



Pipeline Safety Division Investigation Report

Investigation regarding: **Pleasure Pools**

UPPAC Database Record ID: 48

Investigator: Howard Friend

Telephone: 317-232-2717

Report Date: 01/20/2012

Damage Date: 02/17/2011

Damage Address: 278 S 2nd Street

City: Orleans

County: Orange

The Parties

Excavator: **Pleasure Pools**

Contact: Dan French

Address: 7380 S State Road 145, French Lick, In 47432

Telephone: 812-936-2858

Facility Owner: Indiana Natural Gas Corporation

Contact: Phillip Ross

Address: 1080 W Hospital Road, Paoli, IN 47454

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Investigation regarding: Pleasure Pools

UPPAC Database Record ID: 48

Damage Impact

Product release: Yes

Ignition: Yes

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$176

Excavator Activities/Cause of damage information:

Excavator request locates: Yes Indiana 811 ticket Number: 1011101141

Type of Equipment: Hand Tools

Type of work performed: Unknown/Other

Synopsis: Reported by operator; excavator signed for initial notice on 09/26/2011 but has not responded to information request. A 3/4" natural gas service was damaged while driving stakes for concrete form.

Findings: Excavator requested that underground utilities be marked in October, 2011, damage occurred in February, 2011.

Conclusion: There was a failure to call prior to actual commencement of work.

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

Pleasure Pools currently has no other reports of damages in the record.

Ticket ID: Version: 00 Notice ID: IUPPS2010111001178
Taken Time: 11/10/2010 11:04
NoticeType: Normal Notice

Case ID 48

NORMAL NOTICE

Ticket : 1011101141 Date: 11/10/2010 Time: 11:04 Oper: MMOELLER Chan:039

State: IN Cnty: ORANGE Twp: ORLEANS
Cityname: ORLEANS Inside: Y Near: N
Subdivision:

Address : 278
Street : S 2ND ST
Cross 1 : W JACKSON ST Within 1/4 mile: Y
Location: LOCATE THE NORTH SIDE YARD - AREA WILL BE MARKED
:
Grids : 3839B8627D 3839B8627C

Work type : INGROUND POOL
Done for : TINA ROACH
Start date: 11/15/2010 Time: 11:15 Hours notice: 120/048 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : 2 DAYS Depth: 8 FEET

Company : PLEASURE POOLS Type: CONT
Co addr : 7380 SOUTH IN RT 145
City : FRENCH LICK State: IN Zip: 47432
Caller : TINA ROACH Phone: (812)639-8306
Contact : DAN FRENCH CELL Phone:
BestTime:
Mobile : (812)639-8306
Email : BRAXMAN@FRONTIER.COM

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

Submitted date: 11/10/2010 Time: 11:04
Members: ID0002 ID2151 ID3207 ID4022 ID8000 SM

Service Area: ID0002 (DUKE ENERGY / FORMERLY CINERGY)
Contact: Carl Shepherd
Ph: (513)287-3188 Emerg Ph: Alt Ph:

Service Area: ID2151 (INDIANA NATURAL GAS CORP., PAOLI)
Contact: JOY GOEN
Ph: (812)723-2151 Emerg Ph: Alt Ph:

Service Area: ID3207 (ORLEANS, TOWN OF)
Contact: Luther Armstrong
Ph: (812)865-2539 Emerg Ph: Alt Ph:

Service Area: ID4022 (NEW WAVE COMMUNICATION / FORMERLY AVENUE BROADBAND)
Contact: BART KOTTER (CHIEF TECH)
Ph: (812)895-7666 Emerg Ph: Alt Ph:

Service Area: ID8000 (FRONTIER)
Contact: ID8000 Web Account
Ph: Emerg Ph: Alt Ph:

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

September 23, 2011

Mr. Phillip Ross
Indiana Natural Gas Corporation
1080 W Hospital Road
Paoli, IN 47454

RECEIVED

OCT 18 2011

INDIANA UTILITY
REGULATORY COMMISSION

Subject: Investigation Request for Information

Date of Event: 2/17/2011 ✓

Event Location: 278 S 2nd Street, Orleans

Facility Owner: Indiana Natural Gas Corporation

Excavator: Pleasure Pools

Other Party: N/A

Pipeline Division Case No. 48

Dear Mr. Ross:

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.

