



Pipeline Safety Division Investigation Report

Investigation regarding: Clint Novak

UPPAC Database Record ID: 57

Investigator: Dan Novak

Telephone: 317-232-2781

Report Date: 01-24-2012

Damage Date: 05/08/2010

Damage Address: 5772 E Rolling Woods Drive

City: Marengo

County: Crawford

The Parties

Excavator: Clint Novak

Contact: Clint Novak, Homeowner

Address: 5772 E Rolling Woods Drive, Marengo, In 47140

Telephone: 812-267-1566

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: Clint Novak

UPPAC Database Record ID: 57

Damage Impact

Product release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$201

Excavator Activities/Cause of damage information:

Excavator request locates: Yes Indiana 811 ticket Number: 1004081919

Type of Equipment: Backhoe/Trackhoe

Type of work performed: Drainage

Synopsis: A ¾” split service line going to the neighbor’s home was damaged by the homeowner while performing drainage work.

Findings: Reported by operator; excavator response received 11/14/2011. The Operator’s report states the line was located properly, but no marks were visible where the line was cut. Excavator claims no marks were visible past the 90 degree ell going to his house. The locate ticket had expired by 10 days.

Conclusion: There was a failure to provide notice of excavation, working off of an expired locate request.

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

Clint Novak currently has no other reports of damages in the record.

NO

LOCATE

TICKET

PROVIDED

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

November 2, 2011

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

RECEIVED

NOV 28 2011

INDIANA UTILITY
REGULATORY COMMISSION

Subject: Investigation Request for Information

Date of Event: ~~8/8/2010~~ 5/8/2010

Event Location: 5772 E Rolling Woods Drive, Marengo

Facility Owner: Indiana Natural Gas Corporation

Excavator: Clint Novak

Other Party: N/A

Pipeline Division Case No. 57

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. 57, 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. 57

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:

Responsible Party Personal Name: CLINT NOVAK

Title (if any): HOME OWNER @ PROPERTY OF HIS LINE

Address: 5772 E ROLLING WOODS DR

City, State Zip: MARIETTA, IN 47140

Preferred Telephone: 812-267-1566

Cell Phone Number:

Email Address:

Facility Information:

Business Name: INDIANA NATURAL GAS

Responsible Party Personal Name: PHIL ROSS

Title (if any): GENERAL MANAGER

Address: PO BOX 450

City, State, Zip: PACO, IN 47454

Preferred Telephone: 812-723-2151

Cell Phone Number:

Email Address: phil_r@indiananatural.com

Locator Service Information:

Business Name: SAME (see above)

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: 5772 E Rolling Woods Dr.

City, State Zip: MARIETTA, IN 47140

Nearest Intersection: ~~SR 26~~ SR 66

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): 38 PSI

Interruption in Service: Yes / No

Number of Customers Affected: 1

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

Repair Cost (if known): \$ 200.80

paid 100.40 6/8/2010
As Agreed BY ING.

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
- MINI EXCAVATOR

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: 100A081919 EXPIRED

Locate Marks Visible: Yes / No SOMEWHAT

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:

NOVAK CUT SPLIT SERVICE GOING TO NEIGHBOR'S HOUSE THAT HOOKED TO HIS HOME'S SERVICE LINE. LINE HAD BEEN LOCATED PROPERLY, BUT NO PERSONNEL RESPONDING TO LEAK INDICATED NO MARKS WERE VISIBLE WHERE LINE WAS CUT (30 DAYS AFTER LOCATE)
SEE ATTACHED.

YOUR PIPELINE SAFETY DIVISION CASE NO. 57

YOUR FULL NAME: PHILLIP S ROSS

FULL NAME OF BUSINESS/ENTITY (if applicable): INDIANA NATURAL GAS

YOUR BUSINESS TITLE (if applicable): GENERAL MANAGER

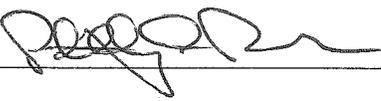
ADDRESS: PO BOX 450

CITY: PAOLI STATE: IN ZIP CODE: 47454

YOUR TELEPHONE NUMBER: (812) 723 2151 SECOND NO. () -

YOUR EMAIL ADDRESS: philr@indiananatural.com

TODAY'S DATE: 11/22/11

YOUR SIGNATURE:  TITLE (if any) GENERAL MANAGER

Please return your Narrative Statement and Answers to the above questions to:

Pipeline Safety Division – Case No. _____
Indiana Utility Regulatory Commission
101 West Washington Street, # 1500E
Indianapolis, IN 46204

Or scan document(s) and Email to:

PipelineDamageCase@urc.in.gov



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

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

Submitted to IURC-Pipeline Safety on: 5-10-2010

Who is submitting this information?

