

CONSENT ORDER APPROVAL

CASE: 13-G-0133 In the Matter of an Enforcement Proceeding Against Cranbrook Construction, Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.

Company Name: Cranbrook Construction, Inc.  
(Cranbrook)

Principal Contact: Mr. Dan Crandell

Address: 794 Watervliet Shaker Road  
Latham, NY 12110

Alleged Code Violation(s): 753-3.10(a)

Description of Violation: Failure to take reasonable precaution to prevent contact to an underground facility

Date of Violation: July 24, 2012

Damaged Facilities: Protective coating on 12-inch steel natural gas main

Date of NOPV: September 7, 2012

Response: Informal conference on October 9, 2012

Proposed Penalty: \$500

Circumstances

Cranbrook stated that it was installing a trench box in order to stabilize the trench and protect the natural gas line. As work progressed, Cranbrook dragged the trench box alongside the pipe which damaged the coating on the 12-inch steel gas main. Cranbrook acknowledged that it failed to take reasonable precaution to prevent contact to an underground

facility. Cranbrook has no prior violations, committed to taking corrective action and training, and was cooperative through-out the investigation.

Mitigating Factors to Support a Reduced Penalty

1. Cranbrook Construction, Inc. has no history of prior violations.
2. Cranbrook Construction, Inc. has committed to take remedial actions to prevent re-occurrence - it will complete a training session given by Dig Safely New York.
3. Cranbrook Construction, Inc. was cooperative throughout the investigation and enforcement proceeding.