



## **Damage Prevention Committee**

**Summaries and Actions  
from the  
Meeting of August 13, 2019**

**OMNIBUS CASES**

Case Number	Stakeholders	Summary	Violation & Recommendation
2892	<b>Facility Owner:</b> UGI Utilities Inc. <b>Excavator:</b> Leeward Construction <b>Project Owner:</b> Exeter Borough	<p>5/3/2018 at 115 Jesse St., Exeter Borough, Luzerne County.            Leeward Construction was installing a water main and service lines for Exeter Borough on May 3, 2018 at 115 Jesse Street, Exeter Borough, Luzerne County when they struck the accurately marked UGI gas line with a mini excavator.            The DPC previously reviewed this case during its meeting on March 12th, 2019, and penalized Leeward Construction \$1,000 for violating section 5, paragraph 4 of Act 50 by failing to use prudent excavation techniques within the tolerance zone. Leeward Construction disputed the violation.            ****Both Routine Tickets were before PUC's jurisdiction*****</p>	<b>Leeward Construction - \$1,000.00</b> Section 5(4) 1st Offense- \$1,000.00
1484	<b>Facility Owner:</b> Peoples Gas <b>Excavator:</b> A. Folino Construction <b>Project Owner:</b> PennDOT <b>Other:</b> Indiana Borough	<p><u>6/26/2018 on Wayne Avenue, Indiana Borough, Indiana County.</u>            This case was previously reviewed by the DPC during its meeting on June 11, 2019. The DPC penalized Indiana Borough a total of \$4,000 for violating section 2, paragraph 5, subparagraph v of Act 50 by failing to respond to four excavation tickets. Indiana Borough has requested to discuss the violations with the DPC.</p>	<b>Indiana Borough - \$2,000.00</b> Section 5(v)(no response) 1st offense- \$500.00 Section 5(v)(no response) 1st offense- \$500.00 Section 5(v)(no response) 1st offense- \$500.00 Section 5(v)(no response) 1st offense- \$500.00
21	<b>Facility Owner:</b> PECO Electric <b>Excavator:</b> JPS Construction <b>Project Owner:</b> Montgomery County Roads and Bridges <b>Designer:</b> Michael Baker International <b>Other:</b> HMI Technical Solutions LLC	<p><u>10/2/2018 at 230 S. Easton Road, Cheltenham, Montgomery County.</u> JPS Construction was working off of old PECO marks, which were used during the design phase, and struck and damaged PECO's underground primary electric distribution conduit. Power was immediately lost to all intersections and businesses between East Waverly Road and Limekiln Pike in Montgomery County. The police department was notified immediately to assist with traffic control at the intersections which lost power to the traffic signals.</p> <p>JPS Construction indicated in their AVR the conduits were detailed in the plans and were known to be there. They stated PECO failed to move the conduit temporarily prior to the start of their project, and they expected to have dead wires when they began their work. A One Call ticket was not placed prior to the beginning of the demolition operations. The One Call Center indicated JPS Construction has contacted them and placed One Call tickets with them in the past.</p> <p>A fine factor of 0.5 was assed to the penalty based on the degree of public inconvenience.</p>	<b>JPS Construction - \$1,500.00</b> Section 5(2.1) 1st offense - \$1500.00