Name of person providing this information: Phil Ross - Indiana Natural Gas Corp.

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

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

Telephone Number (*area code*): +1 (812) 723-2151

Fax Number (*area code*): +1 (812) 723-2188

Email address: phil_r@indiananatural.com

Excavator Information, if known

Full Name: Clint Novak

Business address (*number and address*): Homeowner

City, State, and Zip Code: 5772 E Rolling Woods Dr, Marengo, IN 47140

Telephone number (*area code*): +1 (812) 267-1566

Fax number (*area code*): _____

Email address: _____

Excavation or Demolition Information

Type of excavation or demolition: Drain Install

Type of excavation or demolition equipment: Mini Excavator

Type of work performed: Excavation - Drain Installation

Date and Location of DamageDate of damage: 5-8-2010County: CrawfordCity/Subdivision/Location Name: Rolling WoodsStreet address: 5772 E Rolling Woods DriveNearest intersection: SR 66Right 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 1Projected timeline for completion of re-lights after repairs are made. 3-hoursWere evacuations necessary as a result of release of gas or hazardous materials? Yes No If yes, how many evacuated? n/aWas there an ignition of released gas or material? Yes No

If yes, was there:

Injuries, how many? noneFatalities, how many? noneProperty damage, Estimate \$ 200

Affected Facility InformationWhat type of facility operation was affected? Gas Distribution 3/4" service line.What type of product was involved? Natural Gas

What was the depth of the damaged facility? _____

Notification, Locating, MarkingDid 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: 1004081919

Contract or company locator? Company

If contracted, what was the name of the contracted locator? n/a

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: Expired Locate Ticket. Responder reports marks not visible where line was hit but still visible

Additional Comments

Split service going to neighbor was the line that was hit. Records indicate this line was located a month earlier w

Printed on 4/8/2010 at 1:10:03 PM

ID2151 00013 IUPPSa 04/08/2010 13:03:03 1004081919-00A NORM NEW GRID

NORMAL NOTICE

Ticket : 1004081919 Date: 04/08/2010 Time: 13:03 Oper: CODOM Chan:016

State: IN Cnty: CRAWFORD Twp: LIBERTY
Cityname: MARENGO Inside: N Near: Y
Subdivision: ROLLING WOODS

Address : 5772
Street : ROLLING WOODS DR
Cross 1 : N IN RT 66 Within 1/4 mile: Y
Location: LOCATE THE ENTIRE WEST SIDE OF THE DRIVEWAY BETWEEN THE DRIVEWAY AND
TELEPHONE PEDISTAL AND FROM TELEPHONE PEDISTAL TO THE BACK OF THE HOUSE

Grids : 3819A8620A 3819A8621D 3819A8621C

Work type : TRENCHING
Done for : CLINT NOVAK
Start date: 04/12/2010 Time: 13:15 Hours notice: 96/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : 1 DAY Depth: 2 FEET

Company : CLINT NOVAK Type: HOME
Co addr : 5772 E ROLLING WOOD DR
City : MARENGO State: IN Zip: 47140
Caller : CLINT NOVAK Phone: (812)267-1566
Contact : CLINT NOVAK - CELL Phone:
BestTime:
Mobile : (812)267-1566

Submitted date: 04/08/2010 Time: 13:03
Members: ID0002 ID2151 ID4022 ID8000 ID9528 SM

*Located split service
and main. P+F*

4-9-10

A.E.

Locate Sent to Truck - 07 on 4/8/2010

ID2151 00013 IUPPSa 04/08/2010 13:09:03 1004081919-00A NORM NEW GRID

NORMAL NOTICE

Ticket : 1004081919 Date: 04/08/2010 Time: 13:03 Oper: CODOM Chan:016

State: IN Cnty: CRAWFORD Twp: LIBERTY
Cityname: MARENGO Inside: N Near: Y
Subdivision: RO
LLING WOODS

Address : 5772
Street : ROLLING WOODS DR
Cross 1 : N IN RT 66 Within 1/4 mile: Y
Location: LOCATE THE ENTIRE WEST SIDE OF THE DRIVEWAY BETWEEN THE DRIVEWAY AND
TELEPHONE PEDISTAL AND FROM TELEPHONE PEDISTAL TO THE BACK OF THE HOUSE