Please promptly provide your information to: Pipeline Safety Division – Case No. 48, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Also, please include the Investigation Number referenced above on your materials. In the alternative, if you would prefer to scan the materials and send them electronically, please send the documents to: *PipelineDamageCase@urc.in.gov*.

Although you are not a formal party in this investigation, please treat this request for information seriously, because the potential civil penalties for violations include: a potential civil fine up to \$10,000.00; mandatory education and training for employees regarding pipeline safety; a required development plan to avoid future violations; or a warning letter for certain homeowner/tenants who are first time offenders. Consequently, your input will assist the Pipeline Division with its determination and may have a substantial impact on the case.

After the investigation is completed, the Pipeline Division will prepare an Investigation Report with findings and forward it to the Underground Plant Protection Advisory Committee (“Advisory Committee”). This is a statutory committee, comprised of excavators, facility operators, investor and municipal utilities, the 811 Association and facility locate marking companies, whose role is to evaluate the Pipeline Division’s findings and make a recommendation for a civil penalty. In the event there is disagreement regarding the Advisory Committee’s recommendation to the Commission, parties are entitled to request a hearing before the full Commission. If there is a violation, the Indiana Utility Regulatory Commission (“Commission”) will impose the penalty. Any fines imposed are statutorily required to be spent funding the Commission’s training and educational programming to promote excavation and pipeline safety.

Thank you for your *prompt* assistance in providing written information to the Pipeline Division regarding the previously referenced incident. Any information received after the deadlines will not be considered in the investigation, will be unavailable to the Advisory Committee and will result in a lack of full information being made available; hence, your participation is vital to serving the interests of justice and enhancing the public’s safety. In an effort to assist you, please find an enclosure entitled “Information Request.” Should you have procedural or legal questions regarding the Underground Plant Protection Advisory Committee or the Indiana Utility Regulatory Commission, please contact David L. Welch, Assistant General Counsel, at (317) 234-4715. Should you have 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

Enclosure: Information Request

Information Request

Pipeline Safety Division Indiana Utility Regulatory Commission

Case No. 48

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: PLEASURE POOLS

Responsible Party Personal Name:

Title (if any):

Address: 7380 S SR 145

City, State Zip: FRENCH LICK, IN 47432

Preferred Telephone: 812-936-2853

Cell Phone Number:

Email Address:

Facility Information:

Business Name: INDIANA NATURAL GAS

Responsible Party Personal Name: PHIL ROSS

Title (if any): GM

Address: PO BOX 450

City, State, Zip: PAOLI, IN 47454

Preferred Telephone: 812-723-2151

Cell Phone Number:

Email Address: phil_r@indiananatural.com

Locator Service Information:

Business Name: OUR LOCATOR (ING)

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: 278 S 2ND ST

City, State Zip: ORLEANS, IN 47452

Nearest Intersection: W JACKSON 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.): 3/4

Pressure (PSIG/Inches): 50

Interruption in Service: Yes / No Number of Customers Affected: 1

Evacuation: Yes / No If yes, How Many Evacuated? _____

Repair Cost (if known): \$ 176.28 paid 2/28/11

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? Swimming Pool -
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

EXPIRED (OVER 3 MONTHS EARLY)

Indiana 811 Locate Ticket Number: 101101141 11/10/2010

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: SEE ATTACHED.



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R / 11-09)
INDIANA UTILITY REGULATORY COMMISSION

Submitted to IURC-Pipeline Safety on: 02/17/2011

Who is submitting this information?