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146	<p><b>Facility Owner:</b> Columbia Gas  <b>Excavator:</b> RL Livingston Inc.  <b>Project Owner:</b> Stewart and Tate  <b>Other:</b> Verizon  <b>Other:</b> Wrightsville Borough Municipal Authority</p>	<p><u>10/4/2018 at 700 West Market Street, Hellam, York County.</u> This case was previously reviewed by the DPC during its meeting on July 9th, 2019. The DPC penalized Wrightsville Borough Municipal Authority a total of \$500 for violating section 2, paragraph 5, subparagraph v of Act 50 by responding late to two excavation tickets. Wrightsville Borough Municipal Authority has requested to discuss the penalties with the DPC.</p>	<p><b>Wrightsville Borough Municipal Auth - \$250.00</b>                      Section 2.5(v) 1st offense - \$125.00                      Section 2.5(v) 1st offense - \$125.00</p>
306	<p><b>Facility Owner:</b> UGI Utilities Inc.  <b>Excavator:</b> Brookside Excavation Inc.  <b>Project Owner:</b> Brookside Excavation Inc.</p>	<p><u>10/17/2018 at 112 Greenhedge Drive, Manor Township, Lancaster County.</u> Brookside Excavation was excavating without a One Call ticket when they struck UGI's gas service line. Excavator then bent the pipe over and taped it to a piece of rebar. Damage was reported by another contractor.</p> <p>Brookside also failed to place an emergency One Call ticket after breaking the line.</p> <p>On April 22, 2019 DPI Andrade sent a letter to the excavator requesting an AVR. Brookside's AVR was completed on April 27, 2019. Brookside states in their AVR that they were removing sod and weeds when they struck the service stub several inches underground. Act 50 clearly states that any movement of earth is considered excavation, including grading, with few exceptions that pertain only to tilling for farming, or minimal excavation related to the repair and maintenance of roads. Brookside was neither farming, nor working on a roadway, so there should have been a One Call Ticket.</p> <p>The DPC previously reviewed this case during its meeting on June 11, 2019. Brookside Excavation received a fine of \$1000 for violating section 5, paragraph 2.1 of Act 50 by failing to notify One Call prior to excavating, another fine of \$1000 for violating section 5, paragraph 8 of Act 50 by failing to notify UGI of damage to its facilities, and a warning for violating section 5, paragraph 16 of Act 50 for failing to submit an AVR within ten days of striking a line. Brookside Excavation is disputing the violations.</p>	<p><b>Brookside Excavation Inc. - \$1,000.00</b>                      Section 5(2.1) - 1st offense - Reduced to Warning                      Section 5(8) - 1st offense - \$1000.00                      Section 5(16) 1st offense - Warning</p>
672	<p><b>Facility Owner:</b> Verizon Pennsylvania LLC  <b>Excavator:</b> Allegheny Contracting  <b>Project Owner:</b> Columbia Gas of PA - East  <b>Other:</b> State College Borough Water Authority  <b>Other:</b> College Township Water Authority  <b>Other:</b> Pennterra</p>	<p><u>11/5/2018 at 124 Kuhns Ln., College Township, Centre County.</u> This case was previously reviewed by the DPC during its meeting on July 9th, 2019. The DPC penalized State College Borough Water Authority \$500 for violating section 2, paragraph 5, subparagraph v of Act 50 by failing to respond to a routine excavation ticket. State College Borough Water Authority has requested to discuss the penalties with the DPC.</p>	<p><b>State College Borough Water Auth. - \$500.00</b>                      Section 2.5(v) 1st offense - \$500.00</p>

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5073	<p><b>Facility Owner:</b> Philadelphia City Water Dept.  <b>Excavator:</b> Utility Line Serices  <b>Project Owner:</b> Philadelphia Gas Works  <b>Designer:</b> Nicholas Villar Engineering, LLC  <b>Other:</b> City of Philadelphia Streets Department  <b>Other:</b> Verizon Pennsylvania LLC</p>	<p><u>12/4/2018 on Red Lion Rd., Philadelphia City, Philadelphia County.</u> This case was previously reviewed by the DPC during its meeting on June 11, 2019. The DPC penalized the City of Philadelphia Streets Department a total of \$12,000 for violating section 2, paragraph 5, subparagraph v of Act 50 by failing to respond to twelve excavation tickets. The City of Philadelphia Streets Department wishes to dispute the violations.</p>	<p><b>City of Philadelphia Streets Dept. - \$12,000.00</b>                      Section 2.5(v)(no response) 1st offense x 12 - \$1,000.00 x 12 = 12000.00</p>
6971	<p><b>Facility Owner:</b> National Fuel  <b>Excavator:</b> Guzik Concrete and Masonry</p>	<p><u>5/23/2019 at 265 Grandivew Ave., Meadville City, Crawford County.</u>                      On 5/23/2019 a NFG employee observed and photographed Guzik Concrete excavating at 265 Grandview Drive, Meadville without a PA One Call ticket. On 5/23/2019 after being observed by NFG, Guzik Concrete submitted an emergency One Call notification (#20191432108) for 265 Grandview Drive.</p> <p>Note: At the 5/14/2019 DPC meeting Guzik Concrete got education in lieu of administrative fees for violating 5 (2.2) - failing to provide the exact information to identify worksite and 5 (8) Failing to notify 911 and the facility owner when damage resulted in escape of gas. On 6/21/2019, Joseph Guizik and staff took and passed the PUC mandated excavator compliance training course in Monaca, PA.</p>	<p><b>Guzik Concrete - \$2,000.00</b>                      Section 5(2.1) 1st offense - \$1000.00                      Section 5(9) 1st offense - \$1000.00</p>