Grids : 3819A8620A 3819A8621D 3819A8621C

Work type : TRENCHING
Done for : CLINT NOVAK
Start date: 04/12/2010 Time: 13:15 Hours notice: 96/48 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : 1
DAY Depth: 2 FEET

Company : CLINT NOVAK Type: HOME
Co addr : 5772 E ROLLING WOOD DR
City : MARENGO State: IN Zip: 47140
Caller : CLINT NOVAK Phone: (812)267-1566
Contact : CLINT NOVAK - CELL Phone:
BestTime:
Mobile : (812)267-1566

Submitted date: 04/08/2010 Time: 13:03
Members: ID0002 ID2151 ID4022 ID8000 ID9528 SM

Added by MNG

Completed on 4/19/2010 Remarks : Flagged & Painted

Information Request

Pipeline Safety Division Indiana Utility Regulatory Commission

Case No. 57

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: *Clint Novak Excavating*

Responsible Party Personal Name: *Clint Novak*

Title (if any): *Owner / Operator*

Address: *5772 E Rolling Woods Dr.*

City, State Zip: *Marengo, IN 47140*

Preferred Telephone: *812-267-1566*

Cell Phone Number: *812-267-1566*

Email Address: *cln-novak@hotmail.com*

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INDIANA UTILITY
REGULATORY COMMISSION

Facility Information:

Business Name:

Responsible Party Personal Name:

Title (if any):

Address:

City, State, Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

Locator Service Information:

Business Name:

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: Cory Novak

Business/Organization Name:

Title (if any)

Address: 109 S Bogard Hollow Rd.

City, State, Zip: Marengo, IN 47140

Preferred Telephone: 812-267-6288

Cell Phone Number:

Email Address:

Utility Line Impact:

Location of Damage:

Address: 5772 E Rolling Woods Dr.

City, State Zip: Marengo, IN, 47140

Nearest Intersection: St. Rd. 66

Product Type (circle one):

Natural Gas

Liquid Pipeline

Unknown/Other

Facility Type (circle one):

Distribution

Gathering

Service/Drop

Transmission

Unknown/Other

Size (Diameter/etc.): _____

Pressure (PSIG/Inches): _____

Interruption in Service: Yes No

Number of Customers Affected: 1

Evacuation: Yes No

If yes, How Many Evacuated? _____

Repair Cost (if known): \$ 100.00

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: _____

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:

I did not see any marks passed the 90 degree turn going to my house

YOUR PIPELINE SAFETY DIVISION CASE NO. 57

YOUR FULL NAME: Clint Novak

FULL NAME OF BUSINESS/ENTITY (if applicable): _____

YOUR BUSINESS TITLE (if applicable): _____

ADDRESS: 5772 E Rolling Woods Dr.

CITY: Marengo IN STATE: IN ZIP CODE: 47140

YOUR TELEPHONE NUMBER: (812) 267 - 1566 SECOND NO. () _____

YOUR EMAIL ADDRESS: cd_novak@hotmail.com

TODAY'S DATE: 11-2-11

YOUR SIGNATURE:  TITLE (if any) _____

Please return your Narrative Statement and Answers to the above questions to:

**Pipeline Safety Division – Case No. 57
Indiana Utility Regulatory Commission
101 West Washington Street, # 1500E
Indianapolis, IN 46204**

Or scan document(s) and Email to:

PipelineDamageCase@urc.in.gov

Statement of Events

To Whom It May Concern:

