- Public - Interstate Highway
- Public - Other
- Public - State Highway
- Public - City Street
- Unknown

**DAMAGING PARTY:**

Name: Miller Pipeline  
 Address: \_\_\_\_\_  
 City/ State/ Zip: \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_  
ED Curley 5/15/12  
 Prepared / Investigated By: Date:

**PARTY TO INVOICE:**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/ State/ Zip: \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_  
Tom 5/15/12  
 Reviewed by Field Supervisor: Date:

NORMAL NOTICE

Ticket : 1205091447 Date: 05/09/2012 Time: 10:48 Oper: SARAH.HEMINGER Chan:000

State: IN Cnty: VERMILLION Twp: HELT  
 Cityname: DANA Inside: Y Near: N  
 Subdivision:

Address :  
 Street : BIRCH ST  
 Cross 1 : E BRIARWOOD AVE Within 1/4 mile: Y  
 Location: PAINT AND FLAG ENTIRE EASEMENT AND RIGHT OF WAY ON THE EAST SIDE OF  
 BIRCH ST FROM THE NORTH RIGHT OF WAY OF THE FIRST ALLEY NORTH OF BRIARWOOD AVE  
 HEADING SOUTH TO DOGWOOD AVE APROX 550FT  
 \*\*\*Boring Where = E BRAIRWOOD AVE AND RAILROAD TRACKS

:  
 Grids : 3948D8729B 3948C8729B

Work type : REPLACE GAS MAIN  
 Done for : VECTREN  
 Start date: 05/11/2012 Time: 11:15 Hours notice: 48/48 Priority: NORM  
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N  
 Duration : 3 WEEK Depth: 8FT

Company : MILLER PIPE LINE Type: CONT  
 Co addr : 8850 CRAWFORDSVILLE RD  
 City : INDIANAPOLIS State: IN Zip: 46234  
 Caller : SARAH HEMINGER Phone: (317)295-6417  
 Contact : JOSH Phone:  
 BestTime:  
 Mobile : (317)407-3657  
 Fax : (317)295-6418  
 Email : SARAH.HEMINGER@MILLERPIPELINE.COM

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

Submitted date: 05/09/2012 Time: 10:48  
 Members: ID0002 ID3617 ID5959 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
DANA WATER COMPANY	
DUKE ENERGY / FORMERLY CINERGY ELECTRIC	
VECTREN-ROCKVILLE	GAS

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

DAMAGE SEE REMARKS

Ticket : 1205152749 Date: 05/15/2012 Time: 14:08 Oper: KSWANK Chan:063

State: IN Cnty: VERMILLION Twp: HELT  
 Cityname: DANA Inside: Y Near: N  
 Subdivision:

Address :  
 Street : BIRCH ST  
 Cross 1 : E BRIARWOOD AVE Within 1/4 mile: Y  
 Location: PAINT AND FLAG ENTIRE EASEMENT AND RIGHT OF WAY ON THE EAST SIDE OF  
 BIRCH ST FROM THE NORTH RIGHT OF WAY OF THE FIRST ALLEY NORTH OF BRIARWOOD AVE  
 HEADING SOUTH TO DOGWOOD AVE APROX 550FT  
 \*\*\*Boring Where = E BRAIRWOOD AVE AND RAILROAD TRACKS  
 :  
 Grids : 3948D8729B 3948C8729B

Work type : REPLACE GAS MAIN  
 Done for : VECTREN  
 Start date: 05/15/2012 Time: 14:08 Hours notice: 0/000 Priority: EMER  
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: Y  
 Duration : 3 WEEK Depth: 8FT

Company : MILLER PIPE LINE Type: CONT  
 Co addr : 8850 CRAWFORDSVILLE RD  
 City : INDIANAPOLIS State: IN Zip: 46234  
 Caller : SARAH HEMINGER Phone: (317)295-6417  
 Contact : JOSH Phone:  
 BestTime:  
 Mobile : (317)407-3657  
 Fax : (317)295-6418  
 Email : SARAH.HEMINGER@MILLERPIPELINE.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time  
 A VECTREN GAS LINE WAS HIT IN THE EAST SIDE EASEMENT JUST SOUTH OF THE RAILROAD  
 TRACKS ON BIRCH STREET - GAS WAS BLOWING BUT IS NOT NOW - CREW ON SITE - THIS IS  
 A 2 INCH YELLOW GAS MAIN - CALLER HAS CALLED VECTREN AND 911 TO REPORT THE  
 DAMAGED LINE - PREVIOUS TICKET NUMBER 1205091447 - THANKS!  
 Will you be white-lining the dig site area? NO  
 :

Submitted date: 05/15/2012 Time: 14:08  
 Members: ID0002 ID3617 ID5959 SBCIN SM

Member Name	Facility Types
AT&T - DISTRIBUTION	COMMUNICATIONS
DANA WATER COMPANY	
DUKE ENERGY / FORMERLY CINERGY ELECTRIC	
VECTREN-ROCKVILLE	GAS

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

# Service Order Status

Friday, June 8, 2012

**Enter Service Order Number:**

5245579

**Banner Instance:**  CS03PROD  CS01PROD  CS02PROD  
**Order Number:** N5245579  
**Order Type:** INVE  
**Order Status:** Completed

**Customer:** 600010490 - STEWART BRUCE A  
**Prem:** 5235570 - 106 DOGWOOD SQ

**Technician:** 2190 - Curley, Ed

**Order Dates and Times**

**Need Date:** 5/15/2012 3:05:00 PM  
**Time Created:** 5/15/2012 2:19:22 PM  
**Time Dispatched:** 5/15/2012 2:19:22 PM  
**Time In Route:** 5/15/2012 2:23:41 PM  
**Time On-Site:** 5/15/2012 2:23:42 PM  
**Tech Complete:** 5/15/2012 3:46:08 PM  
**Time Closed:** 5/15/2012 3:46:08 PM

**Events Performed/Completion Code**

IVEG - CMP

**Meter Information**

**Current ReadStatus**

**Old Meter:**  
**New Meter:**

**Completion Notes**

hit 2 inch main. not on work order maps.squeezed off made repairs.

**Request Notes**

PER JOSH BAYLEY/WITH MILLER PIPELINEPH 317 407 3657/REPORTING HIT 2 INCH MAINBY RAILROAD TRACKS/VECTR  
 EN CREW ALREADY ON SITE/ED CURLEY ON SITE/XST:STR HWY 71/LIINES LOCATED#1205091447

**MDSI Event Dates and Times**

Event	Date/Time	User
AsnAssignmentManualAck_evt	5/15/2012 2:23:19 PM	Curley, Ed
AsnAssignmentEnRoute_evt	5/15/2012 2:23:41 PM	Curley, Ed
AsnAssignmentOnSite_evt	5/15/2012 2:23:42 PM	Curley, Ed
OrdOrderComplete_evt	5/15/2012 3:46:08 PM	Curley, Ed

NOTE:The Reporting database replicates in near real-time; it has been approximately 0 minute(s) since the last transaction replicated.