

STATE OF NEW YORK  
DEPARTMENT OF PUBLIC SERVICE

**INVESTIGATIVE REPORT**

March 1, 2024

TO: Michael Pasinella, Professional Engineer 2 (Gas Pipeline Safety)

FROM: David Rousseau, Assistant Engineer – Gas Pipeline Safety

SUBJECT: Third Party Damage at 908 N Military Road, Niagara Falls NY  
National Fuel Gas Distribution Corporation Service Territory

On December 11th, 2023, National Fuel Gas Distribution Corporation (NFGDC, Operator) informed DPS Staff of third-party damage to a natural gas facility at 908 N Military Road in Niagara Falls. A 2-inch coated steel medium pressure gas main had been damaged in the area, causing the uncontrolled release of gas at 908 N Military Road in Niagara Falls. A Company-estimated quantity of 8,905 Ccf of gas was lost from time of the incident until the gas was turned off at the two nearby key valves. NFGDC crews responded to the incident and turned key valves off on both sides of the damaged main to make the situation safe. Initial estimates on scene determined that 184 customers were taken out of gas service due to the damage. However, the final calculation and determination of the damage and isolation / repair activities found it resulted in 169 actual customer outages. There were no reported evacuations, injuries, or property damage. Staff observed the fire department on scene but did not observe any police or media on scene. Media reported to the scene later that evening to report on the incident.

Staff investigated on-site and found a 2-inch coated steel medium pressure gas main had been damaged and pulled out of an immediately adjacent key valve box. Scott Lawn Yard (Excavator) stated they were unaware of the gas line below where they were digging. The Excavator stated that they believed they were stuck on masonry or tree roots when his backhoe encountered resistance. This action pulled the line up out of the ground and pulled it out of the immediately adjacent key valve box. One active Emergency UDIG NY Ticket was found to have been called in by Excavator for the work area (11023-001-067) at 12:08 PM on November 02, 2023.

Construction activity was taking place at 908 N Military Road when damage occurred to the 2-inch coated steel medium pressure gas main. Staff observed 753-compliant markings and flags in the vicinity, identifying a 2-inch coated steel medium pressure gas main underground. Measurements and pictures were taken utilizing a Rhino HIT Kit™ to determine the accuracy of the mark-out. A review of the damage location and measurements taken with the Rhino HIT Kit™ found the 753 markings and flags to be within two feet of the centerline of the 2-inch coated steel medium pressure gas main.

Staff spoke with Scott Lawn Yard (Excavator) backhoe operator Paul Pujolas, who stated he was unaware of the gas line below where he was digging. Paul Pujolas stated that he believed he was

stuck on masonry or tree roots when his backhoe encountered resistance, and he engaged the backhoe again to continue to removal of material. This action pulled the line up out of the ground and pulled it out of the immediately adjacent key valve box. Paul stated that he was familiar with Part 753 markings and observed the flags in the immediate vicinity, but that he had not been informed of any gas facilities running under the road. Paul finished by stating that his upper management had been made aware of the facilities, but that communication never made it to him. Paul stated that the mark-out had been completed prior to work starting, that he believed the mark-out was correct, and that the gas main running under the road was not exposed at the time of the incident. The strike occurred inside of the stated tolerance zone for the 2-inch coated steel gas main. This was confirmed with the Rhino HIT-Kit™ measurements.

Staff also discussed the findings on-site with NFGDC Supervision, and was informed that existing maps, records, and locator tone indicated the 2-inch coated steel medium pressure gas main to be where it was marked. Post excavation, NFGDC noted the mark-out location to be accurate and per NFGDC maps.

Excavator was given a Part 753 booklet, read the citation to be issued by Staff, given an explanation on what it meant, and asked to sign the citation to confirm receipt. Excavator was asked if they had any questions, to which they answered in the contrary. Excavator was then instructed to respond promptly to all communications from DPS Albany that would follow.

Staff issued Scott Lawn Yard a citation (See BUF-23-012). The Excavator was cited for failure to comply with 16 NYCRR Part 753-3.6(b): Verification of underground facilities. The Excavator failed to verify underground facilities furnishing gas by means of hand dug test holes at one or more points where the work area and tolerance zone of the 2-inch coated steel medium pressure gas main overlap. See Appendix A for photographs of the damage investigation. Image files are available upon request for quality purposes.

The operator provided an estimate of 8,905 cubic feet of gas was lost because of this damage. Staff performed a check of this estimate and determined that the amount of gas lost was likely closer to 21,360 cubic feet. The following values were utilized in Staff's determination:

Pressure at time of failure	=	12 psig
Diameter of hole	=	1.41 inches
Area of hole	=	2 inch <sup>2</sup>
Duration gas blowing	=	0.40 hours (24 minutes)