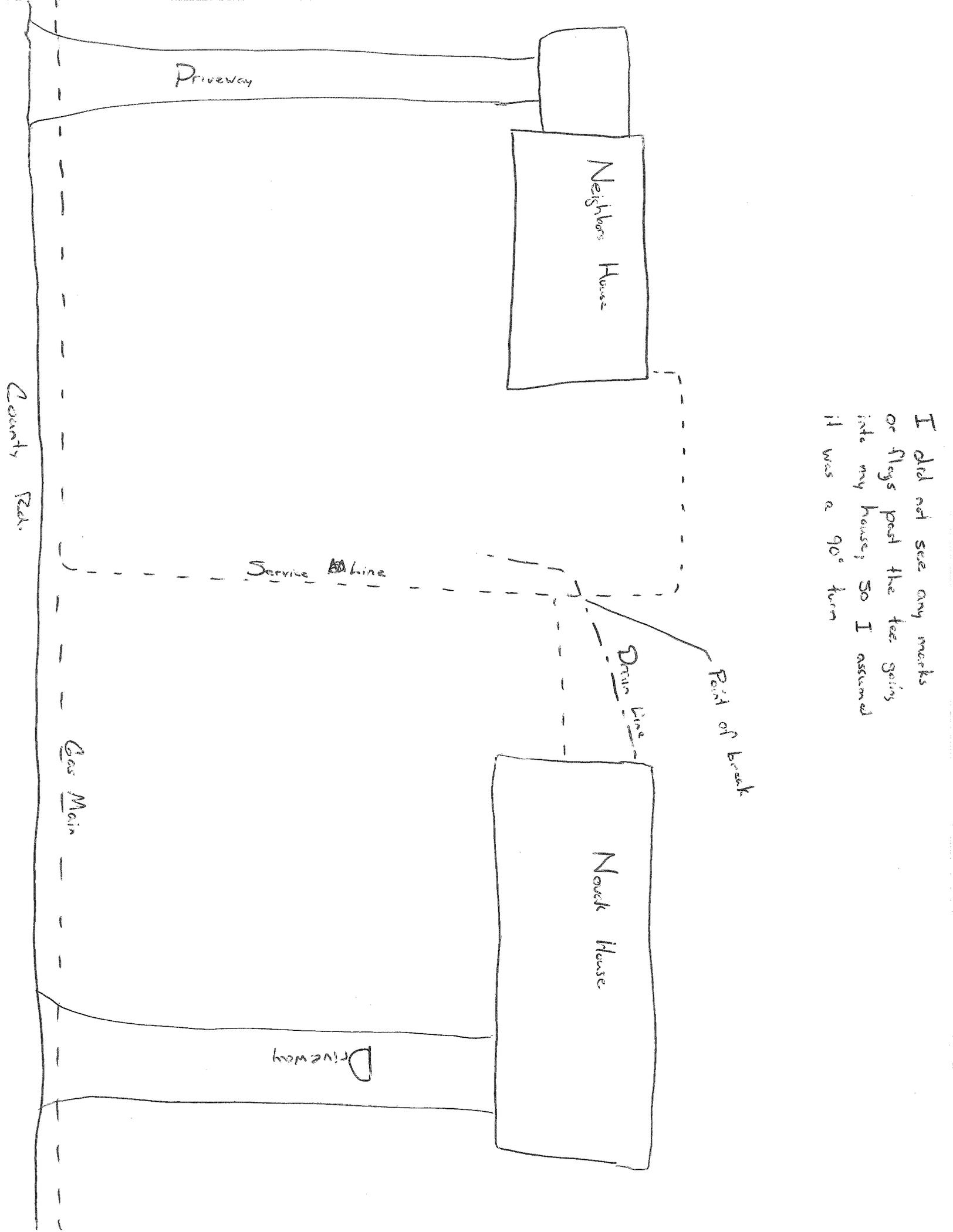
My name is Clint Novak I am a small business owner in Indiana and I do mostly residential excavation work. I have no employees. On the date in question I was working at my home digging a drain line from my crawlspace and daylighting it out on the ground. I had the utilities located prior to the day I was digging but because of my schedule I didn't get to the digging within the allotted time for the locate. However, since I live there I had looked at the locate marks several times deciding on a plan of action and had even left all the flags where they were placed during the locate. I decided to go around the gas line so I didn't have to worry about crossing it. I began the dig and had to cross a phone line, which I hand dug where the locate marks were and found it, and continued on with my ditch. My brother was helping me and he was actually running the excavator and since we were going around the gas line I was doing other things we I heard a hissing noise after one of his passes with the bucket. We immediately shut the excavator off and I called Indiana Natural Gas Corporation. We waited on site for the service technician to show up. When he showed up and fixed the line we began to investigate further and found that the line running to my house had a tee in it and also ran to the neighboring house. The locate showed the line making a 90 degree turn and going into my house but not continuing on and turning and going into the other house. The house that the line supplied was vacant because the people living there were selling and had already moved out. They showed up while everything was going on to pick up some furniture and I notified them what had happened and the technician was able to go inside the home and make sure everything was ok on their end after he repaired the line. Attached is a diagram to better understand the event.

Respectfully submitted
Clint Novak



5772 E Rolling Woods Dr.
Marengo, IN 47140
812-267-1566

I did not see any marks
or flags past the tee going
into my house, so I assumed
it was a 90° turn



Priveway

Neighbors House

Service Line

Drain Line

Point of Break

Norsk House

Driveway

Gas Main

County Rd.