Name of person providing this information: Phil Ross

Business address (*number and street*): 1080 W Hospital Road

City, State, and Zip Code: Paoli, IN 47454

Telephone Number (*area code*): (812) 723-2151

Fax Number (*area code*): (812) 723-2188

Email address: phil_r@indiananatural.com

Excavator Information, if known

Full Name: Pleasure Pools

Business address (*number and address*): 7380 S SR 145

City, State, and Zip Code: French Lick, IN 47432

Telephone number (*area code*): (812) 936-2858

Fax number (*area code*): _____

Email address: _____

Excavation or Demolition Information

Type of excavation or demolition: Contractor

Type of excavation or demolition equipment: Hand Tools

Type of work performed: Unknown/Other

Date and Location of Damage

Date of damage: 02/17/2011

County: Orange

City/Subdivision/Location Name: Orleans

Street address: 278 S 2nd Street

Nearest intersection: W Jackson Street

Right of way where incident occurred: Public Private

Was there a release of product? Yes No

Was there any customer service interruption? Yes No

If yes, how many affected 1

Projected timeline for completion of re-lights after repairs are made. 5 minutes

Were evacuations necessary as a result of release of gas or hazardous materials? Yes No

If yes, how many evacuated?

Was there an ignition of released gas or material? Yes No

If yes, was there:

Injuries, how many?

Fatalities, how many?

Property damage, Estimate \$ 300

Affected Facility Information

What type of facility operation was affected? Distribution

What type of product was involved? Natural Gas

What was the depth of the damaged facility? 18-inches

Notification, Locating, Marking

Did excavator follow the law with respect to requesting a locate and commencing work? Yes No

Did excavator notify you in event of damage? Yes No

One Call ticket number, if known: 1011101141

Contract or company locator? Utility Owner

If contracted, what was the name of the contracted locator? _____

Were facility marks visible in the area of excavation or demolition? Yes No

Were facilities marked correctly? Yes No

Locating equipment type, if known: _____

Type of marking used:

Paint Flags Other

If other, explain: _____

Was site marked by "White Lining"? Yes No

Were special instruction part of the locate order? Yes No

Were maps used during marking? Yes No

Did the pipeline operator provide a positive response? Yes No

Were pipeline company representatives on site at the time of excavation or demolition? Yes No

Description of Cause

Possible Cause: Flags and Paint were obscured or missing. Locate Expired. Called in 11/10/2010. More than 2-months before line was hit.

Additional Comments

Contractor driving stakes for concrete forms. Partially punctured 3/4 gas service line to home. Class 1 Leak.

Locate Sent to Truck - 06 on 11/10/2010

ID2151 00006 IUPPSa 11/10/2010 11:10:24 1011101141-00A NORM NEW STRT

NORMAL NOTICE

Ticket : 1011101141 Date: 11/10/2010 Time: 11:04 Oper: MMOELLER Chan:039

State: IN Cnty: ORANGE Twp: ORLEANS
Cityname: ORLEANS Inside: Y Near: N
Subdivision:

Address : 278
Street : S 2ND ST
Cross 1 : W JACKSON ST Within 1/4 mile: Y
Location: LOCATE THE NORTH SIDE YARD - AREA WILL BE MARKED
:
Grids : 3839B8627D 3839B8627C
Boundary: n 38.662132 s 38.659882 w -86.454819 e -86.453346

W
rk type : INGROUND POOL
Done for : TINA ROACH
Start date: 11/15/2010 Time: 11:15 Hours notice: 120/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : 2 DAYS Depth: 8 FEET

Company : PLEASURE POO
S Type: CONT
Co addr : 7380 SOUTH IN RT 145
City : FRENCH LICK State: IN Zip: 47432
Caller : TINA ROACH Phone: (812)639-8306
Contact : DAN FRENCH CELL Phone:
BestTime:
Mobile : (812)639-8306
Email : BRAXMAN@FRONTIER.COM

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

Submitted date: 11/10/2010 Time: 11:04
Members: ID0002 ID2151 ID3207 ID4022 ID8000 SM

Added by MNG

Completed on 11/10/2010

Remarks : Flagged & Painted

Truck 6

NO
EXCAVATOR
RESPONSE
PROVIDED