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7288	<p><b>Facility Owner:</b> National Fuel  <b>Excavator:</b> PennDOT  <b>Project Owner:</b> PennDOT  <b>Other:</b> DJR Well Services  <b>Other:</b> Perry Township Mercer County</p>	<p><u>6/7/2019 at 608 Fredonia Hadley Rd., Greenville, Mercer County.</u> ***No Line Strike - Near Miss Event**</p> <p>PennDOT was excavating to install a 48-inch culvert pipe with no One Call Ticket. They were excavating at a depth of 5 to 6 feet when they uncovered an abandoned steel line and contacted National Fuel. NFG discovered on arrival that the excavation was taking place approximately 10-15 feet away from a 6-inch high-pressure steel gas transmission line. PennDOT then proceeded to submit emergency One Call Ticket 20191581082. Getting caught excavating without a valid One Call Ticket does not constitute an emergency.</p> <p>While Act 50 does permit PennDOT to do some excavating without contacting 811, excavating at a depth of 5-6 feet is not considered routine maintenance.</p> <p>DPI Andrade sent emails to PennDOT asking for their AVR on July 2, 2019. AVR was due June 21, 2019. As of August 8, 2019, no AVR has been submitted. PennDOT's fine for not filing an AVR within 10 days as the project owner was lowered to Zero because fine for not submitting an AVR was already applied to PennDot as an excavator for this proceeding.</p> <p>DJR Well Services was cited for not responding to an emergency One Call Ticket for more than 24 hours (3 days - clear no facilities)</p> <p>Perry Township Mercer County was not cited for responding 26 hours late to an emergency One Call Ticket because their office had flooding, as their computers were out of commission on the day of the emergency ticket. Given that they were two hours later than what is generally accepted by the DPC, we have opted not to cite them because Perry Township has shown that they did not receive the notification in time.</p>	<p><b>PennDOT - \$2,250.00</b>  Section 5(2.1) 1st offense - \$1000.00  Section 5(9) 1st offense - \$1000.00  Section 5(16) 1st offense - \$250.00  Section 6.1(7) 1st offense - \$0  <b>DJR Well Services - \$1,000.00</b>  Section 2.5(v)(vii) 1st offense - \$1000.00</p>

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8120	<p><b>Facility Owner:</b> Columbia Gas of PA  <b>Excavator:</b> Clymer Borough  <b>Project Owner:</b> Clymer Borough</p>	<p><u>6/28/2019 on Oak Avenue, Clymer Borough, Indiana County.</u> Columbia Gas reported, on 06/28/2019 Clymer Borough was excavating with a backhoe without a Pa One Call ticket. An unmarked 2-inch plastic gas main was damaged at Oak Avenue near Cherry Street, Clymer Borough, Indiana County. There was older faint marks on Oak Avenue 30 feet away. The damage to the gas main was with a digging bar. Photos were provided from Columbia.</p> <p>PA One Call has no records of any notifications placed by Clymer Borough for this location.</p> <p>This was the second time Clymer Borough hit Columbia in 3 months without a valid PA One Call. The first time, the line hit caused a gas outage to over 60 customers. Incident date 3/7/2019, case number 5172 - Section 5(2.1) Excavator failed to submit a location request to One Call within the correct timeframe - 1st Offense \$1,000.00 factor 50% \$500.00 \$1,500.00. - no education.</p> <p>As a courtesy, a AVR request letter was mailed to Clymer Borough on 7/17/2019.</p>	<p><b>Clymer Borough - \$1,250.00</b>            Section 5(2.1) 1st offense - \$1000.00            Section 5(16) 1st offense - \$250.00</p>